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30/09/2019

Dear Sir/ Madam

### **Response by the Home Builders Federation to the Options Consultation 2019**

Thank you for consulting the Home Builders Federation (HBF) on the latest options consultation. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

Whilst this document builds on the previous consultation in 2016/17 by adding two further options, we are concerned at the slow progress in bring forward a new plan that will meet needs. It is vital that the Council progresses quickly from this stage to preparing a plan for submission to the secretary of state. It will also be important for the option chosen to meet housing needs in full if the Council expects the local plan to be found sound. In taking forward its local plan we would therefore suggest that the Council considers the following issues.

#### ***Meeting housing needs***

Paragraph 11 of the National Planning Policy Framework (NPPF) requires Local Planning Authorities to, as a minimum, meet the development needs of their area as well as any needs arising in other areas. Whilst we recognise that this requirement is caveated in part i) and ii), in contrast to the 2012 National Planning Policy Framework the 2019 Framework indicates that there must be “*strong*” reason for restricting growth when applying the policies in the Framework. We would suggest that the wording indicates the importance of meeting development needs and that the application of restrictive policies in the NPPF must be thoroughly justified and considered against the benefits to meeting development needs. In particular the Council will need to consider whether the circumstances faced by the Council warrant sufficient Green Belt boundary amendments to meet development needs in full. As set out below we would suggest that this is the case.



It is also important for the Council to consider whether it needs to increase its housing requirement in order to deliver more affordable housing. We would draw the Council's attention to paragraph 2a-024-20190220 of Planning Practice Guidance which states:

*“An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.”*

Given the affordability concerns and the scale of the affordable housing needs in the Borough the Council will need to consider increasing the supply of development land in order to support the delivery of affordable homes.

Finally, the Council will need to have thorough and detailed discussions with the authorities in neighbouring areas as to their capacity to meet their own needs. This discussion should include considering the request of the Mayor of London for willing partners in order to address the 10,000-home shortfall in housing delivery set out in the London Plan. We would draw the Council's attention to paragraph 2.3.7 of the draft New London Plan, currently at examination, which states:

*“Collaboration with willing partners can help alleviate some of the pressure on London while achieving local ambitions in the WSE for growth and development, recognising that this may require further infrastructure. The Mayor will work with willing partners, including local authorities, Local Enterprise Partnerships, Subnational Transport Bodies, the National Infrastructure Commission and Government, to explore strategic growth opportunities where planning and delivery of strategic infrastructure (in particular public transport) improvements can unlock development that supports the wider city region.”*

However, in addition to this recognised unmet need we are also concerned that many outer London Borough's will struggle to meet the higher levels of housing delivery expected by the new London Plan. It will therefore be necessary for the Council to engage with London Boroughs in the South West of London and discuss their ability to meet their housing requirements. If any of these authorities cannot meet needs in full it will be necessary for Elmbridge to consider how they can increase housing delivery to meet some of these needs.

### ***Exceptional circumstances***

As the Council cannot, as set out in paragraph 137 of the NPPF, meet its housing needs on brownfield land, through higher densities or in another area it will be necessary to amend Green Belt boundaries if it is to meet its development needs. As such it will be necessary for the Council to consider whether there are the exceptional circumstances required to for it to do so. However, we note that in option 5 the Council has stated that it is still to decide whether there are exceptional circumstances to alter Green Belt boundary in Elmbridge.

In considering exceptional circumstances we would suggest the Council takes into account to the case of Calverton Parish Council vs Greater Nottingham Councils which provides a helpful judgement on this issue. In particular paragraph 51 of this decision sets out the circumstances to be considered and include:

- (i) the acuteness/intensity of the objectively assessed need;
- (ii) the inherent constraints on supply/availability of land prima facie suitable for sustainable development;
- (iii) the consequent difficulties in achieving sustainable development without impinging on the Green Belt;
- (iv) the nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and
- (v) the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.

It is evident from the Council's own evidence that the first two circumstances outlined above will be important considerations for Elmbridge. The acuteness of the housing needs in the Borough is evident from the market signals seen in Elmbridge. The area is one of the least affordable areas outside of the capital with lower quartile house prices in excess of 15 times lower quartile salaries for the area. This has worsened considerably since the financial crash in 2008 and indicates that supply is not meeting needs and a boost in supply is required. In addition, the constraints on the supply of land from other absolute designations (such as SSSI) and from flooding also mean that there are more limited opportunities for development and as such mean that Green Belt boundaries amendments remain the only possible approach to meeting needs.

We would also suggest that failing to amend Green Belt boundaries and not meet housing needs will have a significant impact on the Council's ability to deliver sustainable development. In particular the Council will need consider within its Sustainability Appraisal the significant negative social and economic outcomes of not meeting development needs, and indeed the positive outcomes if needs are met, against what may be more limited environmental impacts from what are relatively modest Green Belt releases. The consultation document notes that in meeting development needs would only require the loss of 6% of the Borough's Green Belt – a relatively small amount and through sites that the Council do not consider to strongly meet the purposes of Green Belt. We would suggest that the Council can demonstrate the necessary exceptional circumstances to meet housing needs in full and should take forward an option that achieves this position.

### ***Optimising and intensifying development in urban areas***

Whilst we welcome the Council's work to maximise development in urban areas, we are concerned that the proposed level of development from such sites is unrealistic. Firstly, the Council are still to confirm for many of these sites that they are available for development. For example, the BT Telephone Exchanges have been identified as potential development opportunities for a number of years and despite favourable

economic circumstances have not been developed. As the Council will be aware it will be essential that confirmation is obtained from the landowner that these sites can be developed at the point envisaged in the plan – even if this is later in that plan period.

Secondly, the Council have identified a number of open spaces that it suggests can be developed. Whilst we do not object to the development of such sites the Council will need to be sure that such proposals are consistent with paragraph 97 of the National Planning Policy Framework. In particular the Council will need to ensure that the re-provision of these green spaces is not only to the same quality but also in a “*suitable location*”. It is not clear from the consultation how the Council would achieve this aspect of national policy.

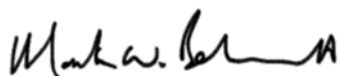
Finally, we are doubtful whether the Council has the appetite to deliver significantly higher densities in the urban areas as set out in option 1 or even the less intensive proposals for urban areas set out in options 3, 4 and 5. Decision making in Elmbridge consistently looked to minimise densities rather than optimise delivery on each site. If the Council are to support higher density development the Council will need to revisit their development management policies and carefully consider the viability of such development to deliver both the infrastructure and affordable housing required for the area.

When taken together we are doubtful whether the Council would ever achieve even the lower level of development in the urban areas expected in the consultation paper. This would suggest that the Council may need to consider further Green Belt releases in sustainable locations if it is to meet development needs in future.

## **Conclusion**

We would suggest that the only approach that would be consistent with national policy would be to meet housing needs in full. This would need to be achieved in a sustainable manner and as such option 5 would seem to be the most appropriate approach. However, we would caveat this position as we are not convinced that the Council could deliver the level of development in the urban area that is being suggested in this option. From the current evidence we would suggest that some additional Green Belt releases may be necessary if the Council is to meet needs over the proposed plan period.

Yours faithfully



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