

Hearing Statement – Matter 4

Kirklees Local Plan

On behalf of Taylor Wimpey

August 2017



I. Introduction

- I.1. This is a Hearing Statement prepared by Spawforths on behalf of Taylor Wimpey in respect of:
- Matter 4: Housing Land Supply and Delivery
- I.2. Taylor Wimpey has significant land interests in the area and has made representations to earlier stages of the Local Plan process.
- I.3. The Inspector's Issues and Questions are included in **bold** for ease of reference. The following responses should be read in conjunction with Taylor Wimpey's comments upon the submission version of the Kirklees Local Plan, dated December 2016.
- I.4. Taylor Wimpey has also expressed a desire to attend and participate in Matter 4 of the Examination in Public.

2. Matter 4 – Housing Land Supply and Delivery

Issue – Is the identified overall housing requirement in the Plan (31,140 dwellings) justified, deliverable and consistent with national policy?

- 2.1. Taylor Wimpey **objects** to the housing strategy and approach to delivering the objectively assessed need.
- 2.2. Taylor Wimpey **objects** to Section 8.1 the Housing Strategy and level of housing provision in the Plan period. Taylor Wimpey does not consider that the approach the Council are seeking to adopt will deliver the housing requirement and are concerned that this will cause ramifications for the aspirations for housing and economic growth in the District.

a) What are the Council’s reasons for seeking to deliver full OAHN in Kirklees? Is the approach justified, and in line with paragraph 14 in the NPPF? Has the Council considered whether an uplift should be made in market housing to provide additional affordable housing?

- 2.3. Taylor Wimpey’s position on the OAHN is included in their response to Matter 3.

b) Should the overall housing requirement of 31,140 dwellings in the Plan be expressed as a minimum rather than an approximate figure? Should the requirement be included in a policy?

- 2.4. Taylor Wimpey considers that the overall housing requirement should be expressed as a minimum and be included in a policy. The Spatial Development Strategy infers that the housing requirement is a “minimum” figure by stating “about (but not less than) 31,140 new dwellings”. The clarification that this is a minimum figure would remove any uncertainty in the housing requirement. This approach would be consistent with the Framework, in

particular paragraph 47 which stipulates that local authorities should boost the supply of housing and meeting the requirement in full.

c) Housing completions and commitments data in Table 5 of the Plan has been updated in the Housing Supply Topic Paper (July 2017) for 2015/16. What is the effect on the windfall allowance and demolition allowance in the Council's supply calculations? What are the implications for overall housing delivery and the Council's five year housing land supply? Will a five year supply be provided on adoption and maintained over the Plan period? Does the Plan allow sufficient flexibility to respond to changing circumstances?

2.5. Table 8 in the Housing Supply Topic Paper (EX30) appears to show a five year housing land supply upon adoption of the Local Plan. However, a significant element of the supply position is emerging allocations which do not have planning permission (13,135 dwellings) and three years windfall allowance (1,350 dwellings). Only 2,152 dwellings have planning permission which is only 15 per cent of the requirement.

2.6. Given some concerns over lead-in times, site capacity and delivery rates it is questionable whether there is sufficient flexibility in the plan to bring forward additional or reserve sites if the plan starts missing its targets. For example, there are only a handful of safeguarded sites and not all of those are deliverable. **Taylor Wimpey therefore suggests a greater buffer is provided in the Local Plan for housing.**

d) Can the Council confirm the contribution the different sources of housing supply are likely to make each year over the Plan period? (e.g. the figures which have informed the housing trajectory graph in the Plan)? Should this information be included in the Plan alongside the graph?

2.7. Taylor Wimpey has no specific comment in relation to this issue.

e) Is the Council's approach to calculating five year land supply robust and in line with national policy and guidance? Should the Plan include reference to the Council's assumptions and parameters and the five year supply position?

2.8. Table 8 in the Housing Supply Topic Paper (EX30) appears to show a five year housing land supply upon adoption of the Local Plan. However, a significant element of the supply position is emerging allocations which do not have planning permission (13,135 dwellings) and three years windfall allowance (1,350 dwellings). Only 2,152 dwellings have planning permission which is only 15 per cent of the requirement. Taylor Wimpey has not undertaken detailed analysis of the sites that the Council has included in Table 8. However, Taylor Wimpey do query Figure 1 of the Housing Supply Topic Paper which shows housing completions rising to nearly 4,000 in 2019/20 and increasing to around 5,000 in 2020/21 before reducing to around 3,500 in 2021/22 and decreasing year on year over the remaining local plan period and with a significant proportion comprising windfall sites. This perhaps needs to be reviewed.

2.9. Taylor Wimpey considers the Council should be more realistic on the potential delivery on sites which have not commenced preparations of securing the relevant planning permission and developer interest. The Council therefore need a wider choice of sites across a number of different areas and market areas to gain traction and increase build rates. To achieve the housing requirement the Council need at least 55-60 outlets operating across the District for every year of the Plan and Taylor Wimpey do not believe the Plan can deliver this.

f) What are the main risks and potential barriers to the delivery of the housing requirement in Kirklees over the Plan period?

2.10. Taylor Wimpey considers that the main risks to the delivery of the housing requirement is slippages in the delivery of some allocations, longer lead-in times, reduced housing capacity on sites and the high reliance on windfalls. Given these risks Taylor Wimpey would suggest a greater buffer is incorporated into the Local Plan.

2.11. Taylor Wimpey questions whether the identification of a 2.79 per cent buffer is sufficient given the potential for non-delivery and under delivery of sites, particularly from the current sites with planning permission which totals 2,152 dwellings. The principle of a buffer is supported by the Local Plan Expert Group report. The report recommends a 20 per cent buffer of reserve sites be provided to ensure that the plan can maintain a five year supply and respond flexibly and rapidly to change. There will be sites that will lapse or take longer to come forward and deliver homes. Many local plans currently include a 10 per cent buffer and **Taylor Wimpey suggests that a higher buffer be considered.**

g) Is the application of a 10% lapse rate to outstanding planning permissions justified and supported by the evidence? Should a lapse rate also be applied to allocations?

2.12. Taylor Wimpey considers that the incorporation of a 10 per cent lapse rate to outstanding planning permissions is appropriate.

h) Is the windfall rate of 450 dwellings per annum justified and supported by local evidence?

- **To what degree is this figure based on large windfall sites (0.4 hectares or more), and what are the reasons for the inclusion of this element? Is the information on large potential housing sites in the SHLAA and other evidence sources sufficiently comprehensive? Does the Plan allocate all known large potential housing sites within existing built-up areas?**
- **Does the use of a large windfall rate create issues of double counting with outstanding permissions on large sites and allocations within urban areas in the period 2020-2031?**
- **Is the application of the windfall rate from 2020/21 justified and reasonable?**
- **To what degree have historical windfall rates been influenced by the availability of housing allocations and other site-specific opportunities in the area?**

- 2.13. Taylor Wimpey accepts that windfall sites form part of the housing land supply. The Framework states a windfall allowance can be included within the Local Plan (para 48), however this must be based upon robust and compelling evidence that such sites have come forward in the past and will continue to come forward. That evidence must therefore be published to justify such an approach.
- 2.14. The Housing Technical Paper (April 2017) (SD23) and Housing Supply Topic Paper (EX30) provides insufficient evidence on the derivation and analysis of windfalls to justify a level of windfalls equivalent to 26 per cent of the annual requirement. This is a significant level of housing provision to come from unknown sources. This is amplified in the housing trajectory Figure 7 in paragraph 8.22 of the Plan which shows the Council under achieving against the requirement in the latter years of the Plan and windfalls making up a significant proportion of the annual delivery, up towards 50% of anticipated completions
- 2.15. **The approach towards the figure of 450 dwellings per annum is not justified within the Technical Paper.** The Framework explains in para 48 that if windfalls are to be relied upon that an assessment be undertaken of whether windfalls will continue to provide a reliable source of supply in the future. This element of the assessment is currently absent from the 2016 Housing Technical Paper and 2014 SHLAA. In determining future windfall supply it is important to consider the likelihood of continued delivery from different elements of the supply, such as small sites, changes of use and permitted development. This assessment should be made in the context of a new plan with new allocations and the more comprehensive assessment included within the SHLAA.
- 2.16. Taylor Wimpey consider that delivery from windfalls will reduce in future years compared to past trends due to the effect of having an up to date plan with allocations and a more rigorous and up to date Strategic Housing Land Availability Assessment (SHLAA). In particular, Taylor Wimpey considers that large sites will be included in the SHLAA and/or allocated for development. The proportion of large site windfalls will therefore diminish.
- 2.17. Furthermore, Taylor Wimpey considers the Council appear to not be allocating sufficient housing sites to meet its objectively assessed housing need. To deliver the ambitions of the Plan and economic growth and to provide certainty on delivery sites accommodating the full housing requirement should be identified in the Plan period. Taylor Wimpey accepts within such an approach there will be a certain level of windfall development, but not as high as being currently suggested in the Plan. Without a full and encompassing approach there is

danger that the economic growth and regeneration ambitions of the Council and City Region Authorities will be missed.

i) How many empty homes have been brought back into use in the borough in recent years? Does the Council have a projected figure or target for future supply from this source?

2.18. Taylor Wimpey has no specific comment in relation to this issue. Taylor Wimpey notes that the Council state in paragraph 2.17 of the Housing Supply Topic Paper (EX30) that due to the lack of evidence on empty homes an allowance is not included at this stage.

j) Are the estimated delivery and phasing rates from site allocations in Appendix 3 of the Plan robustly based and justified? In particular:

- **Are the standard lead-in times and build out rates (as set out in Tables 9 and 10 in the Council's Housing Technical Paper) justified by local evidence? [in responding the Council is requested to pick up on points raised by representors to the Publication Draft Local Plan, including the research undertaken by Nathaniel Lichfield (submission on behalf of KeyLand Developments Ltd)]**
- **Have the standard lead-in times been applied to all sizes of schemes?**
- **Is the standard net density of 35 dwellings per hectare (dph) justified by local evidence? Why has this approach been adopted?**

2.19. Taylor Wimpey considers that the use of standard lead-in times, build out rates and net density's should only be used where information is not available from the landowner / developer. Some of the lead-in times appear to under estimate the length of time to gain planning permission and commence on site. It would be useful if the Council could provide the evidence under pinning their assumptions.

2.20. Taylor Wimpey considers that on sites without a masterplan, or developer/landowner interest, significant inaccuracies on potential site capacity exist where assumptions have been made. Through a brief analysis of proposed housing allocations it is apparent that gross and net site areas are largely the same. The only discounting takes place when areas of sites are covered by trees or at risk from flooding. Therefore, no site has been reduced to take account for the need for on-site POS where the Council generally seek 30m² per dwelling of accessible open space, SUDS, drainage or infrastructure. Therefore, site capacities have not been calculated on a net developable area, which is typically 65-70 percent of the gross site area. Taylor Wimpey considers this could mean that sites do not reach expected capacities and as such the housing requirement will not be achieved. There could therefore be a significant under provision against expectation. Taylor Wimpey consider that expected site capacities should be reviewed and reassessed appropriately and that further sites need to be identified to overcome this anticipated shortfall.

k) Does the Plan provide sufficient clarity regarding the total number of dwellings which are proposed for allocation? Should the figure be included in a policy?

2.21. Taylor Wimpey has no specific comment in relation to this issue.

l) Has sufficient flexibility been provided in the housing trajectory? Should an additional buffer be applied to ensure that the overall housing requirement is met and exceeded?

2.22. Taylor Wimpey supports the principle of a buffer to provide additional flexibility within the Plan. However, Taylor Wimpey questions whether the identification of a 2.79 per cent buffer is sufficient given the potential for non-delivery and under delivery of sites, particularly from the current sites with planning permission which totals 2,152 dwellings. The principle of a buffer is supported by the Local Plan Expert Group report. The report recommends a 20 per cent buffer of reserve sites be provided to ensure that the plan can maintain a five year supply and respond flexibly and rapidly to change. There will be sites that will lapse or

take longer to come forward and deliver homes. Many local plans currently include a 10 per cent buffer and Taylor Wimpey suggests that a higher buffer be considered.

Proposed Change

2.23. To overcome the objection and address soundness matters, the following changes are proposed:

- Increase the housing requirement
- Review and publish all evidence on windfall analysis
- Include a higher buffer to provide additional flexibility in the Plan, in accordance with guidance
- Review site capacity and address the issue with gross and net site areas.