



# Acres Land & Planning Ltd

'Acres of space'

**British & Continental Co. Ltd**  
**Respondent No. 1045**  
**Matter 2(ii): Housing**

## **DERBY CITY LOCAL PLAN PART 1: CORE STRATEGY EXAMINATION**

**Main Issue 2(ii) - Whether the Local Plan would assist in boosting significantly the supply of housing in terms of both a 5-year housing land supply and sufficient sites to achieve the plan requirement (Policy CP6).**

*a) Does the Local Plan assist in providing a continuous supply of specific deliverable sites sufficient to provide 5 years' worth of housing against the housing requirement with an appropriate buffer? Are the sites identified by the Council viable, are they available now, do they offer a suitable location for development now and are they achievable with a realistic prospect that housing will be delivered within 5 years?*

The Council does not currently have a 5 year housing land supply (conceded in the recent Acorn Way/Derby Road appeal) and due to continuing shortfalls compared with emerging targets, the situation is deteriorating. No information was provided to indicate the Council's true position.

The Council has however provided the Inspector with a Housing Land Supply statement (within EX002c) which indicates there might be a 5.28 year supply on adoption.

This table shows that the Residual Requirement of 1,097 dwellings per annum, is over three times the current build rate. Furthermore the table includes 521 plots from brownfield sites which have yet to achieve a planning consent and 1,720 plots from greenfield sites which have yet to receive consent. Neither of these categories satisfies the criteria for deliverability within footnote 11 to paragraph 47 of NPPF, of being 'available now' and capable of being delivered within 5 years.

*b) Is there evidence of persistent under delivery of housing that would justify the buffer being 20% as proposed?*

Yes. The Council already readily accept that they are a 20% authority and that there has been persistent under-performance in the delivery of housing.

*c) Should any past shortfall in new housing in the early part of the plan period be addressed in the 5-year housing land supply or be spread over the plan period as a whole?*

The Council readily accepts that the shortfall should be addressed in the first 5 years of the Plan, according to the 'Sedgefield' method of housing land supply assessment. They also accept that the 20% buffer should be added to the shortfall.

*d) Have appropriate assumptions been made about the contribution of windfall sites to the 5-year housing land supply?*

According to paragraph 48 of the NPPF, LPA's can only make an allowance for windfall within HLS statements if there is a compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply. Derby City predict that 900 dwellings will come forward over the whole plan period. Assuming that no windfall sites (by definition) could produce dwellings until year 3, (since they could not be identified on Day 1) this must mean that they expect 60 per year over 15 years. The 5 year HLS statement provided to the Inspector assumes that 375 dwellings will come forward in the first 5 years. This is roughly double the amount one would expect to come forward, since at 3 years supply (assuming sites were not identified in Years 1 and 2) there would be 180 dwellings (at 60 per year).

*e) Has appropriate allowance been made for some current planning permissions to lapse when calculating the 5-year housing land supply?*

It is not necessarily possible to tell. Paragraph 2.30 of the Interim Housing Position Statement indicates that a 25% lapse rate has been applied to small sites (1-9 dwellings) but it is not clear whether there is a lapse rate for larger sites. It should be noted that very few of the strategic housing allocations in Figure 2 have been released. The Council has been refusing applications on proposed allocations (eg Hackwood Farm).

*f) Is the Local Plan likely to result in an appropriate supply of specific deliverable sites or broad locations for growth in the plan period beyond 5 years? Are the sites in a suitable location with a reasonable prospect that they are available and could be viably developed at the point envisaged?*

The Local Plan provides a reasonable variety of brownfield and green field sites, but most of them are located to the south and west of the City. It is too early to say whether they will be viably developed, however there is a large allocation of 600 dwellings covering the Osmaston Regeneration Area which may be slow to materialise – or could create overspill due to demolition of existing stock. There would appear to be few actual defined sites within the Osmaston Regeneration Area.

There is an in-built shortfall of 1,294 sites which have yet to emerge through the Part 2 Local Plan. These are additional to the windfall sites assumed by the Council.

We are therefore concerned that there is not an adequate supply of deliverable sites beyond the 5 year period.

*g) Does the housing trajectory provide an appropriate illustration of the expected rate of housing delivery for the plan period?*

The housing trajectory which appears as Appendix 2 to the Interim Housing Position Statement presents a 'fantasy world' trajectory of likely output of housing, with delivery supposedly rising from 391 dwellings (estimated in the forthcoming year) to 1469 dwellings, almost 4 times as many, a mere 3 years later. Whilst there may be an upturn following the adoption of the Local Plan, it is unrealistic to expect houses to be built at this rate – even if sites were readily available and unconstrained by conditions. The trajectory needs to be re-drafted to be more realistic.

*h) Is there a clear housing implementation strategy for the full range of housing, describing how the Council will maintain delivery of a 5-year supply of housing land to meet the housing target?*

There is no implementation strategy demonstrating how the Council will be able to maintain a 5 Year Housing Land Supply throughout the plan period to meet housing requirement of 11,000 dwellings, unless that is what the trajectory seeks to do, by recovering the shortfall in the first 5 years.

*i) Is the intention for non-strategic housing allocations to be a matter for the Part 2 Local Plan justified? Is the allowance for this of 1,294 dwellings justified? How does it relate to the separate assumption about windfall sites? Is there reasonable certainty that the Part 2 Local Plan will be able to deliver the sites required?*

No. The Council is effectively double-counting by including a windfall allowance and then assuming that an additional 1,294 sites will come forward. We are not convinced that a Part 2 Local Plan to cover just 1,294 plots in a city the size of Derby is justified. The NPPF now presses for a single document and the Local Plan Expert Panel argues for a single more streamlined process.

At the time of the pre submission only 400 dwellings for Phase 2 sites had been identified as developable in the SHLAA so there is a potential 900 dwelling shortfall, yet to be identified and allocated in Part 2 of the Local Plan. We feel time would be better spent doing a full review to release sites from the green wedge or green belt to complement the brownfield sites within Derby.

We would recommend that, whatever the outcome of the EIP, if the plan is adopted, it is submitted to an early review to encourage more sites to come forward.

Finally, we are concerned about the paucity of information in the background documents in order to form a view about site availability, completions, performance, price levels etc. There needs to be a full compendium of information which can be sourced and used as evidence to assist both the Council, the community and developers in the future.

John Acres

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