



Ashfield Local Plan

EIP Hearing Statement

Matter 9 – The Supply and Delivery of Housing Land

On behalf of Vistry Group

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Introduction

This Hearing Statement is submitted by ADAS Planning on behalf of Vistry Group and should be read in conjunction with the Written Representations submitted as part of the Regulation 19 Pre-Submission Draft in January 2024. With the representations, Vistry Group outlined a number of concerns about the draft plan primarily raising concerns with the housing shortfall and proposing their Brand Lane site as an alternative site to help fill this undersupply.

INS01 confirmed that the plan will be considered under the September 2023 version of the National Planning Policy Framework (NPPF), as such this Hearing Statement utilises the same version of the NPPF.

The following Statement builds upon the concerns raised in the representations, responding to the Inspectors Matters Issues and Questions.

Matter 9– The supply and delivery of housing land

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?

The Council claims they have allocated sufficient land to deliver 6,700 homes over the plan period. This represents a shortfall of 882 dwellings when utilising the standard method to calculate need (7,582). The Sustainability Appraisal (SA) states that the preferred growth option was selected to minimise environmental impacts, although this is potentially at the expense of fully addressing housing needs and economic development.

Research from Lichfields 2024 "Start to Finish" report demonstrates that large sites of 500 or more dwellings typically require 4.9 to 6.6 years from outline planning application to first completion. This highlights the Council's overly optimistic assumptions about lead-in times and build-out rates. The SA acknowledges significant reliance on external factors, such as infrastructure improvements and site specific mitigation measures, but provides limited evidence of how these will be delivered within the required timescales. This raises questions about how realistic these assumptions are and how resilient they are to delays.

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?

3,757 houses are proposed to be delivered on allocated sites without current permission. The SA notes that many of these sites face constraints, such as flood risks and lacking infrastructure which the Council claim can be mitigated. Supporting evidence of potential mitigation is limited and contradictory when considering that significant alternative sites were rejected due to environmental concerns that likewise had not been evaluated to conclude if mitigation is possible. Whilst there is a limit to the expected level of detail an LPA

must assess for site allocation, this deserves greater scrutiny where an authority is deliberately proposing a plan that will not address housing need.

Part of Strategic Policy S1 outlines the Council's 'dispersed development' strategy which focuses on delivering homes through smaller, more dispersed sites, particularly avoiding large sites that can deliver over 500 dwellings. This strategy appears to have very little background rationale, particularly when considering the Council claim they cannot allocate enough land to meet need. By enacting this strategy, the Council are actively pursuing a course of action that limits the overall capacity of the available housing land.

The Council's choice of a 'preferred growth option' as opposed to a higher growth option results in an under allocation of housing and a shortfall compared to need. When considering deliverability of sites alongside an undersupply, this places significant pressure on the need for these to come forward, where the delay or removal of even one allocation could have significant ramifications on an already weak plan. Unfortunately, the Council does not provide robust contingency plans should the identified or unidentified constraints delay or prevent delivery on allocated sites

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?

The council's delivery assumptions for large sites without planning permission depend on optimistic lead-in times and build-out rates, with some sites dependent on infrastructure upgrades and environmental mitigation. The SA highlights risks to the deliverability of these sites, particularly in relation to delays with these infrastructure upgrades, and complications relating to mitigating site issues, which ultimately may not be possible. Sites such as H1Sk Sunnyside Farm have been identified as having ground stability and contamination issues, but are proposed to provide 283 dwellings. If investigative work begins and the constraints are deemed to be worse than anticipated, this number could dramatically decrease, particularly where stability and contamination issues are present which likely cannot be confirmed without investigation. The plan is therefore overly reliant on too few sites to achieve its already low target and more should be allocated. Sites such as Vistry's Brand Lane can deliver over 100 houses in sustainable areas with no critical constraints.

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

The Council assumes windfall sites will contribute 60 dwellings per annum from Year 5 onwards, based on historic trends from 2011 to 2021. The most important thing to note is that Ashfield has not had a new local plan since its adoption in 2002 (22 years ago) which planned for the period until 2011 (13 years ago). As the plan is now 13 years past its lifespan, many policies and particularly site allocations are out of date. With this in mind, a larger portion of windfall sites is expected to have been delivered on unallocated sites as allocated land will have become increasingly scarce. It could therefore be argued that the windfall supply is not representative of true delivery and that with the adoption of a new plan, this could dramatically decrease. Due to the Council's under supply and notable reliance on windfall Sites, further land must be allocated to make up for erroneous supply assumptions.

9.7-9.14 Five year housing supply

Based on the Standard Method used to calculate need, and the evidence presented, the requirement for the first five years should be an annual figure of 535 and a total of 2676 which the Council has calculated and expressed within the Plan¹. This figure correctly includes a 20% buffer due to significant historic under delivery of housing.

The Council estimates that 3,413 dwellings will be delivered over the first five years (2025-2030) and is expected to come from a combination of sites with planning permission, allocated sites without planning permission, and windfall sites, as below:

Source	Dwellings
Allocations without planning permission deliverable within 5 years (2025-2030)	2059
Planning permissions deliverable within 5 years (2025-2030)	1332
Small site windfall allowance (2028 to 2030)	120
Residential Institutions (C2) deliverable within 5 years	5
Permitted Development deliverable within 5 years	2
Discount applied to permissions based on historic lapse rate	-105

As discussed in 9.3 a large portion of anticipated supply is set to be delivered across allocations without permission, of which many have notable constraints to investigate and overcome. Again, using the example of H1Sk Sunnyside Farm which will require stability and contamination investigations and likely mitigation, the Council has stated that the site will have delivered 70 homes within the first 5 years (2025-2030). The "Start to Finish" data shows that only sites of 99 dwellings or fewer are likely to deliver any homes within five years, highlighting the need for additional allocations.

Given the constraints identified and potential for delays, or reduction in deliverable units, we find the Council's estimates to be extremely optimistic and likely unachievable, particularly as there is limited evidence to support these timescales. This ambition is replicated across the allocations to produce the figure of 3,413 dwellings. In relation to this figure, whilst it is presented as an oversupply within the first five years, it is critical to recall that this both assumes all sites are delivered to capacity, and must be viewed in the wider context of a plan period that significantly under delivers.

Again, as referenced in 9.3, the optimistic lead-in times and build-out rates, many of which rely on new infrastructure and mitigation measures, do not appear to have any contingency planning, particularly given the undersupply. It is clear that further land must be allocated for housing, particularly on sites that are immediately available such as Vistry's Brand Lane omission site.

9.15-9.16 Developable supply in years 6-15

The Council projects that 2,944 dwellings will be delivered in years 6–10 and 1,970 dwellings in years 11–15. However, the Council admits that it has only identified enough land to meet housing needs for 13 out of 15² years. This means that years 11–15 will face a supply deficit, and the availability of land will diminish as the plan progresses, while housing need continues to increase. The lack of adequate land allocation is a critical concern, as it will likely lead to the need to release further Green Belt land³, which would contradict

¹ Page 275

² Draft Local Plan – Paragraph 3.63

³ Matter 2 representations (Question 2.5)

national policy. To address this issue, the Council must allocate more land for housing, especially as current projections will not meet the housing need in later years.



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