Gladman Developments Ltd
Matter 6 Hearing Statement
Chesterfield Local Plan
Examination

Housing Land Supply

September 2019
6.1. What is the housing land supply as of 1 April 2019? – was this updated as part of housing topic paper?

1. It does not appear that the housing land supply calculation has been updated as part of the housing topic paper. The latest housing land supply calculation is contained in the Chesterfield Borough Five Year Supply Statement (May 2019) which suggests that the Council is able to demonstrate a 5-year housing land supply (5YHLS). This assessment is based on the Local Housing Needs (LHN) figure of 240dpa and does not actually state what the actual 5YHLS is. Clarification on what the current 5YHLS position is therefore required. Notwithstanding this, the submitted Plan is based on a higher housing requirement of 292dpa. Adding shortfall of 28 dwellings which occurred in the 2018/19 period plus a 20% buffer as required by the NPPF results in an annual requirement of 357dpa.

6.3 Does the Plan illustrate the expected rate of housing delivery through a trajectory and set out a housing implementation strategy describing how a five-year supply will be maintained (NPPF paras 73, 74 and 75)? On submission, the Plan does not contain a housing trajectory. Does Appendix 2 of the Housing Topic Paper (June 2019) present a sound trajectory?

2. The strategic policies of the Plan are not supported by a housing trajectory contrary to the requirements of paragraph 73 of the Framework. The housing trajectory has been provided following submission of the Plan through the publication of the Housing Topic Paper 2019. The Council’s housing trajectory provides a prediction of the expected delivery rates of the proposed sites in the Council’s HLS over the plan period. Gladman has concerns regarding the assumptions made in the housing trajectory. Of particular note is the suggested build out rates and lead in times. The assumptions made appear to be fairly generic and unrealistic.

3. There are clearly a wide range of issues that can affect delivery rates which are widely understood to have an impact on early and sustained delivery from strategic housing sites that are planned for within local plans. Many of these have recently been reflected through Sir Oliver Letwin’s ‘Independent review of build out: final report’, October 2018. In summary, this review identifies the following issues:

- Issues associated with s106 agreements/infrastructure delivery;
- Scheme design and reserved matters applications and approvals process;
- Discharge of planning conditions and other consents required to enable delivery i.e. highways and drainage;
- The availability of resources i.e. labour, materials and equipment;
- Site preparation and enabling works;
- Market absorption rates (The rate at which newly constructed homes can be sold into the local market without materially disturbing the market price);
- The number of sales outlets; and
- Wider economic cycles and circumstances.

4. Gladman are of the view that the information provided is extremely limited and does not provide the level of information required to demonstrate that the sites are deliverable as required by the NPPF2019, as set out in the definition of ‘deliverable’ in Annex 2 Glossary. Sites with outline planning permission, allocated through the Local Plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin within five years.

5. Gladman are of the view that the peak delivery rates within the housing trajectory will need to be lowered as it is not a realistic given previous delivery trends. Furthermore, the continued reliance on sustained levels of delivery for the remainder of the plan period (and beyond) will mean that any delays could result in further significant slippage of housing numbers beyond the end of the plan period.

6.4. In general terms completions since 2011/12 (a period of relative economic stability) have been averaging around the 150 dwellings per annum mark, notwithstanding a 2013 Core Strategy and evidence that the Council has permitted schemes in the absence of a 5-year housing land supply. Against this background is the housing topic paper trajectory realistic to forecast a significant increase in delivery, peaking at 800 dwellings per annum in 2022/23?

6. Further to the concerns raised in response to 6.3, Gladman do not consider the anticipated increase in housing delivery peaking at 800dpa in 2022/23 to be realistic given the sites which are proposed to be allocated and the average historical delivery rates.

7. A number of studies have been undertaken, which look into the issue of delivery from large scale housing sites. Savils published its ‘Urban Extensions: Assessment of Delivery Rates” in October 2014. The report considered evidence on the length of time it takes for Sustainable Urban Extensions (SUE) to progress through the planning system and the rates of delivery once construction has commenced. It concludes that, on average, a SUE starts construction on the
first phase of housing more than four years after the submission of an outline planning application. More recently, Lichfield’s research into housing delivery rates “Start to Finish: How Quickly do Large Housing Sites Deliver” November 2016 found that, on average, sites of 100-1000 units will typically deliver 60 units each year; and sites of 2000 or more will deliver 161 units per annum. However, this is dependent on local circumstances including the number of outlets acting on site and market demand. Furthermore, it is important to note that housing delivery will likely be associated with peaks and troughs over the plan period and it is unlikely that all of the Council’s housing commitments will come forward at the same time and rate of delivery due to the complex issues relating to discharge of conditions, infrastructure requirements etc.

6.5 Is the Plan’s submitted provision for a supply buffer of 20% above the figure of 4,374 set out in Policy LP1 justified, effective and positively prepared?

8. In principle, Gladman support the provision of a supply buffer of 20% above the housing requirement figure as this adds an element of flexibility within the Council’s housing land supply. However, given the nature of the Plan and the spatial strategy which seeks to provide over 60% of its housing supply on Previously Developed Land (PDL) it is unlikely that all of these sites will come forward as anticipated due to the complex nature of such regeneration schemes for the reasons already stated. It is therefore advised that further flexibility is provided by an appropriate buffer of greenfield sites to support the Council’s proposed housing allocations on PDL land.
6.6 In applying the NPPFs definition of deliverable, would there be a deliverable supply of housing for at least five years upon plan adoption? Does the Plan strike the right balance between providing sufficient sites for genuine, early choice and competition for the housing market, including smaller sites, whilst maintaining focus on larger, strategic brownfield and regeneration sites?

9. Whilst it is acknowledged that the Plan allocates a range of PDL and greenfield sites, the emphasis is very much on regeneration efforts. Gladman are concerned that the Plan does not provide the right balance for providing sufficient sites in the short-medium term which will support the delivery of the Council’s regeneration efforts which will likely take longer to come forward owing to complex matters associated with such sites. In addition, for the reasons already referred to, Gladman is concerned that the Council has provided limited information for sites considered to be deliverable contrary to the requirements of the Framework and has applied unrealistic lead in times on a number of sites which brings into question whether there will be a sufficient range of sites available for the first five years of the plan period. Further information should be provided by the Council detailing the discussions and requirements of each allocation in the Council’s housing land supply and we reserve the right to provide further comments on this matter.

10. Gladman submit that there is a fundamental need to allocate additional housing sites to support the Council’s regeneration efforts and these should be tested through a revised SA process and included within the Plan to ensure that the Council has a flexible and responsive supply.

6.7 Noting Appendix 3 of the Housing Topic Paper, what intelligence from developers or key assumptions have been applied to inform the housing trajectory in the Housing Topic Paper? In particular: (i) any necessary master-planning; (ii) timeframes for the grant of detailed planning permissions; (iii) timelines for discharge of conditions; (iv) lead-in times for developers to be on site including infrastructure contingencies; (v) number of outlets per site; and (vi) annual completions per outlet.

11. Appendix 3 suggests that site statements have been received from individual developers in relation to 18 sites. The details concerning the contents of these statements have not been published so it is difficult to assess what key assumptions have been applied to inform the housing trajectory. Gladman therefore reserve the right to comment on these issues if further evidence is provided before or during the hearing sessions at the examination in public.
6.8 Are any main modifications necessary for soundness to update the housing trajectory and provide accompanying text which clearly explains the key components of the trajectory and how a deliverable land supply is to be calculated (for example: approaches to dealing with any shortfalls and past-delivery, projections for windfall, and any allowances for non-implementation)?

12. It is currently unclear how key components of the trajectory and how the deliverable land supply has been calculated in terms of shortfall, past delivery, windfall allowance, non-implementation allowance etc. It is considered main modifications are required to both the housing trajectory and its supporting text to make them sound. These issues will be determined by the outcome of the Local Plan examination and are dependent on the Council providing further information on these matters. As such, Gladman reserve the right to provide further detailed comments at the examination in public.

6.10. The Housing Topic Paper identifies the Council’s preference for dealing with any shortfall in housing delivery to date would be to recover performance over the plan period (the Liverpool method). Would this be a justified and effective approach?

13. No. The reliance on Liverpool method which deals with housing shortfall over an extended period of time is not considered justified or an effective approach to ensuring housing needs are met in full. If the Plan period commences at 2018 then the shortfall previously experienced will be less than the figure previously calculated by the Council. It is considered that in order to deal with housing under supply a 20% buffer should be included and that this is dealt with via the ‘Sedgefield’ method. The Sedgefield approach is the most common approach advocated by the Planning Inspectorate, as it is more closely aligned with the NPPF’s approach to significantly boosting the supply of housing1 by attempting to deal with any historic shortfall within the first five years.

14. Whilst neither method is mentioned in national policy or guidance, it is clear that the emphasis is on meeting the housing need in full on an annual basis as a minimum. It seems at odds with that approach to spread past housing delivery failure over a longer period into the future when it should already have been delivered. Failing to address undersupply of housing that has

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1 NPPF – Paragraph 59
already accrued, without good reason, will only serve to create further barriers for households looking to access the housing market, whose needs will continue to go unmet.

15. It would be particularly unjustified where there are additional suitable housing sites that can readily come forward and be developed in the short term to assist in meeting the borough’s full housing needs.

6.11 What would be the implications for housing land supply were the plan period extended to provide a 15-year strategic policy framework on plan adoption? The Council’s Soundness Assessment (document KSD13) states that there is additional delivery on strategic sites for the final 2 years of the plan period to take it to 15 years from adoption (2020) as required by the NPPF.

16. Notwithstanding the comments raised in relation to the housing requirement, the Council will need to ensure that it has identified sufficient sites to deliver housing needs in full over the plan period and this will likely necessitate the need for additional housing land to be identified.

6.12 Paragraph 3.8 of the Plan sets out that the Council will take action if monitoring is unable to demonstrate a supply of deliverable housing sites’. What would this action entail? Is it clearly presented in the monitoring and review framework (document KSD10)?

17. The Local Plan states that the Council will take action if it is unable to demonstrate a supply of deliverable housing sites. However, there is no policy provision contained in the Plan which details what the Council will do in circumstances where they are unable to demonstrate a 5YHLS. As such, the Plan provides no appropriate contingency measures to deal with any under supply which may be experienced over the course of the plan period.

18. Gladman reiterate our previous concerns that further modifications to the Plan are required to ensure that any shortfall in housing land supply that is observed over the plan period is addressed as quickly as possible. Suitable mechanisms with concrete actions and outcomes are therefore needed to be built into the Local Plan to ensure the Council is able to demonstrate and maintain a continuous supply of housing land.

19. In order to ensure that any shortfall in housing land supply that is observed over the plan period is addressed as quickly as possible, suitable mechanisms should be built into the Local Plan which will enable the Council address delivery issues in its housing land supply as quickly as possible. This is considered necessary to ensure the soundness of the Local Plan. Accordingly,
Gladman recommend a further modification through the inclusion of an additional policy which provides flexibility in responding to a failure in housing land supply and the following wording is submitted for consideration:

“At any point in the Local Plan period where there is no longer a demonstrable supply of sites to fully meet the five-year land requirement, sustainable sites that would both make a positive contribution to the five-year supply of housing land and are well related to settlements identified as sustainable locations for future growth will be supported.”

20. Furthermore, monitoring the Local Plan’s policies is central to assessing their effectiveness and whether or not the Council is meeting the objectives of the Local Plan. Gladman believe that the Plan would also be better served if it contained a review policy within the Plan which is clear, easily understandable and effective, by setting achievable targets for the completion of a review should it become apparent that a shortfall in housing delivery occurs or unmet housing need from neighbouring Local Planning Authorities occur.