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For and on behalf of
Mr Keith Haslam (Stags Limited)
And
Bellway Homes Limited (East Midlands)

Matter 9
Ashfield District Local Plan Examination

The Supply and Delivery of Housing Land

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1.0 INTRODUCTION

- 1.1 This response to Matter 9 of the Inspectors' MIQs in respect of the Ashfield District Local Plan Examination has been prepared by DLP Planning Limited. DLP Planning have been instructed to appear at the Examination on behalf of Mr Keith Haslam (Stags Limited) and Bellway Homes Limited (East Midlands).
- 1.2 The cumulative effect of the issues raised in our previous representations and our submitted hearing statements for Matters 9 and 10 should be taken into account when considering the soundness of the Ashfield District Local Plan as it progresses through Examination and in any Main Modifications that may be required in order to address these soundness issues.
- 1.3 For the avoidance of doubt this refers to the NPPF September 2023 as per the Inspectors' 'Initial questions for the Examination' letter (22nd July 2024).

2.0 MATTER 9 – THE SUPPLY AND DELIVERY OF HOUSING LAND

a) Overall Supply

Q9.1 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?

- 2.1 Strategic Policy S7 states that “A minimum of 7,582 new dwellings will be delivered within the period 2023 to 2040, dispersed across the District in accordance with the Council’s spatial strategy for growth”. However, the Trajectory which is included in Appendix 2 of the Plan only shows 6,825 dwellings as being deliverable over the plan period to 2040.
- 2.2 Table 2 on page 57 of the plan also only identifies a total housing supply of 6,700 dwellings over the plan period, which is a deficit of 882 dwellings compared with the minimum housing need of 7,582 dwellings, and represents just 15 years’ supply. It appears that this figure has been determined by a review of small and large sites which are deemed to be deliverable. Paragraph 22 of the NPPF states that “Strategic policies should look ahead over a minimum 15 year period from adoption”. Given that the Plan is not expected to be adopted until 2025 at the earliest, the Plan should identify sufficient housing to meet the District’s needs to at least 2040, which is 17 years from the base date of the Plan (i.e. a housing need of 7,582 dwellings).
- 2.3 Therefore, the Plan is currently neither positively prepared nor effective, as it states that 7,582 dwellings will be delivered over the plan period, despite the fact that within this figure there are 882 dwellings that have not been positively planned for and it is unclear how or where these 882 will come forward. No further clarity is provided in the associated Background Paper 2: Housing or in the other supporting evidence base documents. The level of housing provision that has been planned for (as also set out in the housing allocations identified in Policy H1) does not meet the identified needs for the plan period and is not in accordance with NPPF paragraphs 22 and 68.
- 2.4 We do not deem the housing trajectory to be justified. In order to ensure the plan is positively prepared and consistent with national policy, the Council should ensure that sufficient sites are identified which, as a minimum, meet the housing requirement for the whole plan period (7,582 dwellings), including through allocating further deliverable and developable sites, as required.

Q9.2 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?

- 2.5 The site allocations are set to bring forward a potential yield of 5,716 homes. It is understood the Plan uses the standard method figure as a basis for identifying local housing requirements. However, the outcome of the standard method is an advisory starting point and we believe alterations to this figure would be necessary in order to fully meet the objectively assessed housing need for Ashfield over the plan period (2023 to 2040).
- 2.6 The reason we believe alterations to this figure are necessary are because the level of jobs growth projected will not be supported by the current level of housing allocations. Currently 81 ha of employment land is required over the plan period (as per Policy S8) however the current standard method local housing figure would result in a requirement for just 16.84 ha of employment land. The delivery of 81 ha of employment land would, therefore, likely result in increased in-commuting as these two figures are misaligned. To resolve this the plan should allocate additional housing land and increase the housing requirement figure to ensure it has been positive prepared.

- 2.7 The evidence of the site allocations deliverability stems from the site allocation process as detailed below via the sequential approach taken:
- Stage 1: Sites with planning permission;
 - Stage 2: Sites with a resolution to grant planning permission subject to signing a Section 106 legal agreement;
 - Stage 3: Brownfield (previously developed) sites assessed through the SHELAA as ‘achievable’ or ‘potentially achievable’ and consistent with the Council’s strategic approach for sustainable growth;
 - Stage 4: Greenfield sites assessed through the SHELAA as ‘achievable’ or ‘potentially achievable’ and consistent with the Council’s strategic approach for sustainable growth;
 - Stage 5: Green Belt sites assessed through the SHELAA as ‘achievable’ or ‘potentially achievable’ and consistent with the Council’s strategic approach for sustainable growth.

2.8 In the Housing Delivery Test results for Ashfield published in December 2024 for the year 2023 indicate that over the past three years the number of homes delivered in the District was just 86% of the total number of homes required, thereby triggering the need for an Action Plan.

2.9 The trajectory included at Appendix 2 of the Draft Local Plan similarly shows an under-delivery of dwellings compared with the cumulative requirement over the first five years of the Plan (2023/24 – 2027/28).

2.10 In order to ensure that the Plan continues to deliver sufficient sites needed to meet the identified housing requirement over the full plan period, the allocation of additional housing sites should be considered in order to provide a sufficient buffer against potential future under-delivery.

Q9.3 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?

2.11 Outlined within Background Paper 2 Housing, the plan assumes sites without planning permission will commence by Year 6. The completion of allocated sites which do not have planning permission is referenced in Table 2 of the Housing Land Monitoring Report. The evidence behind these figures has stemmed from the SHELAA’s identification of sites being deliverable and developable. This evidence for our clients’ sites has included detail regarding the deliverability of the sites and the lead in period for development at earlier stages of the plan making process. Here site H1Su would deliver 35 dwellings a year in 2028/29 and 2029/30 and 30 dwellings a year in 2030/31. Site H1Saa would deliver 35 dwellings a year in 2024/25 onwards up to a capacity of 322 dwellings, and site H1Hc would deliver 9 dwellings in 2028/29 and then 70 dwellings a year from 2029/30 onwards up to a capacity of 499 dwellings. We believe this evidence is compelling and supports the allocation of sites H1Hc, H1Saa and H1Su which fall within this category.

2.12 However, to plan for the under-delivery seen within the area and provide flexibility in the market, we also believe further sites should be allocated, including the Additional Land West of Beck Lane, Skegby which falls within this category.

Q9.4 Is there compelling evidence that demonstrates windfall development will provide a reliable source of supply as anticipated?

- 2.13 We do not deem this evidence to be reliable. Within Table 7 it indicates that 720 dwellings will be delivered through windfall over the period 2028-40. This figure does not represent a positively prepared plan as it is apparent that reliance is on past levels of windfall continuing rather than through site allocations.
- 2.14 However, past levels of windfall have been measured during a period where the Local Plan was not up to date meaning windfall would have been expected to be higher than normal. Thus, there is no guarantee that these levels would continue once an up to date plan is adopted.
- 2.15 Therefore, we do not support the reliance on windfall development and instead think the plan should allocate further sites for residential development.

Q9.5 Is the inclusion of housing falling within Class C2 of the Use Classes Order as part of the housing requirement justified?

- 2.16 We support the inclusion of C2 residential institutions (including older persons housing) within the housing requirement and deem it to be justified.

Q9.6 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?

- 2.17 It appears that 12% of Ashfield's allocated sites are on small sites less than 1 hectare and so is in accordance with paragraph 69 of the Framework (sourced from Table 7 of Background Paper 2). In addition to this we believe the Plan should allocate additional housing sites to reduce the risk of potential future under-delivery by providing additional flexibility in the market.

b) Five year housing supply

Q9.7 What is the requirement for the first five years following the anticipated adoption of the plan and what buffer should be applied?

- 2.18 The first five years require 2,676 homes including a 20% buffer. This figure has been derived by multiplying the annual requirement figure by five plus a 20% buffer. The reason a 20% buffer is required is due to the authority having a significant under delivery of housing over the last three years.

Q9.8 What is the estimated total supply of specific deliverable sites for this period?

- 2.19 Out of the 2,676 five year housing requirement figure, the Local Plan (Appendix 2) suggests that 3,413 homes will come forward within the first five years.

Q9.9 What is the estimated supply from each source for this?

- 2.20 No response, we shall await the Council's response to this point.

Q9.10 What is the evidence to support this and are the estimates justified?

- 2.21 This is supported by evidence from the Background Paper 2, site allocation assessments and the Greater Nottingham and Ashfield housing needs reports. We think these estimates are justified as our clients' sites (H1Su, H1Saa and H1Hc) are deliverable, suitable, achievable and available for delivering residential development.
- 2.22 However, notwithstanding this the Council should ensure that additional sites are allocated

to ensure that housing needs are met in full over the plan period.

- 2.23 The release of some Green Belt land is therefore likely to be required. These should include those where exceptional circumstances to justify their removal has been demonstrated, such as site H1Hc (Land North of A611 / South of Broomhill Farm, Hucknall).
- 2.24 In order to ensure the plan is positively prepared and consistent with national policy and that housing needs over the full plan period are met, the Council should ensure that sufficient sites are identified including through allocating further deliverable and developable sites, as required.

Q9.11 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?

- 2.25 As per Table 5 in the Housing Land Monitoring Report (2024) Ashfield delivered 438 dwellings between the 1st April 2023 – 31st March 2024. Therefore, the anticipated five-year housing land requirement upon adoption would be 2, 238 (which is 2,676, which is the five year requirement minus 438 which are the dwellings already delivered during the plan period).

Q9.12 How does the five-year requirement compare to previous rates of delivery in Ashfield?

- 2.26 The plan assumes sites are capable of delivering 30 dwellings per annum (per developer) based on past delivery rates. On average the past delivery rates in Ashfield have been between 42 and 44 dpa (Background Paper 2, paragraph 6.7). Despite this the Housing Delivery Test results for Ashfield published in December 2024 for the year 2023 indicate that over the past three years the number of homes delivered in the District was just 86% of the total number of homes required, thereby triggering the need for an Action Plan.
- 2.27 Furthermore, moving onwards from the answer to Q9.11, the average annual delivery rate needed to deliver the remaining 2,238 dwelling requirement over the first five years of the plan following adoption, is 448 dwellings per year. Within the latest Housing Delivery Test Report (2023) 412 homes were delivered between 2021-22 with an annual average of 356 homes delivered across the last three years of the Housing Delivery Test (2020 – 2023). Therefore, this shows that there is a clear trend of under-delivery in Ashfield which falls below the average rate of delivery required to meet the residual housing requirement over the first five years of the Plan. The Council should therefore allocate additional sites to provide a buffer and flexibility in the market to ensure delivery rates meet the needs identified.

Q9.13 Based on the housing trajectory, how many dwellings are expected to be delivered in the first five years following adoption of the Plan?

- 2.28 Based on the housing trajectory, 3,413 houses are set to be delivered within the first five years of the Plan. This is an average of 683 dwellings per year.

Q9.14 Having regard to the questions above, will there be a five-year supply of deliverable housing sites on adoption of the Plan?

- 2.29 Whilst it is likely that the Council will be able to demonstrate a five-year supply of deliverable housing sites on adoption, we believe the Plan should identify more sites for housing delivery due to the recent past trend of under-delivery in the area and to ensure that the plan allocates enough sites to meet the housing requirement over the full plan period.

c) Developable supply in years 6-15

Q9.15 What is the estimated total supply of specific developable sites or broad

locations for growth for years 6-10 and 11-15?

- 2.30 The estimated total supply is set to be 3,725 dwellings (years 6-10) and 850 dwellings (years 11-15) as per Appendix 2 (District Summary) of the Ashfield Local Plan Pre Submission Draft.

Q9.16 What is the evidence to support this and are the estimates justified?

- 2.31 This is supported by evidence from the Background Paper 2, site allocation assessments and the Greater Nottingham and Ashfield housing needs reports. Whilst these figures do represent a shortfall, we are confident it is justified and we are confident sites H1Su, H1Saa and H1Hc are deliverable.
- 2.32 While this shortfall is acknowledged by the Council, it is justified (in paragraph 7.3 of Background Paper 2) on the basis that it is compliant with paragraph 68 (now paragraph 69) of the Framework because: “...the Plan currently provides for 6700 dwellings against a need of 7582 to the year 2040, amounting to approximately 13 years supply post adoption (to year 2038/39). It is considered to be consistent with NPPF paragraph 68 which requires policies to identify a sufficient supply and mix of sites, (taking into account their availability, suitability and likely economic viability), with specific, deliverable sites for years one to five of the plan period, and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan” (Background Paper 2: Housing, paragraph 7.3)
- 2.33 These are the years which paragraph 68 of the Framework states must be effectively planned for and covered by any emerging local plan, with specific deliverable sites for the first five years identified, developable sites identified for the 6-10 year post-adoption period, and, where possible, found for the 11-15 year post-adoption period. Assuming the plan period is only 15 years.
- 2.34 As the Ashfield Local Plan covers the 17 year period 2023 to 2040, and given the tendency for local plan adoption dates to slip, in order to ensure the Plan is sound at the point of adoption it would be prudent for the Council to identify further developable sites at this stage to comply with national policy and plan to meet the housing needs identified over the plan period.
- 2.35 Furthermore, paragraph 22 of the Framework states that “strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities”. Paragraph 23 of the Framework also states that “strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period”.
- 2.36 Therefore, whilst we believe these estimates of developable sites are justified and we believe the Plan should allocate additional sites to ensure the housing need is met over the full plan period.

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