



GL Hearn

Part of Capita Real Estate

HED DPD – Response to RVBC Position Statement

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1 RESPONSE TO COUNCIL'S POSITION STATEMENT

1.1 This Statement is prepared to assist the Inspector with the Ribble Valley Housing and Economic Development DPD (HED DPD). This should be read in conjunction with GL Hearn's response prepared on behalf of L.H.S Properties Ltd (hereafter called L.H.S.) to the previous consultations on the DPD.

1.2 At the Hearings sessions in November 2018 it was agreed that it would be useful for the Council to provide a Position Statement to inform the Hearing dates set for January 2019. This was issued in December 2018 and covered the following areas agreed at the initial housing hearing sessions:

- Five year housing supply and the actions undertaken by the Council in response to changing national policy requirements, Inspectors' determinations at appeals and the dynamic context of housing land supply within the borough.
- The Council's position on the relevant buffer.
- The housing trajectory.
- Overview of delivery against the proposed Plan strategy with particular reference to the Standen strategic site and development at main settlements.
- The process undertaken by the Council in relation to site selection, including the sustainability appraisal
- The conclusion in relation to the Plan delivering against identified housing requirements

1.3 L.H.S' comments on the document are set out below, with reference to the relevant paragraphs of the Council's position statement where necessary.

Introduction

1.4 Para 3.1 correctly identifies that the HEDPD was submitted in September 2017 and as such should be examined against the 2012 NPPF. Despite this, the Position Statement (para 5.1) refers to the Housing Delivery test, which was introduced in the July 2018 NPPF

1.5 Para 214 of the 2018 NPPF is clear in that *"the policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019"*. Accordingly the position of the Council in respect of the HDT in relation to the 2018 NPPF is irrelevant for the EiP.

Buffer

1.6 The 2012 NPPF at paragraph 47 required Local Planning Authorities to *"boost significantly the supply of housing"* in order to *"provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in plan period) to ensure choice and competition in the market for land"*. The NPPF is clear that where there has been a

record of “*persistent under delivery of housing*” that Local Planning Authorities (LPAs) should increase the buffer to 20%.

1.7 RVBC accept at para 5.4 that it has previously applied a 20% buffer to its calculation of housing land. It was also reported to Member in July 2018 that the use of a 20% buffer was an ‘urgent issue’ such that further housing land allocations will need to be considered (para 2.3)

1.8 This position is supported by L.H.S.

Supply of Housing Land

1.9 The use of the 20% buffer is further confirmed at the Longridge appeal references at at para 6.4 of the Position Statement which confirms that the Inspector found that applying a 5% buffer was premature. At that appeal the housing land supply position was understood to be 4.5 years (with a 20% buffer).

1.10 More recently, the housing land supply has reduced and the Council’s position was identified to be 4.3 years (including the 20% buffer at September 2018), as confirmed at para 6.9 of the Position Statement. It is noted however that the Appellant’s position for the appeal was as low as 3.98 years (when applying the 20% buffer).

1.11 This raises significant concerns over the Council’s position with regards the supply of housing land and will result in a shortfall in dwellings over the next five years of up to 538 dwellings as calculated below:

Table 1: RVBC Five Year HLS Shortfall

Annual requirement	280
Five year requirement (5x280)	1400
Shortfall to date (to 18/19, Appendix 2 Table 1)	800
Total requirement	2,200
Buffer at 20%	440
Total five year requirement	2,640
Shortfall at 4.5 Years supply	264
Shortfall at 4.3 Years supply	370
Shortfall at 3.98 Years supply	538

1.12 Given the falling housing land supply position identified by the Council in their Position Statement, it is inconceivable that the Council can now claim, only 3 months later, that it has a 6.1 year supply of housing land (para 6.1). it should also be noted that this has been calculated using the incorrect ‘test’, as noted in para 1.5 above.

1.13 Further allocations would assist in reducing this under-supply, which is discussed further below.

Standen and Barrow sites

- 1.14 In the original Hearing Statements, L.H.S. raised issues with the delivery of two large strategic sites in Ribble Valley at Standen and Barrow.
- 1.15 In relation to Standen it was considered that only 440 units would be delivered on the Standen site over the plan period. This was identified as a shortfall of around 600 units when compared to the identified 1,040 dwellings outlined in the Core Strategy.
- 1.16 The evidence now provided by the Council on the Standen site in their Position Statement is that around 40-50 units per year at the site could be delivered, such that 532 of the units will now be delivered beyond the plan period.
- 1.17 This is a significant shortfall in dwellings from that identified in the Core Strategy.
- 1.18 In relation to Barrow, L.H.S. identified in its Hearing Statement that using a reasonable delivery of 40 dpa (similar to Standen), 240 dwellings could potentially be delivered on the site over the remainder of the plan. Overall around 280 would be delivered on the Barrow site by 2028. This was identified as a shortfall when compared to the identified 729 anticipated for parcels A and B at Barrow.
- 1.19 The Council's evidence now identifies that that over 400 dwellings will be delivered over the remainder of the plan period. In response to this it is acknowledged that Parcel A is under construction and is expected to deliver around 30 units per annum, which is a reasonable assumption.
- 1.20 The updated evidence provided by the Council also expects that Parcel B at Barrow will start delivering new dwellings soon and is identified to be at a rate of 50 units per annum. However, given that there is already an existing housebuilder on site, it seems unlikely that 80 units per annum would be delivered on this site.
- 1.21 It is also noted that in relation to Parcel B (225 units) there is no contract in place with any housebuilder to deliver this site, as is confirmed in the Council's evidence. As such there are concerns about the delivery rates identified in the Council's evidence.
- 1.22 Table 2 of L.H.S Hearing Statement 2 has been reproduced below to demonstrate how the delivery of the Barrow site has varied dramatically over the last 3 years of monitoring

Table 2: Barrow delivery

Site	HLS date	Trajectory per annum					Total
Barrow	Dec 18	30	60	80	80	80	330
	Oct 17	0	0	0	20	20	40
	Oct 16	0	40	80	80	80	280

1.23 As such the delivery of the Barrow site should be approached with caution and L.H.S. are aware that other parties raised similar concerns with the supply of housing from this site which directly informs the five year supply of housing, as well as the potential supply of housing over the plan period.

1.24 Notwithstanding the optimistic delivery rates, Appendix 1 of the Council’s Position Statement still identifies a residual shortfall in Barrow (43 units) when compared to the overall Core Strategy target.

Overall Delivery

1.25 Table 1 of the Council’s Position Statement identifies the potential housing trajectory in terms of the delivery of units to 17/18 and the identified supply. The Inspector should be drawn to the Council’s intended supply of dwellings over the next five years, where it is expected that the delivery of units per annum will range between 486 and 559 dpa.

1.26 In order to deliver this number of units per annum, there would need to be a higher number of completions in each of these years, when compared to highest number of completions in the preceding 10 years (400 units).

1.27 Exceeding the highest delivery rate to date by between 21% and 40% each year over the next five years is not considered realistic.

1.28 Furthermore the Table also seems to identify a shortfall in the trajectory of 7 units.

1.29 There is no flexibility in the identified supply of sites neither to deal with the under-delivery identified above nor to take into account any slippage on any other sites. A reasonable figure to consider would be a 10% slippage rate.

1.30 Policy H1 of the Core Strategy seeks to make land available for 5,600 units over the plan period and *“These figures will be treated as a minimum target unless otherwise determined”* (our emphasis). If the plan is to achieve its housing requirement as a minimum, additional sites are required to enable the plan requirements to be surpassed.

1.31 The Core Strategy seeks to allocate around 1,000 units into the more sustainable settlements. Of this, Gisburn was allocated only 16 units, or around 1.6% of this tiers allocation. As the core strategy clearly expects that development is to be distributed throughout the settlements, there is clear market demand in Gisburn and the latest housing needs assessment for the settlement clearly raises issues with the affordability of housing within the parish, L.H.S. consider that an additional site in Gisburn should be identified.

1.32 This can contribute to both the five year and the overall supply of much needed dwellings in Ribble Valley.

Site Selection Process

1.33 Para 8.12 of the Position Statement identifies that to address the “*Borough-wide housing land need, as opposed to the previous residual requirements in Wilpshire and Mellor shown above and set out in the Submission Version, it was decided to seek additional allocations to be considered as possible Main Modifications*”.

1.34 At the original Hearing Session the parties in attendance requested further clarification on the site selection process and the sustainability appraisal.

1.35 The agenda for the special Planning and Development Committee was clear in that additional allocations were needed (para 2.4). This then went on to identify a series of Tier 1 sites and Tranche 2 sites with the report stating (para 4.3) that:

Members may wish to consider whether it would also be prudent to guard against unanticipated circumstances resulting in an under delivery on the above sites [Tranche 1 sites]. To allow for this possibility it is suggested that a secondary tranche of three sites be selected from which any shortfall can be covered. It is emphasised that these sites are only to be considered in the eventuality of those in the Principal and Tier 1 settlements above failing to deliver to the anticipated scale in the anticipated time and may need to be revisited in the light of consultation.

1.36 Despite the statement above, it is strange that at para 6.1 that the report recommends that only sites in para 4.2 consulted on and submitted to the Examination as proposed Main Modifications to the submitted HED DPD.

1.37 There are no further clarification points with the Minutes of the meeting which state:

Members discussed the merits of the various sites and asked officers to comment upon the flexibility of bringing Tranche 2 sites forward instead of using Tier 1 sites. The problem highlighted was one of deliverability within a five year period which was more likely with a site of 100 units as opposed to a smaller number.

1.38 A more robust approach would have been to confirm the additional sites for inclusion within the HED DPD.

- 1.39 It should also be noted that there are no deliverability issues with the Main Road, Gisburn site as demonstrated in the associated Vision Document. The site is identified as accommodating only 50 units and Prospect submit full planning applications on their sites to expedite delivery, such that it can deliver sites to contribute towards the five year housing land supply
- 1.40 Therefore it still unclear the exact reasons for not including the additional sites in the HED DPD which could have assisted in addressing the issues identified above with respect of the current shortfall of units and some overly optimistic assumptions of the Council around the delivery of certain sites.

2 CONCLUSION

- 2.1 L.H.S. still have concerns that the HED DPD as drafted has not been positively prepared, justified or consistent with national policy, the available evidence and the DPD will not maintain a five year supply of housing sites and is not deliverable over the plan period.
- 2.2 The evidence above clearly demonstrates that;
- When using the correct buffer there is a shortfall in units of up to 538 units in the next 5 years;
 - Standen will deliver a significant proportion of its units beyond the plan period;
 - The delivery rates at barrow are optimistic, but in any case there is a shortfall units in the settlement when compared to the delivery strategy;
 - The delivery rates over the next few years are overly optimistic;
 - Overall there is a shortfall in the number of units identified, even without the inclusion of an additional buffer to account for any slippage in the delivery of sites;
 - No further evidence has been provided by RVBC to demonstrate convincingly the additional site selection process.
- 2.3 Overall the key Core Strategy requirements of making housing more affordable and supporting the sustainability of settlements, along with boosting the supply of housing as required by the NPPF, will not be delivered without further housing sites in Gisburn over the plan period.
- 2.4 For the reasons set out above, L.H.S. maintain the position that Gisburn should be provided with a further residential allocation in order to significantly boost the supply of housing as required by the NPPF, address the housing needs in Gisburn and assist with the issues of affordability within this sustainable settlement.