

# **Ribble Valley**

## **Housing and Economic Development Plan Document**

### **Proposed Main Modifications – Additional Housing Sites**



**April 2019**

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# 1 HOUSING AND ECONOMIC DEVELOPMENT DPD

## 1.1 Context

1.1.1 Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure. This submission provides Gladman's representations to the current consultation held by Ribble Valley Borough Council (RVBC) on the proposed additional housing sites main modifications consultation.

1.1.2 Gladman has been involved throughout the plan making process of the Housing and Economic Development Development Plan Document (HEDDPD) and these representations should be read in conjunction with those previously submitted. In particular, this response seeks to reiterate the comments previously submitted to the proposed main modifications consultation undertaken by RVBC in August 2018.

## 1.2 Additional Housing Sites and Sustainability Appraisal

1.2.1 Gladman previously highlighted through our response to the previous main modifications consultation that circumstances on land availability in the borough will have likely changed since the Regulation 18 and Regulation 19 consultations which ended in October 2016 and June 2017 respectively. With the examination taking place over a protracted period there are likely to be new sustainable development opportunities that have not been previously considered such as Gladman's land interests at land off Henthorn Road, Clitheroe.

1.2.2 Through our previous representations, Gladman recommended that the Council should undertake a further call for sites exercise to ensure that all sites which are available for development are considered to ensure that the most sustainable sites are selected to meet the identified needs of the borough and that these sites be tested through the Sustainability Appraisal (SA).

1.2.3 Whilst Gladman does not wish to comment on the principle of development of the proposed additional housing sites, it is clear that the Council has neglected to assess the sites that have been submitted for consideration beyond the Regulation 19 consultations and no consideration of further sites has taken place through the SA process.

1.2.4 In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies that are set out in local plans must be the subject of a Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against all reasonable alternatives.

- 1.2.5 The Council should ensure that the results of the SA process conducted through the review clearly justify any policy choices that are ultimately made, including the proposed site allocations (or any decision not to allocate sites) when considered against 'all reasonable alternatives'. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Council's decision making, and scoring should be robust, justified and transparent.
- 1.2.6 The requirement to assess reasonable alternatives has been subject to significant litigation. The principles having been summarised by Hickinbottom J in R(RLT Built Environment Ltd) v Cornwall Council [2016] EWHC 2817 (Admin) at paragraph 40.

### **Housing Land Supply**

- 1.2.7 The Council considers that it is able to demonstrate a five-year housing land supply of 6.1 years on the basis of assessing its supply against the requirements of the Revised National Planning Policy Framework (the Framework).

#### Methodology

- 1.2.8 Gladman agree that the Sedgefield method is appropriate for calculating the Council's housing land supply as this is the most common approach advocated by the Planning Inspectorate, as it is more closely aligned with the need to significantly boost the supply of housing by attempting to deal with any historic shortfall within the first five years of the Plan.

#### Buffer

- 1.2.9 It is clear that the Council has persistently under delivered but because of the Housing Delivery Test (HDT) only a 5% buffer has been applied.

#### Windfall

- 1.2.10 The Council's HLS includes a small sites windfall allowance of 78 dwellings. This is based on 26 dwellings in years 3, 4 and 5 of the five-year period. This is in addition to the 300 dwellings the Council already include in its supply on small sites. Accordingly, the Council considers that 378 dwellings will be delivered on small sites between 1<sup>st</sup> October 2018 and 30<sup>th</sup> September 2023 at an average of 76dpa.
- 1.2.11 The Council has provided no compelling evidence to justify a windfall allowance in the five-year supply as it makes no reference to its SHLAA, which in any case was adopted in November 2013 and is therefore over 5 years old. The Council has also failed to provide evidence in relation to specific 'historic windfall delivery rates'. The table on page 5 of the HLS assessment provides the number of dwellings "completed or under construction" on windfall sites between 2008 and 2018. As small

windfall sites under construction have erroneously been included, it is unclear as to what the actual delivery rate of small windfall sites was over the 10-year period.

1.2.12 Lastly, the windfall allowance is based on past trends over the last 10-year period, which demonstrates an average of 26 dwellings were completed/under construction per annum on small sites between 2008-2018. However, the Council's supply already includes 300 dwellings on small sites with planning permission. If all these 300 are delivered in the five-year period as the Council's housing trajectory suggests, the annual completion rate on small sites would be 60dpa which is far in excess of past trends of less than 26dpa. Accordingly, there is no compelling evidence based on historic delivery that a further 78 dwellings should be included in addition to the 300 dwellings on small sites. The 78 dwellings should therefore be deducted from the Council's supply.

1.2.13 In addition, based on past trends, the 300 dwellings on small sites with planning permission will not be delivered in the five-year period and only 130 dwellings would be delivered. This is a maximum figure because the 26dpa figure includes sites that were under construction as well as those completed. This means that 170 dwellings should not be included in the five-year supply.

#### Build out rates

1.2.14 The build out rate of each site will depend on local circumstances. There are clearly a wide range of issues that can affect the delivery rates which are widely understood to have an impact on the early and sustained delivery from strategic housing sites that are planned for within local plans, many of which have recently been reflected through Sir Oliver Letwin's 'Independent review of build out: final report', October 2018 which identifies:

- Issues associated with Section 106 Agreements/Infrastructure delivery
- Scheme design and reserved matters applications and approvals process
- Discharge of Planning Conditions and other consents required to enable delivery (such as highways and drainage)
- The availability of resources (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
- Wider economic cycles/circumstances

1.2.15 Given the above it is important that the Council applies realistic lead in times and build out rates on the proposed allocations. In this regard, the Council generally applies a build out rate of 30 dpa to most of the large sites within the Council's supply with one developer. This approach accords with

the build out rates experienced on other comparable sites with a single developer. However, the Council has increased the build out rates at the Standen and Chipping Lane sites which are significantly higher than the Council's previous delivery on similar sites. It is unclear why the Council claim they are able to deliver between 50-85dpa on Higher Standen and up to 68 dwellings at Chipping Lane, Longridge. If a realistic build rate of 30dpa is applied this would remove 264 dwellings from the claimed supply.

### **1.3 Clitheroe's Housing Land Supply**

- 1.3.1 The Core Strategy anticipated that the Standen Strategic Site would deliver 1040 dwellings over the Plan period. However, the Council now accepts that only 508 dwellings will be delivered by 2028 with the remaining 532 dwellings beyond the plan period. Therefore, there are 532 dwellings that will no longer be delivered in Clitheroe over the Plan period. The Housing Position Paper (December 2018) claims an oversupply in Clitheroe of 221 dwellings which when subtracted from the 532 shortfall in delivery from the Standen site leaves a residual requirement of 311 dwellings to find in Clitheroe over the Plan period. Even taking in to account the additional allocations in Clitheroe proposed through the MM's this would still not meet the shortfall in Clitheroe over the Plan period.
- 1.3.2 Taking in to account the more realistic buildout rates for the Standen site identified above the residual requirement for Clitheroe is even greater.
- 1.3.3 It is clear that to meet the housing for requirement over the plan period further sites need to be found in Clitheroe in order to secure the delivery of the Spatial Strategy set through the Core Strategy. The failure of the Council to undertake this through the HEDDPD means that the HEDDPD is not adequately responsive to the Core Strategy.

### **1.4 Affordable Housing**

- 1.4.1 The 2013 SHMA updated the 2008 SHMA and took account of the guidance in the SHMA Practice Guidance. It concluded that there was a net annual need of 404 affordable dwellings in Ribble Valley for the first five years. The Core Strategy Inspector took into account a recalculation based on a higher percentage of income spent on housing than the SHMA, this reduced the net annual need to 268 affordable homes. The Inspector also took into account 154 households living in private rented accommodation and found the scale of need to be 114 dwellings per year for the first 5 years. Notwithstanding the above, the Core Strategy monitors affordable housing against a housing target of 75 units per year (i.e. 1,500 affordable homes over the plan period to 2028).
- 1.4.2 The latest Housing Land Availability Survey (September 2018) confirms that Ribble Valley Council have only hit the monitoring target three times over the plan period to date. This is confirmed in the table overleaf.

<b>Affordable Completions</b>	<b>Number of dwellings</b>
<b>Year</b>	
01/04/08 - 31/03/09	37
01/04/09 - 31/03/10	43
01/04/10 - 31/03/11	27
01/04/11 - 31/03/12	61
01/04/12 - 31/03/13	29
01/04/13 - 31/03/14	45
01/04/14 - 31/03/15	113
01/04/15 - 31/03/16	78
01/04/16 - 31/03/17	100
01/04/17 - 31/03/18	70
01/04/18 - 30/06/18	23
01/07/18 - 30/09/18	21
<b>TOTAL</b>	<b>647</b>

- 1.4.3 Assessed against the SHMA requirement of 268 dwellings per annum, this would result in a shortfall of 2,167 affordable homes. The number of affordable dwellings completed has therefore been significantly below the requirement.
- 1.4.4 To meet the affordable housing monitoring target of 75 dwellings per annum over the plan period, 853 affordable homes would need to be delivered to 2028. Given that the Standen site will not deliver in full in the plan period, it is unclear how the Council intends to address affordable housing needs and meet the target set out in the Core Strategy in the plan period to 2028. On the Council's own figures, there are only a further 817 affordable homes that could potentially be delivered in the plan period to 2028. This demonstrates that the Council will not meet the housing target set out in the Core Strategy based on its own figures. Gladman consider that based on the deliverable supply only 729 affordable homes could potentially be delivered over the remaining years to 2028, which means that the target will not be met by an even greater margin.
- 1.4.5 The proposed allocations in the HED DPD will not address the shortfall in affordable housing. It is therefore apparent that further sites are required.

## 1.5 Conclusions

- 1.5.1 For the HEDDPD to be found sound at examination it must be able to meet the four tests of soundness as required by the Framework. This will require the Plan to be positively prepared, justified, effective and consistent with national planning policy. The HEDDPD also must be found consistent with the adopted development plan.
- 1.5.2 Gladman consider that the proposed additional housing sites offer little flexibility in order to provide a responsive supply of housing and submit that further sites need to be identified and tested through the SA process to ensure that the Plan is delivering the level of development that is required to meet the housing and economic needs of the area. In this regard, we submit that the Council need to undertake further work to ensure that all sites which have been submitted through the Local Plan process are considered for allocation in an equal and transparent manner.
- 1.5.3 Even with the proposed allocations in the HED DPD the residual requirement for Clitheroe will not be met and there is no clear strategy to deal with this. Gladman consider therefore that the HEDDPD does not sufficient implement the spatial strategy defined by the Core Strategy which defines Clitheroe as the most sustainable settlement in the Borough and where the highest proportion of future development needs are to be met. The HEDDPD should have been prepared to address this and ensure that the housing requirements of the Core Strategy can be met in full. In response Gladman consider that additional sites are required in Clitheroe to meet this shortfall. Accordingly, the Council will need to undertake a further call for sites and subject these sites to the SA process to ensure all sites are considered as reasonable alternatives.
- 1.5.4 It is clear that the Council will not meet the affordable housing target of 75 dwelling per annum let alone the affordable housing requirement over the plan period. Like with the identified shortfall for Clitheroe the proposed allocations in the HED DPD do not meet this shortfall and Gladman consider that additional sites are required to address this issue.