



31 August 2017
Consultee ID: 941843/942144
Matter 4

Kirklees Local Plan Examination

Matter 4 – Housing Land Supply and Delivery

This statement is prepared by WYG Planning Limited (WYG) on behalf of our client Strata Homes (Yorkshire) Limited ('Strata' or 'our client').

WYG submitted representations on behalf of Strata in relation to the Publication Draft Kirklees Local Plan in December 2016 which focused on the decision of Kirklees Council to include as a housing allocation a site known as land between Richmond Park Avenue and Sunnyside Avenue, Roberttown (Local Plan SHLAA Ref No H442).

This response seeks to address the key issues to be discussed at the forthcoming Examination Hearing concerning Matter 4. Please refer to our Hearing Statements to other matters which provides further details on our client's interest in this site.

Our response is structured such that it follows the questions posed in the Matters and Issues Agenda and should be read in conjunction with the representations we have previously submitted on behalf of our client.

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

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?

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?

As discussed in Matter 3 (c), the overall housing requirement of 31,140 dwellings (1,730 per year) should be viewed as a minimum requirement.

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?

As discussed below in our response to Question h, we consider the windfall allowance is an overestimate and a more conservative figure should be used by the Council to examine their supply calculations.

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?

We consider this is an issue for the Council to address.

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?

We consider that the Council's approach to calculating the five year land supply is sound having regard to Table 5 set out in the Housing Supply Topic Paper (Ref EX30). It is clear that the five year land supply relies heavily upon windfalls which in our view is too high. The assessment also appears to rely on early delivery of allocations which may be optimistic particularly as many will be reliant on the timing of the Local Plan process in terms of the removal of Green Belt designation in order to bring them forwards.

As the five year housing land supply position is a dynamic process and is continually being monitored and updated we think it would be unwise to include this information within the Local Plan. Instead, reference should be made to the approach the Council intend to adopt such as the publication of a five year land supply position and it being updated on a regular basis to ensure an open and transparent approach.

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

A number of housing allocations are reliant upon the removal of Green Belt and therefore any slippage in the Local Plan programme could lead to potential delays in terms of their release for housing.

An over reliance on windfall developments to supplement the district's land supply through the life of the Local Plan may not materialise or come forward at a lower rate.

One of the most significant factors that will support the step up in delivery rates is the quantity and viability of land that is proposed to be released for development particularly when compared to previous monitoring years. We consider that Site H442 is an allocation that meets these key tests of delivery.

It is also important to focus on locations which support viable delivery of development and the spatial strategy set out in the Plan will help to foster the integrated delivery of housing and economic growth.

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?

Whilst it is recognised the Local Authority do not appear to have fully justified the lapse rate of 10%, the approach has been universally accepted in a number of planning appeal decisions such as Rothley and Honeyborne. On this basis we consider that it is a justified approach to adopt.

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?**

It is clear that the plan relies heavily on windfalls and at Paragraph 2.7 of the Housing Supply Topic Paper (EX30) the main thrust of the Council's case is that the evidence suggests windfall allowance has been a significant component of the supply over the past 15 years. Nevertheless, we argue that the effect of having an up to date plan with allocations and a more robust and evidence base through the site finding process provides a justification to move away from past trends.

Paragraph 48 of the Framework requires an assessment of where windfalls will continue to provide a reliable source of supply in the future. This assessment is lacking from the housing supply topic paper.

We do not agree that there should be a windfall allowance from sites larger than 0.4Ha. Nevertheless, it would be appropriate to include a small site allowance as these are not easy to capture as part of the site finding evidence. We consider that the past trend of housing completions on the sites set out in Table A2 within Appendix 1 of the Housing Supply Topic Paper should be treated with caution and it is too crude to rely on the overall average of 453 dwellings per annum as it is skewed by a number of exceptional years (i.e. over 700 dwellings per annum). If you apply the median figure for the historic ten year period, then the overall dwelling per annum reduces to 330.

Given the unknown quantity associated with the delivery of windfall sites, we would suggest that the weight to be given to this supply component should be limited and a more conservative approach adopted.

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?

No comment on this question.

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?**

We consider the Council should only apply standard leading times and delivery rates and net density for the site allocations where limited information is known as to how the site will come forward. Where a landowner, promoter, or housebuilder has provided assumptions and details as to how they intend to bring the site forward then this information should be used to inform the delivery and phasing rates identified in Appendix 3 of the Plan.

As far as Site H442 is concerned, our client is willing to adopt a proactive and positive approach to working with the Local Authority to prepare the evidence base required to support a planning application so this can run in tandem with the Local Plan process. Nevertheless, the site is currently designated as Green Belt and the opportunity to develop the site for housing is influenced to a large degree by the timescales relating to the Local Plan process. The proposed start on site we anticipate within the Year 2018/19 but there would be no real margin of error particularly when considering the context of the reliance of the Local Plan process, the time taken to gain permission, sign any legal agreement, discharge all matters and commence on site.

It is noted that the Council has reviewed the lead in and build out rates originally found within Appendix 3 of the Local Plan and this revised information is set out within the Housing Supply Topic Paper. We



support the more refined approach to estimating lead in times particularly Table 5 which provides a more realistic set of parameters to apply to the circumstances of each site.

At Paragraph 3.25 it appreciates that proposed allocations situated in Green Belt are unlikely to deliver new homes until the adoption of the Local Plan. In this regard, Site H442 is now shown not to expect delivery of dwellings until 2020/21. We consider this is a conservative estimate as our clients have already provided masterplanning and background evidence documents and there are willing to actively engage to provide additional evidence. As such, it should be noted that there could be an earlier delivery than now anticipated by the Council following adoption of the Local Plan.

In terms of build rates, whilst there is an assumption that sites larger than 200 dwellings will allow more than one developer to deliver the site, we consider the indicative build out rate of 50 dwellings per annum for H442 is reasonable given the housebuilding experience of our client and considering the market conditions of the locality. The site also has the ability to accommodate a number of starts on site at any one time given there are three existing access points available.

In terms of establishing the indicative capacity of a site, we are comfortable with the standard density of 35 dwellings per hectare represents a realistic assessment of the amount of housing that is likely to be accommodated on site H442.

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?

We have no comment on this question.

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?

From the phasing table a within Appendix 3 of the Local Plan, the total allowance from Local Plan Housing Allocations amounts to 21,919 dwellings and this should be compared with the housing requirement figure in Table 5 meeting the housing requirement (2016-based Update) which derives a residual requirement from allocations of 20, 444 dwellings. This represents a 7% buffer. In our view, this difference does not provide a realistic buffer to provide the range and choice of sites and ensure that the housing requirement can be met in full.

In order for the Plan to be sufficiently flexible and deal with change in circumstances, the buffer should be increased. The recent LPEG report recommends a 20% buffer to accommodate flexibility and change.