

Erewash Core Strategy Review

Examination Hearing Statement

Matter 7

Representations prepared by Fisher German LLP
on behalf of Bloor Homes



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Spondon Woodside

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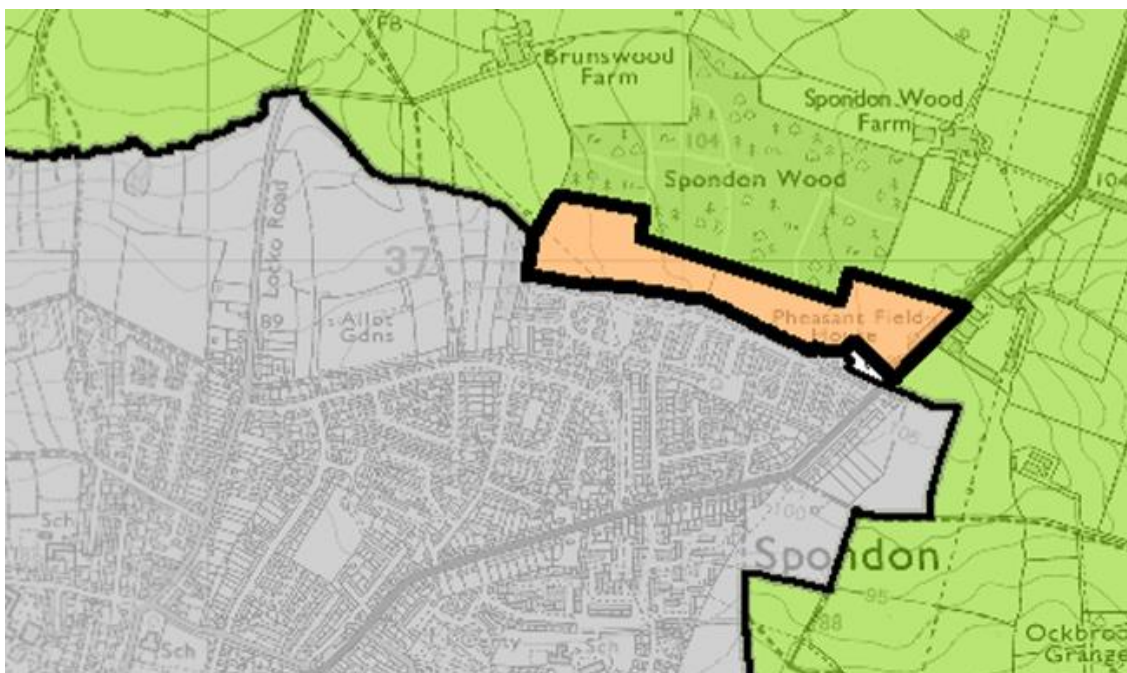
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01 Introduction

- 1.1 These representations are prepared by Fisher German on behalf of Bloor Homes East Midlands in respect of their land interests at Woodside, Spondon. The site is identified for release from the Green Belt and allocation within the submitted Erewash Core Strategy Review; Strategic Policy 1.4 – North of Spondon. The site is a proposed allocation of “around 200 dwellings”, with site specific criteria and identified on the supporting policies map, extract below.



Erewash Core Strategy Review Policies Map Extract

- 1.2 In September 2023 a full planning application on the proposed allocation site for 263 dwellings, associated landscaping, open space, infrastructure and enabling earthworks (application reference - 0923/0024) was validated by Erewash Borough Council. This application is currently awaiting determination, but clearly given the full nature of the application, and the site being under the control of a major housebuilder, it offers the opportunity to expedite delivery of homes on the site and assist the Borough Council in being able to demonstrate a five-year housing land supply.
- 1.3 The site is sustainably located adjacent to the Derby City Urban Fringe. It is well connected to existing services and facilities and can take advantage of existing public transport connections.

02 Matter 7: Housing Land Supply

Issue: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the approach to housing land supply..

2. For each of the following sources of housing land supply for the whole plan period in turn, what are the assumptions about the overall scale, lead in times, timing and annual rates of delivery? What is the basis for these assumptions, are they realistic and justified and supported by evidence?

- 2.1 The Council are best placed to advise in respect of items a-f. We however provide a response in respect of item g insofar as it relates to our client's land interests at Woodside, Spondon. The Council's housing trajectory provides its estimations as to likely delivery of sites (EBH3a Erewash Housing Trajectory). In relation to our client's land at Woodside Spondon (Policy 1.4), this assumed the delivery of 60 dwellings in 24/25, with 70 dwellings in the subsequent 2 years. Given the delays since the Regulation 19 consultation, the anticipated start on site has slipped. .
- 2.2 A full planning application has been submitted by Bloor Homes, an established major national housebuilder, who can deliver quickly once an application is fully approved. Whilst we consider there is likely to be some slippage in terms of the assumption of EBH3a, this is likely to be incidental in terms of the conclusions of soundness for the Plan, as the identified quantum deliverable in EBH3a (200 units) can be delivered in full within the 5-year period following adoption, and due to the increase of the site capacity is likely to be exceeded. However, this is ultimately fully dependent on timely approval of the planning application.
- 2.3 As set out in Matter 6, we consider the below trajectory to now represent a more reasonable timescale for development of the site, assuming timely approval of the Full application. Although the Plan is unlikely be adopted until 24/25 at the earliest, this still represents an increase in 5-year housing land supply due to the increased capacity of the site reflected in the Full Application.

	22-23	23-24	24-25	25-26	26-27	27-28	28-29	29-30	30-31	31-32	32-33	33-34	34-35	35-36	36-37	22-37
Strategic Policy 1.4 – North of Spondon (EBH3a Erewash Housing Trajectory)			60	70	70											200
Strategic Policy 1.4 – North of Spondon (Promotor updated Erewash Housing Trajectory)				60	70	70	63									263

4. Would there be an adequate supply of housing land for the whole plan period?

- 2.4 Yes, subject to any specific evidence on specific site delivery which would lead to the implication of a reduction and subject to agreement with the Council's 6% lapse rate in relation to Question 3. There is however no substantive buffer, with the housing requirement of 5,800 dwellings aligning with the Plan provision of circa 5,800 dwellings. Our view is that any increase in supply should be welcomed in Erewash and the Council should be proactive in approving windfall development arising to provide as much of a buffer as possible in supply throughout the Plan period. If a buffer was considered necessary, such a buffer can be dealt with through main modifications.
- 2.5 Notwithstanding the above, the planning application for the Woodside, Spondon allocation seeks consent for 263 dwellings, equating to a 30% increase in supply likely deliverable. Similar outcomes on other allocations may yield a more secure position in respect of overall Plan delivery.

5. Overall, would at least 10% of the housing requirement/ target be met on sites no larger than one hectare in order to comply with paragraph 69 of the National Planning Policy Framework (NPPF) which, amongst other things requires local planning authorities to accommodate at least 10% of their housing requirement on sites no larger than one hectare unless it can be shown that there are strong reasons why this target cannot be achieved?

- 2.6 See response to Matter 5 Question 5.

6. What is the relevant 5-year period on adoption and what is the 5 year housing land requirement?

- 2.7 At this stage we can only estimate a likely adoption date. At best it is considered that the Plan could be adopted in the 2024/25 year. To establish the requirement applicable however we would

need full completions data for the current year monitoring year and last year, as these years are within the Plan period thus the delivery versus requirement over these two years will define the quantum of under/over delivery applicable in the calculation.

- 2.8 Utilising guidance within the PPG, the starting point for the calculation of the 5-year requirement will be the annual requirement times five - currently 386 (usual rounding protocol would suggest 387 per annum, however as the requirement has already adjusted up from LHN by 10 we have no objection to the utilisation of 386 dwellings per annum in the calculation). The 2-year grace period afforded to the calculation of LHN by the PPG expires in April 2024, thus this may require update, albeit the Inspectors discretion could be applied here if the Plan had substantially progressed. Once the 5 year requirement has been calculated, any over/under supply should be added or subtracted as necessary. Finally, a 20% buffer should be applied (assuming no updated figures from Government which improve the Housing Delivery Test result for Erewash above 85% delivery for 2022, wherein a 5% uplift would be applicable).
- 2.9 Assuming the data in EBH3a (Erewash Housing Trajectory) is correct, and assuming a 24/25 adoption, it is possible to estimate the requirement. Utilising the 386-dwelling requirement, this gives a 5-year requirement of 1,930 dwellings.
- 2.10 The Council's trajectory assumes the delivery of 537 dwellings against a requirement of 772 in the initial 2 years of the Plan period (22/23 and 23/24). This results in an undersupply of 235 dwellings, giving a total of 2,165 dwellings. Utilising a 20% buffer (Paragraph: 022 Reference ID: 68-022-20190722) this gives an overall requirement of 2,598, but clearly as set out above there is a fluidity in this figure depending on various factors (plan adoption, housing requirement, actual delivery).

7. Based on the housing trajectory, how many dwellings are expected to be delivered in the first 5 years following adoption of the Core Strategy Review?

- 2.11 Based on the Council's provided trajectory (EBH3a Erewash Housing Trajectory) the Council anticipates the delivery of 2,945 dwellings, in excess of the 2,598 dwelling requirement, providing a supply of 5.6 years supply, thus exceeding the requirement. It is noted that this position would be improved by the increase in supply deliverable through the recognition of Woodside Spondon delivering 263 dwellings.

8. Where sites in the Strategy do not have planning permission is there clear evidence that housing completions will begin within 5 years, as is required by the NPPF?

- 2.12 Yes, in respect of Woodside Spondon a full planning application has been submitted by Bloor Homes who has committed to timely delivery of the site. To expedite delivery the application was submitted in full Whilst the site does not have a planning permission, once allocated the site will qualify as deliverable in accordance with the definition of deliverable on page 67 of the Framework. This position could be solidified through a statement of common ground if considered necessary, albeit the evidence which supports the planning application demonstrates a commitment to deliver.

9. What allowance has been made for windfall sites as part of the expected 5-year housing land supply and is there compelling evidence to demonstrate that windfall sites will come forward over the plan period, as is required by paragraph 71 the NPPF?

- 2.13 Windfall is captured through the SHLAA small sites. Given this is a strategic Core Strategy level plan, it would not be considered usual to allocate smaller site's which logically would form a Part 2 Plan in this context, and it is not considered unreasonable for such allocations to be made through a more detailed site allocations plan. This approach has been endorsed regularly through post NPPF Plans and should not be seen as unacceptable in principle. The evidence for windfall delivery (including lapse rate) is best explained by the Council who will have the relative data.

10. With reference to paragraph 74 of the NPPF, is a 20% buffer for the 5 year land supply appropriate?

- 2.14 Yes, the NPPF (Para 74 and footnote 41) and PPG (Paragraph: 022 Reference ID: 68-022-20190722) both endorse a 20% buffer in circumstances where the most recent available housing delivery test (in this case 2021) yields a result under 85% (2021 Erewash results 79% delivery).

11. What would be the supply for this period (in total and by each source of supply)?

- 2.15 Based on the Council's provided trajectory (EBH3a Erewash Housing Trajectory) the Council anticipates a supply of 2,945 dwellings. The Council will be best placed to provide a full breakdown by each source of supply.

12. Are the assumptions on sources of supply for this period realistic and justified?

- 2.16 In relation to the land at Woodside we have provided an updated trajectory for the site in response to question 2. We consider that to represent a more robust estimation on delivery assuming timely

determination of the submitted planning application. Whilst we have no specific comments on other sites, it may be as a general principle, be that they need to be adjusted upwards in a similar vein to Woodside, particularly the other Green Belt sites which are more reliant on the Plan's ratification prior to progressing (albeit we are clear in the case of Woodside a very special circumstances argument is justified).

13. What flexibility is there within the Core Strategy Review should some of the housing allocations not come forward in line with the expected timescales?

- 2.17 As we have maintained throughout these representations, we do not consider that there is a particularly strong element of flexibility within the Core Strategy, which aligns anticipated delivery and housing need closely. Thus, if sites were to fail to deliver entirely or as anticipated in the trajectory, this would logically have implications for overall delivery, albeit review mechanisms on top of the NPPF requirement for 5-year review can mitigate this possibility.
- 2.18 The provision of additional sites would likely require additional Green Belt land and thus it would need to be demonstrated that exceptional circumstances exist for that site specifically, albeit as set out in representations we consider strongly that the principle of Green Belt release in Erewash is demonstrable.
- 2.19 If a greater buffer was considered necessary for soundness, could be delivered through main modifications, including potentially commitment for full plan review, which will be able to deliver both large and small allocations so as not to further delay the delivery of much needed housing in the Borough.

14. Would there be a 5 year supply of housing land of deliverable sites on adoption of the Core Strategy Review?

- 2.20 On the basis of the evidence as provided and as per the calculations provided in relation to previous questions it is our opinion that there will be a deliverable 5 year housing land supply on adoption, albeit this view is without prejudice to full exploration through the EiP, including site specific delivery rates, a better understanding on likely adoption date, etc.

15. Are the policy requirements of the housing allocation policies with regards affordable housing still up to date following the publication of the viability study?

- 2.21 Yes, insofar as they relate to our client's land interests at Woodside Spondon (Policy 1.4). The viability study demonstrates that the proposals should be considered in principle viable. Whilst there remains further detail to be worked in relation to understanding the full developer contributions sought, there is nothing in the work undertaken so far that would us conclude that the site should be considered likely to be unviable.