Chesterfield Local Plan Examination

Chesterfield Borough Council Response to
Inspectors’ Matters, Issues and Questions

16th September 2019

Matter 6 – Housing Land Supply
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We will need to reach a conclusion on whether the Plan’s housing requirement of 4,374 dwellings (Policy LP1) is sound. However, without prejudice to that main issue and working on the assumption that it is soundly-based:

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

The Five Year Housing Supply position Paper for April 2019 will be provided alongside this response. The completions are referred to within Section 3 (Delivery of Housing) and the commitments remaining after the 18/19 monitoring year are factored into the housing trajectory. The supply was not factored into the tables at 1.11.

6.2 How many homes have been completed since the start of the plan period and what definition/methodology of “completion” has been applied?

The Council’s Five Year Housing Supply Statements form the record of the housing completions within the borough. Completions monitoring since 2011 shows that 1,184 homes (net) have been completed within the borough. A table to show the breakdown by monitoring year is presented within the Housing Topic Paper (TP1 - page 16). When visiting sites dwellings are recorded as ‘completed’ when they have reached the ‘second fix’ stage of construction (which means internal timber finishes, skirtings, doors and architraves are complete) and virtually ready for occupation. ‘Second Fix’ is a term used in the construction industry which means that it is easy for local planning authority surveyors to ask the project manager for a site how many houses had been completed to ‘second fix’. To increase efficiency in the monitoring process the council has also been making use of building control completion records and Council Tax banding records (from 2018/19) to establish the number of completed dwellings and date of completion. MCHLG define a dwelling to be completed “when it becomes ready for occupation or when a completion certificate is issued”. It is still necessary to monitor completions in the field as the reporting of some completions may be delayed and some completions may be missed if no completion certificate was requested by the developer or owner.

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?

On submission the Local Plan did not contain a Housing Trajectory and is not in accordance with paragraph 73 of the NPPF. The Trajectory has been provided through
the Housing Topic Paper (2019) and a modification will be proposed to ensure that the trajectory is also included within the plan itself to illustrate the expected rate of housing delivery over the plan period. The first set of results from the Housing Delivery Test were published in February 2019 and showed that Chesterfield’s delivery rate was at 66% which is deemed to be significantly below target. The Council has developed and published a Housing Delivery Action Plan (HDAP) in line with paragraph 75 of the NPPF, but the plan itself does not contain a housing implementation strategy. In addition to the HDAP, the NPPF (paragraph 74) requires a further ‘buffer’ of 20% be added to the authority’s housing target where there is evidence of ‘persistent under-delivery’. This is where delivery has been under 85% on average over the previous three years. This additional year of housing supply has been factored into the borough’s Five Year Housing Supply position accordingly. As of April 2019 the Council is able to demonstrate a supply of dwellings deliverable within five years from all sources of 1,982 dwellings. This equates to a surplus of 542, determined in accordance with the requirements of paragraph 73 of the Revised NPPF. Appendix 2 of the Housing Topic Paper (TP1) shows the anticipated delivery for each housing allocation and commitment from 1st of April 2019, based on available evidence. The trajectory will be amended to accord with the extended plan period (with an end date of 2035/36). The starting point was the year of submission (given that a housing supply must be demonstrated at the Local Plan examination). The NPPG (Paragraph: 024 Reference ID: 3-024-20190722) states that indicative trajectories should “set out how much housing and the amount of economic development that can be provided, and at what point in the future (i.e. within years 1 to 5, 6 to 10, and 11 and beyond). An overall risk assessment should be made as to whether sites will come forward as anticipated”. The trajectory will be prepared in accordance with the NPPG. The trajectory in Appendix 2 of the Housing Topic Paper (TP1) is considered to be sound, and the council will seek a main modification to include this trajectory within the Local Plan. A separate five year supply table will be prepared which could also be included in the Local Plan if the Inspectors considered this to be necessary.

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?

Completions have been on an upward trend and there are currently more housing sites and developers active in the borough than there have been since before the recession.
The trajectory has been based on delivery information provided by developers for sites currently active or with deliverable planning permissions.

The figures for 2021/22 and 2022/32 are heavily reliant on a number of large greenfield sites starting in those years (particularly Tom Lane, Dunston and Mastin Moor). It is recognised that any delay in the start of these schemes or rates of delivery would result in significant changes to the trajectory, with an evening out of delivery.

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

Yes, the provision for a supply buffer of 20% is sound. See the Housing Topic Paper (TP1).

6.6 In applying the NPPF’s 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?

The trajectory appended to TP1 shows that the council expects to have a deliverable 5 year supply of housing on adoption of the local plan. An adopted housing trajectory will be provided that clarifies this position. The Council considers that it has a suitable balance of small/large sites and brownfield/greenfield housing sites that will suit a range of developers in both the short term context of the 5 year housing supply and the longer term context of the housing trajectory (years 5-15).

The analysis undertaken for the Housing Delivery Action Plan shows that 67% of the potential capacity of the local plan allocation sites is set to come forward from brownfield opportunities (across 32 sites). Greenfield sites account for 32% of the potential capacity (across 12 sites) with the remainder due to come forward from mixed sites.

The NPPF states that plans must accommodate at least 10% of their housing requirement on sites no larger than one hectare. Of the sites within table 4, 16 are below 1 hectare in size (taking into account the updated figures as per question 5.5) accounting for 339 dwellings of the target 437. Unallocated sites in the brownfield land register account for a potential of 233 homes which means there is an abundance of small sites. Not all of these sites were allocated within the plan as they did not meet the LAA size requirements. The Council’s windfall analysis means that more small sites are likely to come forward later on in the plan period.
The trajectory contains sites with a range of dwelling capacities:

<table>
<thead>
<tr>
<th>Range of Dwellings</th>
<th>Number of Sites</th>
<th>Percentage of Trajectory Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-9 Dwellings</td>
<td>16</td>
<td>22.2%</td>
</tr>
<tr>
<td>10-49 Dwellings</td>
<td>38</td>
<td>52.7%</td>
</tr>
<tr>
<td>50-149 Dwellings</td>
<td>8</td>
<td>11.11%</td>
</tr>
<tr>
<td>150+ Dwellings</td>
<td>10</td>
<td>13.89%</td>
</tr>
</tbody>
</table>

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 the 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.

The redacted housing site statements will be submitted to the examination to provide a record of the Council’s developer / land owner intelligence. An update will be sought this month to ensure that the information is as up to date as possible and to ensure that all of the considerations (i-vi) have been covered.

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)?

Yes. The council will prepare modifications to that effect.

6.9 The Local Plan housing supply has no reliance on windfall sites. Is that a justified approach in light of the evidence at Appendix 4 of the Housing Topic Paper (June 2019)?

Paragraph 70 of the NPPF supports the use of an allowance for windfall sites in the housing supply where there is compelling evidence that they will form a reliable part of the supply. The NPPG also states that Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance (using the same criteria as set out in paragraph 67 of the NPPF).

Chesterfield has a long-term history of housing completions coming from small windfall sites, as such there is a strong justification for making a windfall allowance in the
borough’s housing supply. The character and spatial form of the borough means small windfall sites come forward regularly and reliably, contributing a significant and consistent proportion of new housing delivery.

The windfall evidence in Appendix 4 of the Housing Topic Paper provides the evidence and justification for allocating a windfall allowance of 34 dwellings per annum. It takes into account historic delivery rates, anticipated market trends and sites allocated for development (by excluding the sites contained within the SHLAA and LAA). The approach taken to calculating the allowance is cautious – only considering windfall sites under 5 dwellings.

The windfall allowance should only be applied to the last three years of the five year housing land supply as it is anticipated that any windfall completions in the first two years will already have planning permission. The Council will prepare a modification to include the windfall allowance within the trajectory.

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?

Yes, for the reasons (and based on the evidence) as set out in the Housing Topic Paper TP1.

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 at page 6 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.

Based on capacity on strategic sites there is sufficient housing land supply were the plan period to be extended to 15 years from adoption (2020 to 2035).

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)?

The council would undertake a call for sites and a review of the Local Plan (if one is not already underway). The council will prepare modifications to the monitoring and review framework to this effect.