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Whyburn Consortium

Hearing Statement

Week 2 Matter 9

Respondent ID: 63

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PLANNING

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1.0 Introduction

CarneySweeney are acting on behalf of the Whyburn Consortium in making representations to the emerging Ashfield Local Plan (2023-2040), with representations having been made to the previous Regulation 19 consultation stage.

Our previous representations are not repeated here but should be read in conjunction with this Hearing Statement to the Inspector's Matters, Issues and Questions for Week 2: Matter 9 and Matter 10.

As requested, we have provided separate Hearing Statements for the following Matters:

- Matter 9 – The Supply and Delivery of Housing Land
- Matter 10 – Site Allocations

This document covers Week 2 Matter 9 – The Supply and Delivery of Housing Land.



2.0 Week 2 Matter 9 – The Supply and Delivery of Housing Land

Respondent ID: 63

Issue

Whether there would be a deliverable housing land supply in years 1-5 and developable supply in years 6-15.

Questions

Overall Supply

9.1 What is the estimated total supply of new housing over the period 2023/24-2039/40? How has this been determined? Is the housing trajectory justified?

Table A of the Housing Land Supply Position Statement, October 2024, (ADC.04, referred to as “the October 2024 Position Statement” hereafter) refers to all sites being 6,271 dwellings. However, Table C of ADC.04 refers to a total cumulative completion of 7,451 from 2023/24 – 2039/40, which is set against a cumulative requirement of 7,582 dwellings over the same period. This represents a shortfall of -131 dwellings over the plan period as shown in Table C of ADC.04. It is noted that Paragraph 4.5 of ADC.04 states that “...the deficit of 131 dwellings in Table C does not include a Lapse rate (non-implementation rate) which is included in Table B”. Looking at Table B, this then adds lapse rates for some elements of supply, resulting in a shortfall of -237 dwellings. No lapse rate is applied to the delivery of the allocated sites without planning permission under Policy H1 which is remiss as it is highly unlikely that every single dwelling will be delivered from this source. The trajectory does not therefore meet the minimum requirement set by the Standard Method. Table B also does not appear to take a realistic account of lapse rates, meaning that the shortfall is likely to be higher than predicted.

9.2 What is the estimated supply from site allocations? What is the evidence to support their deliverability? Are the estimates of dwelling completions and their timing justified?

Table B of the October 2024 Position Statement (ADC.04) refers to the delivery of 3,482 dwellings from Policy H1 allocated sites without planning permission. As mentioned above, no lapse rate is applied to this source of supply. Table C refers to the same figure of 3,482 dwellings under the heading “projected completions from large sites without planning permission”, but it is not clear from this description that this relates to the proposed allocated sites. Table D of ADC.04 shows expected delivery over the plan period from the individual sites in the different geographical areas under the heading “available sites without planning permission”. It is not clear how these completion rates have been calculated.



Paragraph 4.3 of ADC.04 states that “...sites may not meet the definition of ‘deliverable’ and cannot therefore be included within the first 5 years, however there may not be any reason why they cannot or won’t progress and so could be included in the trajectory from year 6 onwards...”. As the significant majority of delivery from the proposed allocated sites is after 6 years, it is assumed that the Council considers these sites as not complying with the definition of ‘deliverable’. If this is the case, it is even more important to have a full justification for including these sites within the trajectory.

9.3 What evidence is there to support the timing of projected completions from each of the large sites (50 dwellings and above) without planning permission that are relied upon within the housing trajectory?

As described in the answer to Question 9.2, there are various different descriptions for the large sites without planning permission, which appear to originate from the proposed allocations under Policy H1. If the Council acknowledges that these sites do not meet the definition of ‘deliverable’, the inclusion of these sites in the housing trajectory should be fully justified.

9.4 Is there compelling evidence that demonstrates windfall development will provide a reliable source of supply as anticipated?

Initially, Background Paper 2 (BP.02) contained a windfall allowance of 720 dwellings over the plan period. The October 2024 Position Statement (ADC.04) now increases the windfall allowance to 1,183 dwellings over the plan period, with Table F of ADC.04 reporting this amount as an average of 91 dwellings between the period of 2014/15 to 2023/24. With the exception of Table F, there is no other evidence included in ADC.04 to demonstrate that the windfall allowance will provide a reliable source of supply.

Furthermore, it is important to note that the historic reliance upon windfall has likely been due to the Council having an out-of-date development plan. The lack of available allocations has therefore meant that the market has had to rely on unplanned developments to bring housing forward in the district. The purpose of the plan making process is to ensure an appropriate supply of planned housing to meet the housing requirement. Instead, however, the Council is seeking to rely on a significant proportion (circa 15%) of windfall development to meet its Local Housing Need (LHN), although as demonstrated in Table B and Table C of ADC.04, the Council are unable to meet the minimum housing requirement for the plan period.



9.5 Is the inclusion of housing falling within Class C2 of the Use Classes Order as part of the housing requirement justified?

Whilst the October 2024 Position Statement (ADC.04) refers to “C2 schemes (Dwellings equivalent)” it does not state how the equivalent provision has been calculated, and there is no footnote to provide such explanation. Noting that the Council is due to provide a response to this question, we may have comments to make during the Hearing session.

9.6 Paragraph 69 of the Framework states that in order to promote the development of a good mix of sites, local planning authorities should (amongst other things) identify land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, unless there are strong reasons why this cannot be achieved. What proportion of the housing requirement will be met from sites no larger than 1 hectare?

This is a question for the Council to respond to as there is no breakdown in ADC.04 for the proportion of housing requirement that will be met from sites no larger than 1 hectare. Following a review of the Council’s response to this question in their Hearing Statement, we may have comments to make during the Hearing session

Five Year Housing Land Supply

9.7 What is the requirement for the first five years following the anticipated adoption of the plan and what buffer should be applied?

Table C of the October 2024 Position Statement (ADC.04) refers to a cumulative requirement of 2,230 dwellings in the 5 year period. Paragraph 5.2 states that the 20% buffer should be applied.

Table E of ADC.04 multiplies the standard method annual requirement of 446 dpa by 5 to give a 5 year requirement of 2,230 dwellings. It then adds a 20% buffer and then adds the backlog giving an annual requirement of 528 dwellings.

Under the Sedgefield method (endorsed by the PPG at Paragraph 031 Reference ID: 68-031-20190722), the buffer should be added to the combined total of the requirement and buffer, i.e. at the end. This would result in a higher annual requirement of 2,720 dwellings $((2,230 + 37 = 2,267) + 20\% = 2,720.4)$ and an annual requirement of 544 dwellings $(2,720 / 5)$. The five-year housing requirement is therefore 453 dwellings short of meeting the requirement.



9.8 What is the estimated total supply of specific deliverable sites for this period?

It is noted that Table C of the October 2024 Position Statement (ADC.04) states there will be 2,740 completions.

9.9 What is the estimated supply from each source for this?

It is noted that the estimated supply is broken down in Table C of the October 2024 Position Statement (ADC.04).

9.10 What is the evidence to support this and are the estimates justified?

This is a question for the Council to respond to and depending on their response, we may have comments to make during the Hearing session.

9.11 Taking into account completions since the base date of the Plan, what will be the anticipated five-year housing land requirement on adoption of the plan?

Table E of ADC.04 refers to an under delivery backlog (actual plus assumed) of -37 dwellings. This figure is not justified or explained. Note that we consider at Question 9.7 that the requirement should be 544 dpa.

9.12 How does the five-year requirement compare to previous rates of delivery in Ashfield?

The Housing Delivery Test refers to the following annual completion rates for Ashfield District Council:

- 2019/20 – 173 dwellings
- 2020/21 – 312 dwellings
- 2021/22 – 412 dwellings
- Average of 229 dwellings per annum

On average therefore, the annual requirement of 528 dpa as reported in Table E of ADC.04 is 299 dpa lower than requirement (528 - 229). Note that we consider at Question 9.7 that the requirement should be 544 dpa, representing a disparity of 315 dpa compared to average past delivery rates. The Housing Delivery Test for the period of 2022/2023 is not available at the time of preparing this Hearing Statement and so we may have further comments to make in the Hearing session if this is released in advance.



9.13 Based on the housing trajectory, how many dwellings are expected to be delivered in the first five years following adoption of the Plan?

It is noted that Table C of the October 2024 Position Statement (ADC.04) states there will be 2,740 completions.

9.14 Having regard to the questions above, will there be a five-year supply of deliverable housing sites on adoption of the Plan?

No. As noted in the response to Question 9.7, using the Sedgefield approach as endorsed through the PPG, the total requirement should be 2,720 dwellings in the 5 year period. The five year housing requirement is therefore 453 dwellings short of meeting the requirement. This assumes that the backlog of -37 dwellings is justified (please see our response to Question 9.11 above).

Developable supply in years 6-15

9.15 What is the estimated total supply of specific developable sites or broad locations for growth for years 6-10 and 11-15?

Whilst this is a question for the Council to respond to, it is noted that Table C and Table D of the October 2024 Position Statement (ADC.04) seeks to provide a breakdown, with Table D including a breakdown of Annual Delivery by Site for the different growth areas. However, the evidence to support the estimated total supply is unclear and should be provided. Following a review of the Council's response to this question, we may have comments to make during the Hearing session.

9.16 What is the evidence to support this and are the estimates justified

This is a question for the Council to respond to and depending on their response, we may have comments to make during the Hearing session.

