



THE HOME BUILDERS FEDERATION

LDF Publication Draft Consultation
Forward Planning & Implementation
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Sent by Email only

Date: 16th November 2015

Dear Sir / Madam

LEEDS SITE ALLOCATIONS PLAN: PUBLICATION

1. Thank you for consulting the HBF on the Leeds Site Allocations Plan (SAP).
2. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of our membership of multinational PLCs, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year including a large proportion of the new affordable housing stock.
3. We would like to submit the following representations on the publication version of the Plan. These comments should be read in conjunction with our response form.
4. **The HBF would also like to attend the examination in public to debate these matters further.**

Policy HG1: Identified Housing Sites and Paragraph 2.29

The policy is considered unsound as it is not positively prepared or effective.

5. The housing requirement of 70,000 net additional dwellings, for the plan period, is set within Spatial Policy 6 of the adopted Core Strategy. The Core Strategy identifies that 8,000 dwellings are likely to be brought forward as windfalls on small unidentified sites, leaving a residual net total of 62,000 or gross requirement of 66,000 taking account of demolitions. The SAP seeks to identify sufficient sites to meet the 66,000 requirement.
6. The supporting text to Policy HG1 identifies an existing supply of 33,523 dwellings and the SAP therefore seeks to provide allocations for the remaining 32,477 dwellings to ensure that the plan meets the allocation

requirement for 66,000 dwellings. Table 1 of the SAP identifies that in total the proposed allocations plus existing supply equate to 66,180 dwellings providing a buffer of just 180 dwellings (or less than 1%) over and above the plan requirement. The HBF has significant concerns over the size of the buffer and the likelihood of the plan achieving its overall housing requirement, these are considered in greater detail in our response to Policy HG2 below.

7. The existing supply includes previous UDP housing allocations not developed, planning permissions with units still remaining to be built, as at 5.4.15, and sites with a recently expired permission. Whilst the HBF do not wish to comment upon the appropriateness or otherwise of the individual allocations or permissions we do not consider that a significant reliance upon old UDP allocations and expired permissions is sufficiently robust. It is highly likely that a number of the UDP allocations and existing or recently expired permissions will either under-provide or not provide at all during the plan period. Therefore a reliance that all such sites and permissions will come forward is likely to lead to an overall under-provision of housing when compared to the plan requirement. A more prudent approach would be for the Council to apply a discount to the existing supply. Ideally the level of discount should be informed by evidence of the past history of non-implemented permissions, taking account of the economic conditions prevailing at the time, and a thorough market orientated assessment of the remaining UDP allocations. It is, however, notable that numerous local authorities have sought to apply a flat 10% discount to existing commitments. This simplistic approach would equate to 3,352 dwellings.

Recommendation

8. It is recommended that a discount be applied to the existing commitments to provide flexibility and ensure that the plan can respond to any issues of under or none delivery from specific sites or permissions.

Policy HG2: Housing Allocations and Paragraphs 2.36 to 2.39

The policy and supporting text are considered unsound as they are not effective or positively prepared.

9. The HBF does not wish to comment upon the acceptability, or otherwise, of individual allocations. We are supportive of the Council providing a buffer of allocations in excess of the overall identified requirement and the provision of a significant quantity of allocations within the phase 1. In conformity with our comments against Policy HG1, above, we do have concerns in relation to the size of the buffer of allocations and also the proposed phasing of allocations.

Buffer

10. The HBF is supportive of the Council providing a buffer of sites. Our reasoning for this support is two-fold, firstly the plan requirement should be viewed as a minimum, to ensure consistency with the NPPF requirement to boost supply, plan positively and provide flexibility, and as such it stands to reason that the plan should seek to surpass this requirement. Secondly a

buffer will provide a balance against the inevitable under or none delivery from some existing commitments or proposed allocations. This is likely to happen for a variety of reasons, such as economic viability, speculative applications, unknown site conditions / constraints, re-modelling of sites etc. The HBF, therefore, suggest it is best practice to provide a buffer of sufficient size to account for this eventuality. The provision of just 180 dwellings (less than 1%) over the requirement is not considered sufficient. The need to provide an enhanced buffer is further demonstrated by the significant under-supply of housing which has occurred in Leeds over recent years, stretching back to 2008/9, indicating the need to provide flexibility and choice within the market.

Recommendation

11. It is recommended that the Council consider including an enhanced buffer of sites to account for any under or none delivery of sites and provide choice and flexibility within the supply. These additional sites could be included within the phase 3 allocations and their phasing reviewed over time, subject to monitoring and achievement of the plan housing trajectory. To provide the flexibility required the HBF recommend a buffer of at least 10% over and above the housing requirement.

Phasing

12. The HBF has concerns over the proposed methodology which will enable the release of allocations within phases 2 and 3.
13. The Core Strategy Inspectors' report (paragraph 26) notes that;

*'I heard that the build rate since 2012 is below 3,660 dpa. The Council will have to monitor the situation carefully **and take positive steps to address shortfalls by bringing sites forward and, if necessary, considering alternative strategies and reviewing policies and strategies which are constraining development**'* (our emphasis).
14. Furthermore paragraph 28 of the report notes;

'... Nevertheless, Policy H1 as submitted placed unduly onerous restrictions on the release of sequentially less preferable sites. This is rectified by MM16 which is necessary to ensure that accommodating the city's housing needs can be met and a continuous supply maintained'.
15. It is therefore clear that the Inspector was keen the Council took a pragmatic and positive stance with regards to the phasing of sites and wanted to ensure that sites were not being artificially constrained when they were required to meet the overall housing requirement, making specific reference to build rates and shortfalls. It is therefore concerning that paragraph 2.38 of the SAP indicates that;

'...Phases 2 and 3, should follow on sequentially to allow additional land to be brought forward so as to maintain a five year supply and

relevant buffer, as and when necessary, rather than being linked to a specific timescale....'

16. Whilst we do not object to the 'sufficiency of supply of land' being the driver to release phases 2 and 3 the approach advocated in the supporting text to Policy HG2 will have a negative impact upon site delivery. This is because the proposed mechanism gives little or no certainty to developers making investment decisions as to when and if their site will be released. This will mean that sites within the later stages of the plan process are likely to take several years, if and when they are released, to provide any delivery on the ground. This will inevitably impact upon the levels of delivery.
17. The proposed method for assessing the release of later phases takes no account of the Council's housing trajectory or achievement, on an annual basis, of the relevant housing requirement. The Core Strategy Inspectors reference to addressing shortfalls and build rates are considered clear references to the need to meet the housing trajectory and annual housing requirement.
18. The current mechanism could perversely hold up site release because the Council could, theoretically, demonstrate a five year housing land supply but still be in a position where it is failing to meet the housing trajectory or annual requirement. In such circumstances the Council should proactively seek to address this issue at the earliest possible opportunity and not wait until the backlog of under-delivery has reached such a level that a theoretical five year housing land supply can no longer be demonstrated. This would be contrary to the ethos of the NPPF and in our opinion the intentions of the Core Strategy Inspector in making his main modifications.

Recommendation

19. It is recommended that the release of later phases be linked to the housing trajectory for the plan. The trajectory could be utilised to identify an appropriate timescale which would see the release of these sites. If monitoring and later updates to the housing trajectory indicate a need for early release of later phases, to ensure the annual housing requirement is met, this should be acted upon. This method would not only provide certainty for developers, landowners and the public (by providing a limit upon the date of release) but would also provide flexibility within the plan enabling it to respond to changing circumstances. The HBF consider that such a mechanism would be entirely consistent with the comments made by the Core Strategy Inspector and Core Strategy Policy H1.

Policy HG3: Safeguarded Land

The policy is considered unsound as it will not justified, positively prepared or consistent with national policy nor the Core Strategy.

20. The HBF support the provision of safeguarded land. The NPPF, paragraph 85, identifies that where necessary Local Plans should provide safeguarded land to meet longer term development needs stretching '*well beyond the plan period*' and that local authorities should satisfy themselves

that Green Belt boundaries '*will not need to be altered at the end of the development plan period*'. The HBF note paragraph 4.8.7 of the adopted Core Strategy identifies that;

'...New PAS should account for at least 10% of the total land identified for housing....'

21. Whilst we have concerns that the 10% safeguarded land will be inadequate to ensure a further review of the Green Belt is not required at the end of the plan period, it is recognised that the SAP must conform with the Core Strategy. It is, however, argued that whilst the Council is seeking to provide provision for 66,000 dwellings through the SAP, the full quantum of housing planned is 70,000 net dwellings over the plan period. The remaining 4,000 net dwellings are anticipated to be accounted via small unidentified sites. This additional source is land which is being planned for housing, but is simply not defined within the SAP. The HBF therefore consider that the plan should be seeking to safeguard land equivalent to 10% of the 70,000 total housing requirement, or 7,000 dwellings.
22. Even if this were to prove to be an over-allocation of safeguarded land the HBF consider this a prudent approach as it would provide greater certainty that the Green Belt boundary would not need to be altered beyond the plan period and if there was excess safeguarded land this need not be released and could be retained as such within subsequent plans.

Recommendation

23. Sufficient safeguarded land be allocated to account for 7,000 dwellings.

Information

24. I would be pleased if I could be informed of the following;
 - Submission of the DPD for examination,
 - receipt of the inspectors report, and
 - if and when the Council intends to adopt the DPD.
25. I would be happy to discuss any comments made within this representation prior to submission of the document to the Secretary of State.

Yours sincerely,

MJ Good

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