

Home Builders Federation

Matter 8

ST ALBANS LOCAL PLAN EXAMINATION

Matter 8: The Supply and Delivery of Housing Land

Questions

1. What is the estimated total supply of new housing in the plan period and how does this compare with the planned level of provision?

The Council has estimated that 14,871 new homes will be built over the plan period. However, 3,873 homes of these homes are expected to come forward as windfall and other unidentified or unallocated sites with SACDC. This is a significant number of homes and given the limited buffer within overall supply of just 221 homes if delivery from this source is even marginally overestimated then the Council will not meet its housing requirement. Our concerns regarding these sources of housing supply are considered in more detail at question 4.

2. What is the estimated total supply in the plan period from:

a) Existing planning permissions?

b) Other commitments e.g. sites subject to S106 agreements?

c) Proposed site allocations?

d) Other sources?

This is for the Council to answer. In particular we are concerned that there is a lack of consistency between the Authority Monitoring Report for the period April 2017 to March 2018 (AMR001) and Appendix 2 of the submitted local plan in relation to existing planning permissions and other commitments given the same end date for this data. One example is in relation to the potential for development from sites currently with pre application discussion occurring. For example, the AMR indicates that there is potential for 219 homes from such sites whereas the Council's housing trajectory indicates delivery from these sites to be 273 homes between 2020/21 and 3035/36. This is just one discrepancy that needs to be addressed. It is essential that the Council's evidence is consistent to ensure effective scrutiny of their housing land supply and clear justification is provided to support the proposed delivery rates for all elements of its housing trajectory.

3. Can the Council please provide a graph to show the housing trajectory and also a clearer, simpler table than that in appendix 2 of the Plan.



A chart showing delivery of the plan period and clear table as to the delivery of homes will be welcomed. It is also not clear why the Council have include a trajectory from 2017/18 given that the plan period proposed by the Council starts in 2020/21. We would also suggest that the trajectory chart is included within the main body of the Local Plan.

4. Is the housing trajectory realistic?

No. We have concerns regarding a number of the sources of supply across the plan period. These are:

- Windfall Allowance
- Council owned sites
- Delivering urban optimisation

Windfall allowance

We could not find any up to date justification in the evidence base submitted alongside the draft local plan as to the level of windfall that is included within the Council's housing trajectory. The only discussion we could find on windfall within the published evidence was in the 2009 SHLAA which predates the publication of the NPPF and is self-evidently out of date. Without the compelling evidence required by paragraph 70 of the NPPF to support their position the windfall allowance of 1,670 homes must be removed from the housing trajectory.

Council owned sites

We could find no evidence as to where these sites where or their deliverability. It would appear to be an estimate that such sites will come forward at some point. However, we would suggest that such sites, if they do come forward, would be considered as windfall development. As such there is no justification for the inclusion of 260 homes from such sites in the housing trajectory.

Delivering urban optimisation

These would appear to be arbitrary elements of supply included on the basis that the Council will deliver more homes within SHLAA sites and other sites. However, we would expect estimates in the SHLAA to have already examined the ability of each site to deliver its optimum level of housing on the basis of national policy. It cannot be justified therefore to apply a further arbitrary increase. We would recommend that the 880 homes included in the trajectory to take account of urban optimisation is removed.

Conclusion on trajectory

We consider the trajectory to be an unrealistic assessment of supply with elements of supply having no evidence to support their inclusion. We would recommend that the delivery across the plan period is at least 2,810 homes lower than that set out in the

trajectory at Appendix 2. In order to address this shortfall, the Council will need to identify additional sources of supply that will provide the certainty of housing delivery required by national policy.

5. The majority of the proposed housing will be provided on a small number of large sites. Does the Council have a contingency Plan should one or all of these sites not deliver as expected?

It is essential that the Council has sufficient contingency within its total supply of housing to ensure that there is sufficient flexibility to take account of any unexpected delays to the delivery of allocated sites within the local plan. As we set out in our response to question 6 of matter 3 the greater the reliance on strategic sites the more substantial the buffer required to take account of delays in delivery. Given that this plan relies on strategic allocations to deliver 68% of total supply from just 10 allocations with just a 1.5% buffer we are concerned that even a slight delay to the delivery of the strategic allocations will mean the Council not meeting its housing requirement. As we have set out in other statements the Council has not looked to make further amendments to the Green Belt to enable the development of smaller development opportunities that would provide a supply of sites to deliver homes earlier in the plan period and provide a contingency against the larger sites not delivering as expected.

6. Has there been persistent under delivery of housing? In terms of a buffer for a five-year supply of housing sites, should this be 5% or 20% in relation to para 73 of the NPPF?

Yes. The results of the 2018 Housing Delivery Test for SACDC was 58% which requires the Council to include a 20% buffer in their five-year housing land supply assessment. Whilst the results of the 2019 are still to be published it is possible to calculate this using the latest data on housing supply published by MHCLG and is set out in the table below.

Year	Requirement ¹	Delivery	%
2016/17	668	340	51
2017/18	649	385	59
2018/19	902	624	69
Total	2209	1349	61

The HDT measurement of 61% will therefore require the Council to include a 20% buffer within its five-year housing land supply until November 2020. However, given the scale of under delivery within SADC we would expect that to continue until November 2021.

¹ Requirements for 2016/17 and 2017/18 based on the transitional arrangements (para 21 and 22 of HDT Measurement Rule Book) and the minimum local housing need figure for the authority calculated with a base date of 1 April 2019 as required for LPAs without an adopted and up to date local plan.

7. What are the implications of stepped delivery of housing on the supply and delivery of housing?

The stepped delivery of housing will mean that homes that are required to meet current needs will be delivered much later in the plan period. The proposed stepped requirement will set a housing target for the first five years of 2,825 homes against the local housing needs assessment for that period of 4,565 homes – a difference of 1,740 homes. This will mean that the improvements in affordability will be pushed to later in the plan period as will the delivery of much need affordable housing in one of the least affordable parts of the Country.

8. What impact will this have on the 5-year supply of deliverable housing land and the delivery of affordable housing?

Essentially the proposed stepped housing requirement has been adopted to provide the Council with a five-year housing land supply on adoption of the plan and for the early years of the plan period. However, whilst we accept that PPG allows for “*the inclusion of stepped trajectory where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period*” it is important to remember that the Council has chosen to take forward a development strategy that will deliver more homes later in the plan period and ignored the opportunity to identify smaller sustainable sites that could be removed from the Green Belt in order to improve delivery in the short and medium term. It is not the case that the Council has undertaken a comprehensive assessment of small-scale sub areas in the Green Belt and has been required to follow the development strategy taken forward in the local plan. It is in fact the case that the Council has specifically chosen not to consider development opportunities in those smaller-scale sub areas identified in GB004 nor to examine in more detail whether there are other small-scale sub areas that could be removed from the Green Belt to enable their development. As such the use of a stepped trajectory is not justified. To address any shortfall in the early part of the plan the Council must consider the potential for removing smaller areas of land from the Green Belt in sustainable locations.

9. On the basis of the Plan as submitted, is it realistic that it would provide for:

a) A supply of specific deliverable sites to meet the housing requirement for five years from the point of adoption.

In considering the Council’s five-year housing land supply we have used the housing trajectory set out in Appendix 2 of the draft local plan. Using the delivery expectations in this table we have prepared an assessment of the rolling five-year housing land supply which is set out in appendix 1 to this statement. The analysis includes a 20% buffer in the first two years of the adopted plan in order to be consistent with paragraph 73 of the NPPF.

What this analysis shows is that using the Council’s delivery expectations the Council will have a housing land supply on adoption of 5.02 years. However, we are concerned

that a number of elements of the Council's expected supply of deliverable sites in the first five years is not justified and will be significantly lower than suggested. Our concerns relate to:

- Sites with outline permission, a permission in principle or identified on brownfield register;
- Windfall allowance; and
- Council owned sites

Sites with outline permission, a permission in principle or identified on brownfield register

Paragraph 73 of the NPPF requires LPAs to demonstrate that it has a five-year supply of deliverable sites against the housing requirement in an adopted local plan. What constitutes a deliverable site is defined in the Glossary as being:

"a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."

Our interest with regard to this definition relates to the requirement in part b of the definition that requires the Council to have clear evidence that housing completions on major sites without a full planning application will begin on a site within five years. Further detail of what constitutes clear evidence is provided in paragraph 68-007 of PPG. This paragraph outlines that evidence of deliverability may include:

- Progress towards addressing reserved matters where there is an outline planning permission
- Written agreement with regard to the developer's intentions
- Firm progress with site assessment work
- Clear information about the viability of a sites and the presence of any constraints (ownership, infrastructure etc.)

However, we could not find a detailed assessment, in line with the NPPF definition, as to the deliverability of such sites within the Council's various SHLAA documents and Brownfield Land Register (BLR). Without this evidence the Council cannot include sites with outline planning permission, at pre app or with an application submitted or sites only identified in the SHLAA and the BLR in its five-year housing land supply.

Windfall allowance

As set out above we could not find any up to date justification in the evidence base submitted alongside the draft local plan as to the level of windfall that is included within the Council's housing trajectory. Even if the Council were to provide the compelling evidence to support their windfall allowance, we do not consider it sound for windfall to be included in the first three years of the five-year supply in addition to sites with planning permission. In effect those permissions that will be delivered over the first three years of the plan represent the windfall in this period.

Council owned sites

It is not clear what evidence there is to support the inclusion of 20 homes per annum on Council owned sites. We would also suggest that should such sites come forward each year they would be classified as windfall development. Notwithstanding the lack of evidence to support the Council's inclusion of a windfall allowance we would suggest that the inclusion of both would represent double counting not only in the trajectory but also in the five-year housing land supply.

Adjusted five-year supply

Given the lack of evidence to support a number of elements within the Council's five-year housing land supply it is necessary to remove these from any assessment of the Council's five-year housing land supply. For the year of adoption (2020/21) this will remove the following levels of supply from the first five years (2020/21 to 2024/25):

- Outline only: -171
- Outline reserved matters subject to S106: -156
- With application submitted: -122
- At pre-app: -242
- SHLAA Sites: -273
- Windfall: -515
- Council owned sites: -40

Total supply for the first five-years of the plan will reduce to 1,842 and even against the much lower stepped requirement for this period the Council can only show a 2.79-year housing land supply of deliverable sites as defined by the NPPF. Whilst the Council may seek to justify some elements of this supply, we are concerned that the plan as submitted has such a marginal 5-year housing land supply on adoption and the early years. Given this position we would suggest the only appropriate course of action in preparing this plan would be to allocate more smaller sites. This would have given the Council the ability to deliver more homes earlier with the strategic sites coming online later to secure delivery from the middle of the plan period.

b) A supply of specific, developable sites or broad locations for growth for years 6-10 from the point of adoption?

The HBF does not wish to comment on specific sites allocated within the plan.

If you contend that the Plan would not provide for either (a) or (b) above (or both) could it be appropriately modified to address this?

With regard to the five-year housing land supply it would be possible to identify smaller green field sites within the Borough that would deliver new homes within five years following the adoption of the plan.

10. In overall terms would the Plan realistically deliver the number of dwellings required over the plan period?

As set out in our response to question 4 we are concerned that the plan will not deliver the number of homes required as there is insufficient evidence with regard to elements of the supply identified by the Council.

11. How have site densities been determined? How rigid are these figures?

This is for the Council to answer.

12. What are the targets for the provision of affordable housing? What has been achieved in recent years?

This is for the Council to answer.

13. Is the type and size of housing provided/planned meeting/likely to meet the needs of the area?

No comment

14. Is there sufficient variety in terms of the location and type of sites allocated?

As set out in our statements we do not consider there to be sufficient variety of sites within the plan to provide the necessary flexibility in supply required by paragraph 11 of the NPPF.

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Appendix 1: Five-year housing land supply

Table 1: Rolling 5-year housing land supply St Albans City and District Local Plan 2020-2036 using data from appendix 2

	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36
Requirement	565	565	565	565	565	1075	1075	1075	1075	1075	1075	1075	1075	1075	1075	1075
Cumulative	565	1,130	1,695	2,260	2,825	3,900	4,975	6,050	7,125	8,200	9,275	10,350	11,425	12,500	13,575	14,650
Delivery	544	541	703	744	869	1047	1209	1265	1285	1200	1100	995	920	860	795	795
Cumulative	544	1,085	1,788	2,532	3,401	4,448	5,657	6,922	8,207	9,407	10,507	11,502	12,422	13,282	14,077	14,872
Surplus/ Deficit to be carried forward	-21	-45	93	272	576	548	682	872	1,082	1,207	1,232	1,152	997	782	502	222
5- year requirement	2,825	3,335	3,845	4,355	4,865	5,375	5,375	5,375	5,375	5,375	5,375	5,375				
With deficit/ surplus added from previous year	2,825	3,356	3,890	4,262	4,593	4,799	4,827	4,693	4,503	4,293	4,168	4,143				
Buffer	565	671	195	213	230	240	241	235	225	215	208	207				
Total Requirement	3,390	4,027	4,085	4,475	4,823	5,039	5,068	4,928	4,728	4,508	4,376	4,350				
5-year supply	3,401	3,904	4,572	5,134	5,675	6,006	6,059	5,845	5,500	5,075	4,670	4,365				
Surplus/ deficit	11	-123	488	659	852	967	991	917	772	567	294	15				
5YHLS	5.02	4.85	5.60	5.74	5.88	5.96	5.98	5.93	5.82	5.63	5.34	5.02				



Table 2: Rolling 5-year housing land supply St Albans City and District Local Plan 2020-2036 amended to take account of HBF assessment of supply removing windfall, urban optimisation, council owned sites and pushing back unevidenced deliverable sites from first five years.

	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36
Requirement	565	565	565	565	565	1,075	1,075	1,075	1,075	1,075	1,075	1,075	1,075	1,075	1,075	1,075
Cumulative	565	1,130	1,695	2,260	2,825	3,900	4,975	6,050	7,125	8,200	9,275	10,350	11,425	12,500	13,575	14,650
Delivery	241	176	284	485	704	1,050	1,256	1,374	1,214	1,035	905	788	715	655	590	590
Cumulative	241	417	701	1,186	1,890	2,940	4,196	5,570	6,784	7,819	8,724	9,512	10,227	10,882	11,472	12,062
Surplus/ Deficit to be carried forward	-324	-713	-994	-1,074	-935	-960	-779	-480	-341	-381	-551	-838	-1,198	-1,618	-2,103	-2,588
5- year requirement	2,825	3,335	3,845	4,355	4,865	5,375	5,375	5,375	5,375	5,375	5,375	5,375				
With deficit/ surplus added from previous year	2,825	3,659	4,558	5,349	5,939	6,310	6,335	6,154	5,855	5,716	5,756	5,926				
Buffer	565	732	228	267	297	316	317	308	293	286	288	296				
Total Requirement	3,390	4,391	4,786	5,616	6,236	6,626	6,652	6,462	6,148	6,002	6,044	6,222				
5-year supply	1,890	2,699	3,779	4,869	5,598	5,929	5,784	5,316	4,657	4,098	3,653	3,338				
Surplus/ deficit	-1,500	-1,692	-1,007	-747	-638	-697	-868	-1,146	-1,491	-1,904	-2,391	-2,884				
5YHLS	2.79	3.07	3.95	4.33	4.49	4.47	4.35	4.11	3.79	3.41	3.02	2.68				