Examination of Bolsover Local Plan – Development Plan Document

Response to Matter 2 – Soundness of the Local Plan

On behalf of Homes England in respect of land at Talbot Street, Pinxton.
1.0 Introduction

1.1 This statement has been prepared by WYG on behalf of Homes England who own land at Talbot Street, Pinxton. Representations in support of the allocation of this site were made at the Publication Stage (Regulation 19) of the Local Plan (representation IDs 8537, 8547, 8548, 8549, 8550 and 8552).

2.0 Issue 5: Is the Local Plan positively prepared, justified and effective in respect of housing?

Housing Requirement [Policy SS2]

Q23. Is the Housing Market Area [HMA], which includes Bassetlaw District, Bolsover District, Chesterfield Borough and North East Derbyshire District the most appropriate basis upon which to assess housing needs? Does it represent an appropriate functional HMA, which is supported by evidence?

2.1 We agree that Bolsover sits within the wider North Derbyshire and Bassetlaw HMA. It is, however, important to recognise there is an overlap between this HMA and the Sheffield City HMA. Sheffield has indicated that it has concerns as to whether it can meet its own OAN within its own boundaries and therefore has sought assistance from elsewhere, including Bolsover (ref. PP1, para 3.22). Whilst it is recognised that the linkages between Sheffield and Bolsover are not as strong as other authorities in the North Derbyshire and Bassetlaw HMA, Bolsover was requested to assist meeting an element of unmet need from Sheffield. The response from the Local Authority appears to have been to oppose any additional allocations to meet Sheffield’s needs primarily based on the timing of the request. In our view this does not represent a robust approach to consideration of this request, and as such calls into question the approach to the Duty to Cooperate and the delivery of housing to meet needs across the overlapping Sheffield City HMA.

Q24. Is the Objectively Assessed Housing Need (OAHN) for the housing market area based on up to date evidence, including household and population projections, local migration and demographic adjustments and market signals?

2.2 We consider that the OAHN does not take into account many relevant factors including migration, market signals and economic growth aspirations. The figure of 272 d.p.a. represents a blunt 10% uplift on a baseline projection scenario of 240 d.p.a. and proposed purely to assist in meeting affordable housing provision (in itself a reasonable proportionate uplift).

2.3 Based upon the Council’s evidence and our own analysis, the housing requirement within policy SS2 should be increased to at least 301 d.p.a. to meet market signals and affordable housing need. However, if the plan is to be aspirational and meet its economic potential the Objectively Assessed Housing Need (OAHN) should be raised to 389 d.p.a.

Q25. Does the OAHN have sufficient regard to the economic aspirations of the Sheffield City Region and D2N2 Local Enterprise Partnerships (LEPs)?

2.4 The Revised NPPF (2018) indicates that the policies in the previous Framework (2012) will apply for the purposes of examining plans submitted on or before 24 January 2019. This Plan therefore should be considered under the 2012 national policy context.

2.5 The NPPF (2012), paragraph 158, is clear that housing and economic strategies should be integrated. The PPG built upon this (ID 2a-018) advising that plan makers should have regard to the likely change in job numbers when assessing an OAN. An assessment of economic trends and or economic projections is therefore an essential element of determining the OAN.
Q26. Have employment trends been taken into account?

2.6 The 2017 (GL Hearn) OAN Report identifies two growth scenarios. The first is a baseline forecast which suggests a very modest 0.2% growth in employment growth across the HMA and a slightly higher (but still low) 0.4% growth in Bolsover. These growth rates are very low when considered against previous levels of growth, which indicate employment growth of over 3% per annum, well in excess of the employment growth assumptions in the OAN Report.

2.7 To convert jobs growth to housing numbers the 2017 OAN report applies several assumptions which are generally considered acceptable. However, in relation to economic activity rates our client identifies a preference to the use of those promoted by the Office of Budgetary Responsibility (OBR), as opposed to Experian. The OBR, a respected and independent body advising government upon fiscal policy, includes economic activity rates which take account of changes to the State Pension Age (SPA). These assumptions are considered far more reliable and credible than those put forward by Experian as, whilst taking account of changes to the SPA they are not reliant on an unrealistic increase in the over 65s continuing to work. The effect upon the economic growth scenarios, which use a blended OBR / Experian rate, would be a further uplift.

2.8 Taking into account the impact of evidenced and achievable employment growth assumptions (based on past trends) we consider that the housing requirement should increase to 389 d.p.a. (See Publication Representations ID: 8537).

Q27. Does the housing requirement of 5,168 dwellings between 2014 and 2033 (272dpa) reflect the full OAHN Need for market and affordable housing in the HMA?

2.9 The Authority have applied a 10% uplift to the baseline requirement (of 249 d.p.a.) to assist in meeting affordable housing needs. This uplift is considered a reasonable proportionate approach. However, it should be applied to a baseline requirement which is informed by market signals and employment growth expectations.

2.10 The proposed requirement, in our view, does not reflect the full OAHN for two reasons. Firstly, it does not apply an uplift to account for worsening market signals and secondly it does not take account of the economic potential of the area. In our view, applying a 10% uplift to meet market signals, followed by a 10% uplift for affordable housing need, would mean a requirement of at least 301 d.p.a. However, the employment-growth scenario, which is considered fully justified by past trends means a requirement of 389 d.p.a. is more appropriate if the Authority is to meet its economic growth potential.

Q28. Should the housing requirement be increased to include a 10% buffer above the OAHN given the lapse rate of 5.1% identified within the District for major applications between 2009/10 and 2014/15 which would give a target of ‘up to 5,700 dwellings’?

2.11 Yes, however we consider this would be subsumed within the employment growth scenario identified above.

Q29. Is Policy SS2 sufficiently clear in expressing the required housing target as a minimum?

2.12 No – the wording of the policy should be amended to “Sufficient land to accommodate the delivery of a minimum of 5,168 dwellings...”
Q30. Do the latest household projections, published by the Office for National Statistics [ONS] on 20 September 2018, represent a meaningful change in the housing situation in Bolsover and, if so, would this have any bearing on the soundness of the Local Plan?

2.13 The projections remain only a starting point for calculating OAHN and it is a flawed approach to simply refer to changes in these projections to justify changes to housing requirements. Any changes to housing requirements could only be justified, and policy compliant, through a full review of the OAHN. The application of the Standard Methodology (SM) is not strictly relevant in this case, due to the timing of the submission of the Plan and the implementation requirements of the NPPF (2018). However, it is of note that the Government are also consulting on a revision to the SM which would involve using previous projections to calculate need, recognising that a continued downward trend of delivery will be exacerbated by the application of the SM in its current form.

Q31. Should the housing requirement include an allowance to accommodate unmet need from Sheffield City or North East Derbyshire District?

2.14 Yes as set out above. The policy could be worded with sufficient flexibility to allow additional growth within the district to meet wider needs, with the added benefit of the economic growth it would support.

Housing Distribution

Q32. Does the distribution of housing in the Local Plan reflect the spatial strategy of focusing development on the more sustainable settlements, whilst also supporting regeneration needs and tackling deprivation?

2.15 The settlement hierarchy proposed represents a reasonable approach considering the scale and nature of settlements in the district. However, the scale of development identified within those settlements is inconsistent and fails to deliver the strategy established through the hierarchy.

Q33. Is the distribution of housing development around the District appropriate? [Policy SS3]

2.16 We consider the distribution to be inconsistent and unjustified. Pinxton has the least dwelling numbers of the ‘large villages’ by a significant amount (250 less than Tibshelf). This is not considered justified. Pinxton is identified in the Local Plan as a ‘more sustainable settlement’ and further dwellings should be allocated. The Talbot Street site promoted by Homes England, if included as an additional allocation for up to 212 dwellings, would mean a total allocation of 268 dwellings in Pinxton. This is then consistent with the number of dwellings proposed in other ‘large villages’.

2.17 This approach would also be consistent with the employment growth proposed in Pinxton (1.23 hectares) and the existing jobs available in Pinxton (approximately 2,500), to reduce commuting and travel by non-sustainable modes and provide a balanced approach to growth considering the location of housing, economic uses and community facilities and services. The current proposal for 56 dwellings would lead to unsustainable travel to work patterns which is inconsistent with national policy and ineffective in delivering the overall strategy for the Local Plan.

Q38. Are the development envelopes defined on the Policies Map justified and effective? [Policies SS3 and SC1]

2.18 No as additional land is required to meet the housing requirements in the district. The envelope as it stands does not allow for the delivery of the spatial development strategy as it does not provide for the level of development required for a settlement identified as a "more sustainable settlement". The inclusion of an additional site for 212 units would deliver the
required level of development for a settlement of the role and function of Pinxton. When defining the settlement boundary in addition to considering the required quantum of development an assessment of policy (national and local) as well as character and the appropriateness of boundary envelopes is required.

2.19 The boundaries to the North, South and East are considered appropriate as they are clearly defined by both natural and manmade boundaries as well as local policy designations requiring protection from development. It is also the case that there are no national designations such as Green Belt that would prevent allocation unless in exceptional circumstances. The West of Pinxton is therefore clearly the logical direction of growth. The inclusion of the Talbot Road site would represent a sensible rounding off of the settlement, whilst taking development to a clearly defined, delineated and defendable boundary that would be an appropriate western development envelope for Pinxton.

2.20 No attempt has been made to strategically justify the contrary approach of directing a significantly lower level of development in Pinxton, nor are there strong policy or character reasons on the ground to prevent a higher quantum of development being accommodated in Pinxton, with the Talbot Road site being the only logical extension possible.

**Housing Supply during the Plan period**

**Q41. Have sufficient sites been allocated in the Local Plan to meet the target of 5,700 homes? [Policy LC1]**

2.21 We consider that the scale of housing provision identified in the strategic allocations and allocations (policies SS4, SS5, SS6 and LC1) will be ineffective in delivering the overall housing requirement and so considered unsound.

2.22 The plan identifies a 10% buffer of sites, over its proposed housing requirement, the principle of which we support. Furthermore, our client does not object to any of the proposed allocations. We are, however, concerned that the assumptions within the housing trajectory, are overly optimistic and will not deliver the housing requirement in full, despite the 10% buffer. For example, Clowne Garden Village is assumed to begin delivering housing in 2020/21, even though the outline permission has yet to be formally determined. A lead-in time of less than two years (and declining) is considered unlikely given the time taken to formally determine the outline, prepare, submit and determine reserved matters, discharge conditions, start on site, prepare the site for development and begin delivering new homes.

2.23 As set out in our submissions, the issue is further exacerbated since we consider the overall housing requirement should be significantly higher at 7,391 dwellings. This means the shortfall in supply would be much higher, and many more additional sites are necessary to meet this shortfall.

**Q44. Does the Housing Trajectory in Appendix 5.1 accurately reflect the likely start dates, build out rates and completions of the allocated sites?**

2.24 We consider that in many cases, including Clowne as discussed in 2.19, the delivery rates over the initial 5-year period, and the plan as a whole, are unreliable and not supported by evidence.

**Q47. Are the housing sites allocated in the Local Plan deliverable and/or developable having regard to Footnotes 11 and 12 in the National Planning Policy Framework 2012 [NPPF]?**

2.25 The Council has sought to address its housing supply within PP2 (Position Paper for Residential Land Supply). In each of the proposed allocations the Council has sought to address matters relating to the development and delivery of the sites. We do not object to
the sites proposed, but believe assumptions around delivery, particularly on strategic sites are overly optimistic and call into question the level of deliverable (5-year) supply.

Q48. Is too much reliance placed on the development of large sites? Are there any risks to the housing supply in this approach?

2.26 Yes, particularly given the overall housing requirement should also increase. A failure or delay in the larger sites not only risks a shortfall against the 5-year supply, but potentially the overall supply position over the lifetime of the plan.

Q49. Should more small and medium sized sites be allocated for housing to enable development to come forward more quickly?

2.27 Yes, in order to provide market choice and flexibility in the housing supply and reduce the potential risks of undersupply from larger sites. It also presents an opportunity to support the regeneration and economic growth of settlements in the district.

Q50. Should an allowance be made for windfall sites?

2.28 Yes, but only if consistent with past delivery rates and supported by robust evidence.

5 Year Housing Land Supply

Q52. Is it robustly demonstrated that the Local Plan can deliver a 5-year housing land supply throughout the Plan period?

2.29 The Council’s evidence at Publication Stage (Report to Planning Committee 22nd November 2017) suggested it could demonstrate 7.96 years supply. Our client highlighted concerns over the accuracy of this evidence. Firstly, in terms of the methodology to identify its five-year requirement the Council suggested that a 20% buffer, in accordance with NPPF paragraph 47, was no longer required and a 5% buffer was justified. This was disputed. Whilst delivery exceeded the Council’s proposed housing requirement over the previous two years it had consistently delivered significantly less than its relevant requirement for the previous 8 years. This was considered persistent under-delivery.

2.30 PP2, which references the Council’s updated Five-Year Supply assessment, states that the supply is now just over 7.75 years. This was reported to the July 2018 Planning Committee as the most recent update to this position. It shows that, after 2 years’ over supply (out of a 10-year period), the last year again resulted in a shortfall.

2.31 It should be noted that under our assessment of the OAN (389 d.p.a.) the Council has under-delivered for all the last 11 years. The Council also suggests that the over-supply, against the proposed housing requirement should be spread over the next five years (para. 1.34 Report to Planning Committee 22nd November 2017). This is not compatible with the government’s desire to boost housing supply or the requirements of the NPPF / PPG.

Q53. What evidence is there to show that those sites included in the 5-year housing land supply are deliverable?

2.32 There remain concerns over the delivery assumptions on several sites which make up the five-year supply. The supply is made up of numerous sites, including proposed allocations, which either only benefit from outline permission or have no permission at all. The deliverability of these sites is therefore questionable, particularly within the next five years. A removal of these sites would call into question the Council’s claim to demonstrating a five-year supply. Of note also, the Revised NPPF 2018 clearly identifies that; “...Sites with outline planning permission, permission in principle, allocated in the development plan or identified
on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years”. Whilst the Plan is being considered in the context of the 2012 NPPF, 5-year land supplies will subsequently need to consider the policy requirements of the 2018 Revised NPPF, which places a higher bar on sites demonstrating the sites are deliverable. In many cases, the evidence which exists are merely statements of intent from promoters of sites.

2.33 To rectify this situation the Council needs to identify additional site allocations which will deliver, in full, over the plan period. This will ensure that the overall housing requirement and a five-year supply can be demonstrated. The Council will be aware that our client is promoting the site at Talbot Road, Pinxton. Our client has an unrivalled record of site delivery which would assist the Council in plugging its delivery gap.

**Housing Allocations: [Policy LC1]**

Q84. Should more clarity be provided in the policy with regards to the capacity of each site?

2.34 It is accepted in some cases that estimated capacities will be necessary. However, more clarification should be given as to the methodology or basis for determining capacities and assumptions in this regard.

**Land at Croftlands Farm, Pinxton [50 dwellings]**

Q102. Is the proposed allocation justified and appropriate in terms of the likely impacts of development?

2.35 Homes England do not object to the allocation in principle, as it considers the level housing which should be delivered in Pinxton would require, as a minimum, both the draft allocation at Croftlands Farm and their own site at Talbot Street.

2.36 Notwithstanding this position, the draft allocation is not being promoted by a housing developer and therefore no certainty has been provided about the ability of the site to deliver either in the initial 5-year period or over the plan period. This is in contrast with Homes England, who have an unrivalled position in the market and can draw on a Delivery Partner Panel and their Accelerated Construction Programme to bring forward sites at a pace. Particularly in lower market areas, this will be key and present a clear benefit in ensuring new homes are delivered in Pinxton to meet local needs and support economic development.

Q103. Is the proposed allocation deliverable and/or developable in accordance with the housing trajectory? In particular, is it:

a. confirmed by the landowner involved as being available for the use proposed?

b. supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

c. deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

2.37 The application and promotion documents for the site are on behalf of the landowner. The outline planning application recognises that the layout submitted may not be reflective of the scheme put forward by a developer, which indicates that there is no current developer involvement in the site. Given the market conditions, this does not present clear evidence that the site will come forward and within a reasonable timeframe. The site is accepted as available, as presented by the landowner who retains this control. However, in order to be considered deliverable and/or developable further evidence of market interest and likely delivery rates are needed.
Q105. Has the application for outline planning permission submitted in August 2017 been determined yet [expected in Autumn 2018]?

2.38 No, the planning permission has yet to be granted on the site.