

January 2019

MID-DEVON LOCAL PLAN REVIEW
Hearing Statement on behalf of
Summerfield Developments (SW) Ltd

Hearing 1: Vision, Spatial and Development Strategy and Strategic Policies



Collier
Planning

1.0 Introduction

- 1.1 This hearing statement is submitted on behalf of Summerfield Developments (SW) Ltd. Summerfield Developments (SW) Ltd has submitted duly made representations in response to various consultation stages of the draft Plan and welcomes the opportunity to participate in the examination hearings.
- 1.2 Those representations contained objections to the proposed housing strategy of the Plan which proposes to direct the bulk of the housing requirement to large urban extensions. We are concerned from the trajectory set out in the Plan, that it will not make sufficient provision for housing to either achieve or maintain an adequate five year supply of deliverable sites which would require a range and mix of sites to be identified in terms of both size and location.
- 1.3 We are aware that the Council is preparing further evidence to support its housing trajectory which has not been available for us to comment on before preparing this pre-hearing statement. We reserve the right to comment upon that new evidence at the hearings but set out below what we consider to be important context to the consideration of that matter.

2.0 Question 5: Will the plan maintain a five year supply of deliverable housing sites initially, and looking forward?

- 2.1 The revised NPPF published in July last year states that policies in the previous NPPF will apply for the purpose of examining plans submitted before 24 January 2019. That would of course apply to the Local Plan Review.
- 2.2 However, in respect of the requirement for plans to demonstrate an adequate five year housing land supply, in practical terms that has to be countered by the fact that the revised NPPF will apply to planning applications within the Plan area from the date of adoption of the Plan. Consequently, it would be somewhat perverse for a plan to be adopted based on a five year supply assessed against the relevant definitions and requirements of the old NPPF, only for it to then immediately be out of date for the purposes of assessing 5 year supply via planning applications and appeals which would need to be assessed under the new NPPF requirements.
- 2.3 In order for the Local Plan Review to facilitate an adequate 5-year housing supply from the point of its adoption, the supply surely needs to be capable of being used for the purposes of planning applications and appeals from the point of adoption and to do so will have to comply with the relevant definitions and requirements of the new NPPF.
- 2.4 The table below provides a summary of the key figures relevant to the assessment of the five-year housing supply using data taken from the Council’s 2018 Housing Land Availability Summary.

A	LPR requirement 2013 - 2033	7860
B	Annualised requirement	393
D	Housing completions 1.4.13 – 31.3.18	1730
H	Shortfall against requirement to 31.3.18	235
I	5 year requirement including shortfall 1.4.18 - 31.3.23	2,200
J	5 year requirement with 5% buffer	2310
K	5 year requirement with 10% buffer	2420

Buffer

- 2.5 In light of the reasons provided above as to why we consider it essential that the 5-year supply complies with the relevant definitions and requirements of the new NPPF, we consider it appropriate for a 10% buffer to be applied, in accordance with those requirements.

Definition of 'deliverable'

- 2.6 The new NPPF definition of 'deliverable' states that sites with outline permission or allocated in a development plan should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. This makes it very clear that the onus is on the Councils to demonstrate that sites without a full planning permission will deliver housing completions within the relevant 5-year period.
- 2.7 Attached as **Appendix 1** is an appeal decision from October last year which is one of the first to assess housing supply against the new NPPF requirements of deliverability. Paragraph 68 of the decision states,

“Sites with outline planning permission make up a very large proportion of the Council’s claimed supply. The onus is on the Council to provide the clear evidence that each of these sites would start to provide housing completions within 5 years. I accept that there was clear evidence of what was necessary on one site provided in Mr Robert’s evidence and so the 200 dwellings in respect of that site should be added to the Appellant’s supply calculations. As for the other 1,244 dwellings with outline permission, the Council has not even come close to discharging the burden to provide the clear evidence that is needed for it to be able to rely upon those sites”

- 2.8 This requirement is further defined within the Planning Practice Guidance (031 Reference ID: 3-031-20140306) and requires local planning authorities,

“to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out”.

2.9 It also requires consideration of,

“the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply.”

2.10 Paragraph: 033 Reference ID: 3-033-20150327 makes it clear that this is important to assess at the Local Plan stage and that local plan examination,

“is intended to ensure that up-to-date housing requirements and the deliverability of sites to meet a five year supply will have been thoroughly considered and examined prior to adoption”.

Councils claimed supply

2.11 No up to date housing trajectory has yet been provided to the examination and no information has yet been produced to provide the robust, up to date evidence to support the deliverability of the sites included within the Council’s claimed supply to set out clearly and transparently how the Councils judgements on deliverability have been reached having regard to the time it will take to commence development on site and build out rates. As explained above, it is necessary for this information to be provided by the Council in order for the Local Plan Review to facilitate an adequate 5-year housing supply, from the point of its adoption, that is capable of being used for the purposes of planning applications and appeals.

APPENDIX 1

T 01823 352 900

E enquiries@collierplanning.co.uk

W www.collierplanning.co.uk



Collier
Planning