

Date: 27<sup>th</sup> June 2016  
Consultee ID: 757874  
Matter 5

## **ROTHERHAM LOCAL PLAN SITES AND POLICIES EXAMINATION**

### **Matter 5: Housing Provision**

1. The following hearing statement is made for and on behalf of the Home Builders Federation. This statement responds to selected questions set out within Matter 5 of the Inspector's *Schedule of Matters, Issues and Questions* (exam ref: ID004).
2. The Inspector's Issues and Questions are included in bold for ease of reference. The following responses should be read in conjunction with our comments upon the submission version of the Local Plan, dated 9<sup>th</sup> November 2015. The HBF has also expressed a desire to attend the examination hearing sessions.

### **H Issue 1 – Are there any matters relating to housing provision that require clarification?**

**Question 1) What is meant by the indicative number of homes on sites? How have site densities been determined? How rigid are the density figures? Could they go up or down? Would it be best to make this explicit?**

3. In our experience it is not possible to identify definitive housing numbers on sites at the allocation stage. This is due to a number of unknown factors such as site constraints, market conditions and viability all of which will impact upon the density and mix of the completed site. Inevitably delivery from sites could be higher or lower than the indicative yields shown. The HBF suggest that the yields remain indicative and the supporting text clarify that they may increase or decrease dependent upon specific considerations at the time of a planning application.

### **H Issue 2- How has the scale and type of housing provision in the RSPD been determined?**

**Question 1) Did employment prospects influence the scale of housing development set out in the Core Strategy? If so are these still holding true?**

4. The Council's approach to employment prospects and their influence upon the scale of housing as identified within the Core Strategy is set out within the August 2013 document '*Rotherham Core Strategy: Housing and Economic Growth Background Paper*'. This document formed part of the Council's evidence base for the Core Strategy (Core Strategy examination reference: KSD7) and at Table 13 provides a summary upon the influence of various tested levels of jobs growth at that time. The Council's stance upon the link between the Core Strategy housing figures and employment provision is highlighted in paragraph 64 of this document, which states;

*"...It is clear from the table below (table 13) that this growth can be achieved within the working age population that is indicated by the proposed housing provision that aligns with the CLG 2008-based housing projections. Only the very high growth scenario, which as explained is now considered to be unrealistic, would likely require any additional housing (and even then only around 60 per annum). The employment targets also align with the 12-15,000 jobs need which was identified when considering the employment land provision that would be required over the plan period."*

5. It is therefore clear that the Core Strategy housing requirement was not aligned to any specific jobs growth target. It should, however, be noted that the jobs growth targets identified are based upon jobs growth in Rotherham rather than the wider Sheffield City Region and that due to the close relationships and the presence of the Rotherham – Sheffield HMA, significant growth across the city region will undoubtedly have implications for Rotherham.
6. It is also notable that the Council document '*Housing and Economic Growth: Progress Following Core Strategy Adoption*' (examination ref: EB73) suggests that the housing requirement for Rotherham is 958dpa and as such it sits towards the upper end of the housing requirements identified for Rotherham across the city region and is higher than the 900dpa identified in the updated SHMA. It should, however, be recognised that of this 958dpa figure, 108dpa are included to account for the significant under-delivery of housing within Rotherham over the last decade. The 850dpa target which is identified by the Council to determine the five year supply target is actually below the SHMA figure and much lower in the range.
7. The jobs-led scenarios produced for the Sheffield City Region identify a higher housing requirement, albeit these are lowered if specific and unproven sensitivity testing is added. Whilst the Council suggest (appendix 1, EB73) that such a level of jobs-growth would be 'unprecedented' this is exactly the type of growth the city region is aspiring to as well as the Government through the Northern Powerhouse.

**Question 2) What do the latest household and population projections envisage for the Borough? Are they in line with the housing growth figures that formed the basis for the CS? Is there justification for the release of more/less housing land to meet anticipated needs? Is there a case for more flexibility?**

8. The 2012 based household projections identified a slight increase for Rotherham compared to the 2011 interim projections. It should, however, be recognised that these only form the starting point for determining objectively assessed needs and continue to be influenced by recessionary factors. It is also worth noting that the recently released 2014 based sub national population projections highlight an overall higher rate of growth for South Yorkshire authorities than their 2012 counterparts (10.3% change compared to 9.3%, 2014 to 2037).
9. The HBF consider there is a case for the greater release of housing to ensure that there is sufficient flexibility to meet the anticipated increase in jobs desired across the Sheffield City Region. This is recognised by the SHMA (ref: EB64) but yet this has not been factored into the housing requirement due to the lack of real analysis of SCR economic growth creating uncertainties. Paragraph 2.4.1.1 notes;
 

*“...The scale of new jobs provision is ambitious, although at the time of writing there is little certainty as to which economic sectors and geographic areas will be most significantly implicated. It is also unclear as to the extent to which jobs may be taken up by existing residents of the SCR, or will encourage in-migration or commuting to the city region. Consequently, the implications for housing remain, at best, indicative at this stage.”*
10. This uncertainty provides sufficient reason to provide flexibility within the RSPD to ensure it is not soon out of date and unable to meet the growth anticipated for the city region.

11. It is recognised that the plan provides a 9% buffer of sites. The reality that all of these sites will deliver in their entirety, over the plan period, is unlikely, particularly the large strategic allocations. It is notable that other representations, made at submission, concur with this view on sites which they are promoting. Within our comments upon the submission version of the plan we set out why we consider a more substantial buffer is required. It is notable that the inclusion of a 20% site buffer, identified as developable reserve sites, is advocated by the Local Plan Expert Group in order to provide extra flexibility to respond to change (recommendation 47).

**Question 3) Is the overall amount of housing provision in the RSPD consistent with the CS? Is there an over or under provision? How has this been determined? Is there any justification for moving away from CS requirements? Would this be lawful?**

12. As noted within our comments above and at submission the RSPD does, at least in theory, provide sufficient allocations to meet the housing requirement within Core Strategy policy CS6. However, the HBF remains of the opinion that this requirement should be revisited in the context of the growth ambitions of the wider city region. Furthermore to ensure that the plan delivers, and to account for any under or none delivery from specific sites, flexibility should be provided within the plan. The HBF recommend at least 20%.

13. The HBF also consider that the housing requirement should be viewed as a minimum figure to meet the NPPF requirements to plan positively and significantly boost housing supply. In this regard any potential over-provision should not be viewed negatively.

**Question 4) If sites are deleted from the Plan will other sites have to be found?**

14. Yes, the HBF is already concerned that the quantum of sites proposed will be insufficient to meet the requirements of the plan over the plan period. This is addressed in greater detail within our comments upon the submission version of the plan and above.

**Question 5) What would be the implications of allocating sites currently not included in the plan?**

15. The HBF consider that allocating additional sites would provide greater flexibility and ensure that the Council maintained a five year housing land supply. As discussed above this would be in conformity with the NPPF.

**Question 6) What are the targets for the provision of affordable housing across the Borough? What has been achieved in recent years?**

16. Core Strategy policy CS7 identifies a requirement of 25% on sites of 15 or more and on sites of less than 15 a commuted sum is required. It should be noted that this policy stance is now out of date following the recent court of appeal judgement in favour of the Government and the changes to the PPG.

17. Table 6.1 of the SHMA (ref: EB64) identifies an annual net shortfall of 237 affordable dpa. Recent delivery identifies just 51 units were delivered in 2014/15 compared to 191 the previous year (Annual Monitoring Report, PD04). Whilst delivery in the previous year was promising the Council remain some way short of meeting the affordable housing needs of the area. The delivery provides further weight to the argument that the current housing requirement is insufficient to meet the needs of the area.

**Question 7) What are the targets for the size and type of housing to be provided across the Borough? What has been achieved in recent years?**

18. The HBF has no further comments at this stage.

**H Issue 3 - How have sites been selected for allocation?**

**Question 1) What methodology has been adopted in selecting housing sites? Is it reasonable and soundly based?**

19. The HBF has no further comments at this stage.

**H Issue 4 - What is the position with regard to housing land supply?**

**Question 1) Is a 5% or 20% buffer justified? Has there been persistent under-delivery of housing in the Borough?**

20. A 20% buffer is required due to persistent under-delivery in accordance with NPPF paragraph 47. The Council has failed to deliver upon its housing requirement since at least 2004/5. The following table identifies the scale of the under-delivery against the relevant housing target on a year by year basis since 2004/5.

Year	Plan Target*	Net delivery <sup>+</sup>	Difference
2004/5	750	496	-254
2005/6	750	306	-444
2006/7	750	457	-293
2007/8	750	525	-225
2008/9	1160	606	-554
2009/10	1160	339	-821
2010/11	1160	485	-675
2011/12	1160	688	-472
2012/13	850	511	-339
2013/14	850	552	-298
2014/15	850	633	-217

\*Based upon RSS requirement until its revocation, thereafter Core Strategy requirement. + based upon 2015 AMR (PD04) and 2011 AMR.

21. The HBF contends that this level of under-delivery represents persistent under-delivery in terms of the NPPF.

**Question 2) Is there a 5 year supply of housing land at present? If not how many years of supply exist?**

22. The Council's 2016 SHLAA interim update (examination ref: EB68) identifies a five year supply requirement of 5,922 dwellings, appendix 3. A total supply of just 4,201 dwellings is indicated using 2015/16 as the base year (table 7, EB68). This represents just over 3.5 years supply. It is notable that supply is anticipated to increase later in the plan period. However in the short-term paragraph 47 of the NPPF would render the housing policies of the plan out of date.

23. Whilst the above provides a bleak short-term picture the HBF contend that the actual situation is worse due to miscalculations within the five year target identified at appendix 3. Firstly the 20% buffer is only applied to the requirement and not the requirement plus shortfall. This is not considered appropriate. There are many decisions supporting the application of the buffer to both the requirement and shortfall. The following table provides a small sample of such decisions. Whilst each case should be judged on its own merits the Amber Valley Inspector provides useful commentary upon the appropriateness of the two methods.

Reference	Local Authority	Date
Land at Tilehurst Lane, Bracknell: S78 appeal decision (APP/R0335/A/14/2219888), paragraphs 93 & 94	Bracknell Forest	2 <sup>nd</sup> February 2015
Land at Goch Way, Andover: S78 appeal decision (APP/C1760/A/14/2222867), paragraph 32	Test Valley	15 <sup>th</sup> May 2015
Warwick Local Plan: Inspector's findings regarding initial matters and issues, paragraph 41	Warwick	1 <sup>st</sup> June 2015
Amber Valley Local Plan: Inspector's letter	Amber Valley	10 <sup>th</sup> August 2015
Land off Tanton Road, Stokesley: S78 appeal decision (APP/G2713/A/14/2223624), paragraphs 41 to 47	Hambleton	7 <sup>th</sup> September 2015
Horsham District Planning Framework: Inspectors Report, paragraph 49	Horsham	8 <sup>th</sup> October 2015

24. The *Five Year Land Supply FAQs* produced by the PAS<sup>1</sup> also identify that they; *“believe the preferred approach is for the buffer to be applied to both the requirement and shortfall. This is the most appropriate order because it ensures the buffer is applied to the full requirement which represents all the need that exists. The idea is that for every year you underprovide the amount adds onto the requirement to be met in the next five years.”*

25. The effect of applying the 20% buffer to the requirement plus the Council's identified shortfall (see appendix 3, EB68) would be;

Plan requirement*5	4250
Backlog per annum for 5 years	822
Subtotal	5072
20% buffer	1014
Five year requirement	6086

26. This would mean the Council currently has equivalent of 3.3 years supply.

27. In addition to this the presumption that the whole of the backlog and undersupply should be spread over the remaining plan period is queried. Whilst the HBF were at the Core Strategy examination and acknowledge the findings of the Inspector the backlog figure to be spread over the plan period was for the period April 2008 to March 2013, equivalent to 1,621 dwellings. This is clearly expressed within the Inspectors report and Main Modification 3 to the plan. There is no clear evidence that any additional under-delivery within the plan period (2013 to 2028) should be treated in the same manner. Therefore if the PPG preference to dealing with any additional undersupply within the first five years is taken into account the Council's position is worse again. This is highlighted below, based upon the backlog of 1,621 dwellings being spread over the plan period at a rate of 108dpa.

Plan requirement*5	(850*5) 4250
Backlog per annum for 5 years	(108*5) 540
Under-delivery from 2013 (against 850, target +108dpa annual backlog)	(406+325) 731
Subtotal	5521
20% buffer	1104
Five year requirement	6625

<sup>1</sup> [http://www.pas.gov.uk/local-planning/-/journal\\_content/56/332612/7363780/ARTICLE](http://www.pas.gov.uk/local-planning/-/journal_content/56/332612/7363780/ARTICLE)

28. This calculation would mean that the Council can only identify approximately 3.2 year supply.
29. It is notable that the actual housing target the Council is working towards appears to vary dependent upon its usage. Within the five year supply calculations it utilises 850dpa, yet within its March 2016 consideration of '*Housing and Economic Growth: Progress Following Core Strategy Adoption*' (examination ref: EB73) a figure of 958dpa (850 + 108 backlog) is utilised. This point requires clarification.

**Question 3) Will there be a 5 year supply of housing land with the allocations in the plan? How many years supply would then exist?**

30. The HBF understands that the above figures taken from EB68 include the delivery of allocations within the 5 year supply.

**Question 4) Are the supply figures robust in terms of deliverability of sites? What viability work is there to demonstrate that the sites are deliverable? Is there an assumed lapse rate? Should certain sites be discounted? What is the allowance for windfalls?**

31. The HBF has not undertaken a thorough analysis of the supply. In terms of small sites, under 10 units, the interim SHLAA suggests that 70% of such dwellings will be brought forward within the first 6 years (paragraph 3.2). It is unclear if any such lapse rate has been applied to larger sites.

**Question 5) How is the supply of sites reflected in the housing trajectory? Is the trajectory realistic?**

32. The HBF has no further comments at this stage.

**Question 6) Is *Policy SP11: Five Year Housing Supply* of the plan soundly based and in accordance with national guidance?**

33. No, the HBF set out within our comments to the submission version of the plan our objections to this policy, in aid of brevity these are not repeated here. It is, however, worth noting that three years of delivery against the plan target is unlikely to come anywhere near the significant shortfall already accrued which by the Council's calculations amounts to 2,136 as at March 2015.

**Question 7) Is the Strategic Housing Land Availability Assessment up to date?**

34. The Council published its most recent Strategic Housing Land Availability Assessment (SHLAA) update (examination ref: EB67A) in September 2015. An interim update was published in (examination ref: EB68).

**Question 8) Are there any recent or forthcoming planning appeals where housing land supply is a main issue? Do they have any implications for the plan?**

35. The HBF is aware that in the case of an appeal at Millicent Square, Maltby, Rotherham S66 7JD, Appeal Ref: APP/P4415/W/15/3129826 the Council could not demonstrate a five year supply.

Yours sincerely,

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