

Home Builders Federation

Matter 5

Matter 5: Housing Delivery

Issue 8 – Whether the approach towards the delivery of housing land is justified, effective, consistent with national policy and positively prepared.

Questions

4.1 Please can the Council update the housing trajectory (Appendix A5 of the Plan) with the latest figures from the AMR and to reflect the updated Plan period (see Inspector's initial letter ID-001).

For council

4.2 The spatial strategy focus is on brownfield sites, with a significant component of the supply coming forward on small sites. In accordance with paragraph 60 of the Framework, in what way would this approach ensure that there is a sufficient variety of land to come forward?

The HBF welcomes the allocation of small sites in local plans if they are deliverable and developable. However, this should be as part of coherent strategy that positively seeks to meet housing needs. The allocation of small sites on brownfield land will need to deliver at relatively high densities in order to meet the level of development being proposed by the Council. This will mean development delivering a large number of flats, and whilst these are needed it ignores the need for other types of accommodation. However, we would also doubt whether some of the small sites being put forward will actually deliver at the densities being proposed or even whether they can be considered deliverable or developable.

4.4 Will the Plan provide for a five-year supply of deliverable housing sites upon adoption with particular reference to the definition of deliverable contained within Annex 2 of the Framework?



Without a detailed trajectory outlining how many homes are expected to come forward each year of the plan period. As such it is not possible to state whether the council will have a five-year land supply on adoption. The draft trajectory in the appendix A5 and the LAA provide limited detail setting out deliverability in five-year tranches rather than an expected start and end date for the development of the sites assessed. As such the HBF may need to provide further written evidence once we have had sight of the Council's statement in response to Question 4.7.

4.5 HOU002 states that the five-year housing supply position is 4.36 years. How does this accord with paragraph 74 of the Framework which requires Local Planning authorities to identify and maintain a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirements? Is the Plan positively prepared in this regard?

A plan that does not have a five-year land supply on adoption would mean that the plan is out of date on adoption and require the application of the presumption in favour of sustainable development. Such a plan cannot be considered to be sound and is an indication that the plan is neither justified nor positively prepared.

4.6 Is the identified housing supply contained within the Plan and set out in the trajectory based on a sound understanding of the evidence? In responding to this question, the Council should provide an updated housing response which identifies the completions, existing commitments, site allocations and any other sources of supply it is seeking to rely upon.

As set out above the housing trajectory is inadequate and lacks sufficient detail for interested parties to comment on. Once the Council's response to Q4.7 below is made available further opportunity must be given to interested parties to provide comments on this evidence.

4.7 In addition to the trajectory required by the Framework, the Council should prepare a spreadsheet to support the trajectory which confirms how many dwellings each site allocation is expected to deliver in each year of the Plan period and identify any windfall allowance which is being relied upon. This information should be supported by cross references to the evidence base where necessary.

As set out above, once the Council's response to Q4.7 below is made available further opportunity must be given to interested parties to provide comments on this evidence.

4.8 The Planning Practice Guidance provides advice in relation to the preparation of housing and economic land availability assessments and sets out that when carrying out a desktop review, Plan-makers need to be proactive in identifying as wide a range of sites and broad locations for development as possible. It goes on to note that identified sites, which have particular constraints (such as Green Belt), need to be included in the assessment for the sake of comprehensiveness but these constraints need to be set out clearly, including where they severely restrict development. An important part of the desktop review, however, is to identify sites and their constraints, rather than simply to rule out sites outright which are known to have constraints. Is the approach adopted by the Council in terms of the Land Availability Assessments completed consistent with this and if not, why not?

The Council appear to have separated consideration of sites in the Green Belt, which are set out in OTH039, OTH040 and OTH041. These assessments should have been included as part of the Land Availability Assessment to ensure consistency with the approach advocated in PPG and provide clarity as to when sites were discounted as part of plan preparation.

4.9 The Housing Needs Assessment (HOU005) notes the greatest demand is for 2 bedroomed units (50%). Are there any implications for the spatial strategy adopted and the dwelling types which will be delivered?

No comment.

Policy HOU1 – Housing Delivery

4.10 Policy HOU1 cross references to appendix 5 of the Plan however appendix 5 lists two alternative indicative approaches to the housing trajectory. Which is the trajectory the Council is relying upon and is this a justified approach?

For Council.

4.11 What is the justification for the dpa figure to be included within the policy wording? Is this approach positively prepared and consistent with national policy? Should the policy refer to the homes to be delivered across the Plan period and if so what should this figure be? (noting the actions raised under question 2.2 for the Council in relation to the Plan period).

The HBF assume that the 452 dpa figure is based on the number of homes the Council expect to deliver, 6,785 as stated SS3, divided by the plan period of 15 years. The HBF is concerned that the figure is not justified as the Land Availability Assessment has provided insufficient evidence as to the availability of some of the sites allocated for development within the local plan. If the necessary evidence cannot be provided, then the housing requirement in HOU1 and SS3 will not have been justified.

4.12 Is it clear what the 30% affordable homes in part 2 of the policy relates to?

No. It appears to be an objective rather than a policy given that the policy with regard to affordable housing is set out in HOU4. If it is an objective, then the HBF would question whether it should be included within policy.

The Green Belt

4.13 Do the exceptional circumstances identified at paragraph 6.18 Topic Paper 1: How the Spatial Strategy was formed (TP001) represent all of the exceptional circumstances which the Council have taken into account?

The exceptional circumstances identified in paragraph 6.18 are a reasonable starting point for the consideration of this issue but should not be the sole consideration. The Council should also consider whether other site-specific issues are relevant to amending green belt boundaries, such as where particular benefits which may arise from the development of that site. As can be seen in the recent decision in relation to Brookland College there can be particular issue relating to a site that support its redevelopment.

4.14 What is the relevance of the fact that the current housing need is significantly higher than the existing target set within the Core Strategy (Paragraph 6.24 of TP001)?

The fact that current housing need is significantly higher than the housing target is a reflection that the Core Strategy requirement was based on the level of delivery established through the Regional Spatial Strategy and the assumption that other areas would deliver more homes to offset lower delivery in more constrained areas. While the Council have met this very low figure it is not reflective of the housing needs of the Borough since the publication of the 2012 NPPF. It must also be noted that the local housing needs assessment is capped to ensure that the housing need arrived at using the standard method is as deliverable as possible (PPG Ref, 2a-007-20190220). The cap therefore considers the potential difference between the past target and future needs to ensure where there is a significant difference the LHNA is a reasonable target that can still be achieved by the LPA.

4.15 The Council have stated that the need in Elmbridge is no more acute/intense than in neighbouring boroughs. However, a majority of neighbouring boroughs (Guildford, Waverley, Runnymede, Spelthorne) have progressed a strategy with an element of Green Belt release and/or are able to meet their housing need in full. If the Council consider the need to be no more acute than these neighbouring boroughs, what is the rationale for Elmbridge not following this approach?

There is an acute need for housing across the South East and, in that sense, Elmbridge is no different to those authorities that have looked to amend Green Belt boundaries to meet housing needs. However, looking at the affordability ratio and the low levels of affordable housing delivery the HBF considers the intensity of the housing need in Elmbridge is even more acute than those neighbouring authorities in Surrey. On this basis the decision not to amend Green Belt boundaries is inconsistent with the available evidence and approach taken across Surrey.

4.16 In general terms, the Framework seeks to support the Governments objective of significantly boosting the supply of homes. Paragraph 35 states that Plans should provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs. Paragraph 11 of the Framework sets out the approach to Plan making. In what way does the Green Belt in Elmbridge provide a strong reason for restricting the overall scale, type or distribution of development?

The evidence set out in the various Green Belt studies prepared for the Council by ARUP set out areas where the Green Belt in Elmbridge is not performing strongly

against the purposes of this designation as set out in paragraph 138 of the NPPF and that they could get close to meeting housing needs should these parcels be removed from the Green Belt and allocating for development. Therefore, on the basis of the submitted evidence there are no strong reasons as to why development should be restricted to the levels proposed by the Council because of the Green Belt.

The HBF recognise that the Council now disagrees with the evidence prepared by ARUP. However, as we set out in our representations the judgements in Topic paper 1 are so flawed as to render the plan to be fundamentally unsound.

4.17 CD034a which was updated in November 2023 states that the Council consider the release of land from the Green Belt for housing purposes would negatively affect the boroughs existing settlement pattern and thus cause harm to the character of Elmbridge's existing communities. Where in the evidence base is this assessment undertaken which explains how this conclusion has been reached?

This is largely for the Council to answer. This position is referenced in paragraph 6.182 of Topic Paper 1 (TOP001), and it would appear to stem from the Landscape Character Assessment from 2019 which is referenced in Table 9 of TOP001. However, it must be noted that this does not relate to Green Belt and the purpose of Green Belt to prevent settlement coalescence. Settlement coalescence and settlement character are distinct considerations and should remain the case when considering the impact of development on the Green Belt.

4.18 Paragraph 145 of the Framework advises, amongst other things, that local Planning authorities should Plan positively to enhance Green Belt use. Such as looking for opportunities to provide access, to provide opportunities for outdoor sport and recreation, to retain and enhance landscapes, visual amenity and biodiversity or to improve damaged and derelict land. In what way does the Plan address this?

For Council.

4.19 With reference to paragraph 143 (e) of the Framework, are the Council able to demonstrate that Green Belt boundaries will not need to be altered at the end of the Plan period?

For Council.

Windfall Allowance

Issue 9: Is the approach to the windfall allowance justified and consistent with national policy?

Questions

4.21 The Housing trajectory includes a windfall allowance of 987 dwellings over the Plan period, 15% of the overall housing land supply. As 32 of the proposed site allocations contained within the Plan are on sites of 5 units or less, is this approach justified?

In general, the supply of homes on small windfall sites is acceptable as these are not allocated. As such there is no risk of site being double counted as both an allocated site and windfall. The Council expect 135 homes to come forward on sites of 5 or fewer homes. 85 of these homes are on sites of 5 units with 50 homes coming forward on sites delivering between 1 and 4 homes. On the basis of the past delivery on small sites it could be expected that some windfall will happen in addition to these sites but a reduction on the rate would be appropriate to avoid double counting. For example, the council could remove any windfall allowance from the first five years of the plan post adoption. Given that small, allocated sites are likely to come forward quickly this would significantly avoid the risk of double counting supply from windfall and allocated sites.

4.22 Does the approach to windfall sites take account of the recommendations contained at paragraph 4.2.10 of the SFRA (INF009)?

For council.

Mark Behrendt MRTPI

Planning Manager – Local Plans SE and E

