HEARING STATEMENT
– MAIN MATTER 3

Chesterfield Local Plan Examination

September 2019
Prepared for:
Strategic Development Land Ltd

DEVELOPMENT & PLANNING | LEEDS
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1. **Introduction**

1.1 This Hearing Statement is submitted by Cushman & Wakefield on behalf of Strategic Development Land Ltd to the Chesterfield Local Plan and relates to Main Matter 3.

1.2 Strategic Development Land have land and property interests at Calow Lane, Hasland. Cushman & Wakefield have previously made representations towards the emerging Local Plan in support of the application site.

1.3 Strategic Development Land consider that the plan as submitted is not sound and this Hearing Statement seeks to assist the Inspector by specifically addressing a number of issues raised by the Inspector.

1.4 By way of background the site at Calow Lane, Hasland is approximately 7ha and comprises four agricultural fields. An outline planning application was submitted for up to 120 dwellings with all matters reserved except for access (ref: CHE/19/00251/OUT). The application is still waiting to be determined, with a deadline of 15 October 2019. Cushman & Wakefield are currently in discussions with the case officer regarding the proposal.

1.5 The site lies outside of, but adjacent to the settlement development limits of Hasland and is designated as ‘Development in the Open Countryside & Other Open Land’ in the adopted Chesterfield Local Plan. The site has not been allocated in this emerging Local Plan.
2. **Main Matter 3 – Meeting housing need and the Plan’s Housing Requirement including the accommodation needs of travelling communities**

**Issue 1:** Whether the plan identifies a sound assessment of housing need and over what period

2.1 *Is it justified and consistent with national policy to establish the housing need that the Plan should accommodate through the methodology of Objectively Assessed Need (OAN) as identified through the Strategic Housing Market Assessment (SHMA) for the wider North Derbyshire & Bassetlaw HMA rather than the standardised methodology for local housing need (LHN)?*

The National Planning Policy Framework (as revised February 2019) states at paragraph 60 that in determining the minimum number of homes needed, strategic policies should be informed by a local housing need assessment (LHN), conducted using the standard method, unless exceptional circumstances justify an alternative approach. In addition to the LHN figure, any needs that cannot be met within neighbouring areas should also be taken account in establishing the amount of housing to be planned for.

Since the amendments to the Framework and Planning Practice Guidance (PPG) that require housing requirement to be informed by LHN using the standard method, the Council has produced a LHN assessment, revised further following the February 2019 amendments (see Housing Topic Paper, June 2019). The revised calculation is a LHN target of 240 dwellings per year, including an adjustment for affordability. This work has been undertaken since the submission of the draft Local Plan to the Secretary of State. In the submission version of the plan, it is clear that Policy LP1 Spatial Strategy and LP4 Flexibility in the Delivery of Housing rely on the Objectively Assessed Need figure of 265 dwellings per annum. As the Council submitted the draft plan for Examination after the 24th January 2019, then this is the incorrect approach. The Council has not put forward any exceptional circumstances that would justify using an alternative approach.

2.2 *Does PPG paragraph 2a-015-20190220 provide a basis for finding the submitted plan’s housing need is sound because the OAN is marginally higher than the latest LHN figure?*

The above paragraph in the PPG provides circumstances in which an alternative approach would be justifiable. In circumstances where the alternative approach produces a figure higher than the LHN (as is the case using OAN for Chesterfield) the strategic policy making authority will need to demonstrate, using robust evidence that it adequately reflects current and future demographic trends and market signals – where this is the case it will be considered a sound approach as it will have exceeded the minimum starting point.

We would therefore agree that this guidance does provide a basis for finding the submitted plan’s housing need is sound, however the evidence that underpins the figure will need to be robustly interrogated as we consider that the figure in the plan still under-estimates the housing requirement for the Borough.

2.3 *If applying the OAN, is the methodology used for defining Chesterfield’s OAN appropriate and does it provide a robust basis for establishing the scale of housing need? In particular does the SHMA make justified adjustments to the demographic starting point in respect of migration and a part return to household formation rates?*
We support the approach taken in the SHMA and the 2017 update to make an adjustment for suppressed household formation rates during the 2001 – 2011 as a result of the economic circumstances. Taking a mid point between the 2008 and 2014 based projections to 2035 is considered to be appropriate and a reasonable approach to take. Failure to make the adjustment would result in suppressed household formation rates being projected forwards.

**2.4 Is the OAN justified in not making an uplift for economic/jobs growth in light of the aspirations of the LEPs and the potential of HS2 for the area? Does the draft Sheffield City Region (SCR) Statement of Common Ground confirm that the SCR LEPs economic ambitions are likely to be met across the city region?**

No, plans should be positively prepared and significant weight should be placed on the need to support economic growth and productivity. In the North Derbyshire and Bassetlaw OAN Update, 2017 (GL Hearn) it is made clear in the conclusions that although there are uncertainties associated with future economic performance the planning system seeks to positively and proactively encourage and drive sustainable economic growth. The Growth Scenario which sets a provision of 330 dwellings per annum for Chesterfield, should be interpreted in this light as providing an assessment of the potential for the impact on housing need should the economy perform more strongly; and providing a basis for considering through the plan making process how planning for higher housing provision and economic growth could be mutually supportive. GL Hearn therefore recommend that the OAN figures are treated as minimum figure and if appropriate unmet housing need should also be quantified.

The Statement of Common Ground notes that using the standard method of LHN, the assessment of LHN in the SCR would be 5,389 (net) new homes per annum. This is below the housing requirements in adopted and emerging Local Plans, which currently totals 6,659 new homes per year. The SofCG therefore concludes that the 1,200 homes per year above the LHN figure will enable economic growth to be delivered through Local Plans and will support the economic ambitions of the SCR Strategic Economic Plan. However, there is no guarantee that that the additional 1,200 homes per annum identified will actually be delivered through the local plans as many of these are still to be examined and it is considered that the draft SCR SoCG relies on.

**2.5 Will either the OAN or LHN provide/support a sufficient labour supply to meet the ambitious but realistic employment forecasts for the Borough? For example, the 2017 SHMA at Table 31 indicates that an OAN to sustain an economic growth scenario of 4,200 net additional jobs would require an adjusted housing need of 330 dwellings per annum. Paragraph 3.59 of the SHMA advises to use baseline economic forecasts as a minimum but points to Council’s carrying out further testing of the higher growth scenario figures. Has there been any further consideration or assessment of the higher growth scenario?**

No comment – this is for the Council to address, although we support a higher OAN or LHN to support economic growth.

**2.6 Is there any compelling evidence to consider an uplift for market signals under OAN or LHN:**

We have reviewed the GL Hearn report, North Derbyshire and Bassetlaw OAN Update, 2017 and would concur with their findings set out in paragraphs 9.15 and 9.16 and would agree that there is little evidence to suggest an uplift for market signals.

**2.7 If the plan were to be modified to the lower LHN figure as a starting point for establishing housing need in the Borough would that give rise to any strategic planning issues in either the**


HMA or the wider Sheffield City Region? Has a lower LHN informed housing need figure been subject to sustainability appraisal as a reasonable alternative?

No, the Sustainability Appraisal does not specifically appraise this option, although it does reference the LHN and states that it would be similar to Option 1 of the three housing target options assessed by the Council. It should be noted however that Option 1 is not the option favoured by the Council – Option 3 is favoured. If the plan is to be based on LHN then a proper sustainability appraisal should be undertaken to appraise options using that methodology.

2.8 The NPPF at paragraph 22 advises that “strategic policies should look ahead over a minimum 15 year period from adoption” (Inspector emphasis). Are there particular circumstances in Chesterfield to justify a slightly shorter plan period? Can the identified housing need be suitably extrapolated to 2035 against the submitted evidence base for the plan (for example infrastructure, future jobs forecasts etc.)?

The current plan period would appear to be 2018-2033. The evidence underpinning the identified housing need in the plan is to 2035 (see GL Hearn: North Derbyshire and Bassetlaw OAN Update, October 2017) and therefore we consider that it is possible to extrapolate the housing need to 2035 from this evidence base.

2.9 What is the start of the plan period? Is it 2014 or for housing need has it been recalibrated to start from 2018?

No comment this is for the Council to address

Issue 2: Does the Plan set an appropriate housing requirement [Policy LP1]

2.10 Is Policy LP1 clear that the housing requirement is the same as the OAN at 4,374 homes over the period 2018-2033? If so, would the housing requirement be justified, effective, positively prepared and consistent with national policy?

No this is not clear. The baseline OAN is 5035 net dwellings over the plan period with an outstanding need of 4,374 taking into account net completions between 2014 and 2018. Factoring in under delivery in the period 2014 – 2018 results in an overall OAN of 5,548 or 292 net new dwellings per annum. This is the housing requirement figure for the plan period and as such in the policy text this should explicitly state that the housing requirement for the borough over plan period is 5,548 dwellings or 292 per annum.

2.11 Are there any circumstances that indicate the District’s housing requirement should be other than the submitted evidence of the Objectively Assessed Need or the latest LHN figure?

It is considered that there is a case for increasing the OAN or latest LHN to further take account of the growth strategy of the City Region and the borough’s own growth aspirations as discussed above. Further to the Council’s Strategic Housing Requirement Review (2016), where they state that a request was received from Derbyshire Dales to assist in meeting their own objectively assessed needs, we are still unclear how this was resolved. We are also aware of the challenging quantum of housing that Sheffield City Council will need to deliver and the policy constraints around its borders (Green Belt and National Park) such that there may be a need for neighbouring local authorities to accommodate some of Sheffield’s housing requirement. It is clear from paragraph 60 of the Framework that needs that cannot be met within neighbouring areas should also be taken into account when in establishing the amount of housing to be planned for. Although we note the draft Sheffield City Region SoCG, this is
still in draft form and does not provide justification for the statement on p.9 that each local
authority area will ‘plan for our own housing need within our own local authority boundaries,
taking account of housing market geographies and agreements between individual authorities
as necessary’.

2.12 References have been made to unmet housing need arising in Derbyshire Dales and Sheffield.
Neither authority has made representations on the Plan requesting or identifying unmet needs
that should be accommodated in the borough. If the Plan is found sound on the basis of the
SHMAs OAN, is the Housing Market Area (North Derbyshire and Bassetlaw) appropriately
defined in the terms set out at PPG paragraph 61-018-20190315?

The Housing Market Area for Chesterfield as identified in the SHMA 2014, only covers the local
authority areas of Bassetlaw, Bolsover, Chesterfield and North East Derbyshire, however the
evidence suggests that there are economic links with the wider Sheffield City Region including
Sheffield, Rotherham and Doncaster. For example Figure 4 of the draft Sheffield City Region
SoCG figure 4 demonstrates that there are relatively strong travel to work commuting flows
between Sheffield and Chesterfield and also Derbyshire Dales. Paragraph 61-018-20190315
sets out how housing market areas can be analysed and includes contextual analysis of travel
to work areas, retail and school catchment areas.

Issue 3: Delivering an appropriate mix of housing including affordable
forms of housing [Policy LP5]

2.13 Paragraph 3.19 of the Local Plan sets out that those interested in custom and self build are not
facing significant difficulties accessing sites for development. However, paragraph 3.9 states
that opportunities for self build schemes will be encouraged. How does the Plan seek to deliver
this?

There is nothing in the plan that provides positive policy support for self build. The Council
accept that there is a statutory framework to support self-build but nothing further is offered in
the Plan beyond this.

2.14 Does Policy LP5 provide an appropriate basis for assessing the housing mix of proposed
developments?

The wording of this policy in terms of housing mix is not prescriptive, which we would support.
The policy however needs to identify on what basis the Council will assess local housing needs
and characteristics – is this to be with reference to a particular document?

2.15 With reference to footnote 46 of the NPPF and the PPG sections regarding housing for older
and disabled people and housing optional technical standards, would the requirement for
accessible, adaptable and wheel chair user dwellings in Policy LP5 be justified, viable and
accord with national policy? Would Policy LP5 contain sufficient flexibility in its requirement for
accessible, adaptable and wheel chair user dwellings in the context of PPG Paragraph: 008
Reference ID: 56:008-20160519, Paragraph: 009 Reference ID:56-009-20150327 and
Paragraph :010 Reference ID:56-010-20150327?

Policy LP5 is unclear regarding adaptable and accessible housing. Does the 25% sought apply
only to affordable housing? If that is the case greater clarity should be provided by the wording
to the Policy. If it is 25% of all housing, we consider that the ‘subject to suitability’ clause of the
policy should apply to market as well as affordable dwellings. Paragraph 008 Reference ID:
56:008-20160519 requires site suitability to be a consideration for all proposed adaptable and
accessible dwellings. We note that the guidance in Paragraph 009 Reference ID:56-009-
20150327 stipulates that policies that relate to accessible housing can only be applied to housing where the local authority is responsible for allocating or nominating a person to live in that dwelling. This would indicated that the 25% adaptable and accessible housing reference in the policy relates to affordable only but as stated above, the wording of the policy should be clearer.

2.16 Is the reference to subject to site suitability within Policy LP5 clear and would it ensure that the policy is effective?

No – see our comments above.

2.17 Does the evidence of need and viability submitted justify the affordable housing requirements set out in Policy LP5? Would the policy be clear and more effective by including the affordable housing requirements for each CIL zone within the policy?

The policy wording with regards to affordable housing in Policy LP5 is vague – up to 20% provides no certainty to developers as to what quantum of affordable housing should be delivered on any one site. A table setting out the affordable housing requirements for each CIL zone within the policy would provide greater clarity for developers and housebuilders as to the expectation for affordable housing.

2.18 Does Policy LP5 intend that all affordable housing it secures to be in the form of shared ownership? If so, in its current form, would the policy as written achieve this? Would such a requirement be justified and effective within the context of the wider forms of affordable housing as defined in the NPPF?

If it is the Council’s intention to deliver all affordable housing in the form of shared ownership, the policy wording should be amended to state that ‘Any affordable home ownership to be delivered on site should be in the form of shared ownership’. If this is the Council’s intention it is considered that it is not justified and would be not be strictly in line with policies in the NPPF, which requires that on major developments a minimum of 10% of the affordable housing provision is expected to be available for affordable home ownership. Although this does not preclude all affordable housing being secured for affordable home ownership, setting the level at 10% of the overall affordable policy requirement would indicate that there would need to be local evidence to justify such an approach. Even in those circumstances, there are other type of affordable home ownership types such as starter homes.

2.19 Based on the Council’s evidence regarding an aging population and notwithstanding the support for new registered care facilities offered by Policy LP5, how would he plan make adequate provision for specialist housing for older people?

No comment
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