



Gladman Developments Ltd

Vale of White Horse Local Plan Part 1 Examination

Stage 2 Hearings

Matter 11: Five Year Supply of Housing Land

11.1 Can a five year supply of deliverable housing land (in accordance with NPPF para 47) be currently identified against the Plan's stated housing requirement?

1. Gladman considers that for the Plan to be found sound, the Inspector must conclude that the Plan is capable of delivering a rolling 5 year supply of housing land **upon adoption**. In that regard, it is not the *current* supply which is at issue, but what the situation will be, upon adoption, and, most crucially, in the event that the Inspector finds that all of the proposed allocations and the purported delivery rates, to be sound.
2. Gladman contends that the Local Plan as drafted would not enable a five year supply of housing land to be identified on adoption. It has major concerns regarding the Council's Housing Trajectory as set out in Appendix 3 of the Local Plan Topic Paper 4 'Housing' and the methodology adopted by the Council in assessing its 5 year housing supply. The picture is further clouded by the suggested 'Ring Fence' policy for the Science Vale and the implications that such an approach has for calculating a 5 year housing land supply. However, for the purposes of this Statement, issues relating to 5 year supply are made on the basis of a District wide position.
3. Turning firstly to the Housing Trajectory and Table 3.4 of the Local Plan Topic Paper 4, Gladman considers that many of the assumptions regarding lead in times and delivery rates for the strategic sites included in the table are fundamentally flawed. These concerns relate particularly to three categories of sites in the table: Large- outline permission; Large-

resolution to grant permission; Large – Local Plan Part 1 Allocations. These are considered in more detail below.

4. In relation to large sites with outline permission, there are two sites where unrealistic delivery rates are applied, namely Land South of Park Road, Faringdon and Monks Farm, Grove.
5. In respect of Land South of Park Road, Faringdon, an outline planning application was registered on 7th May 2013. In December 2013, the Council's Planning Committee resolved to grant planning permission subject to a Section 106 agreement. In January 2014, the Committee reconsidered the application in the light of additional development likely to come forward in the town and to ensure the cumulative impacts were fully considered. Some additional transport mitigation was identified and the Committee again resolved to grant permission subject to Section 106 agreement.
6. In July 2014, the Council decided that an Environmental Statement for the application was required and this was submitted in November 2014. The application remains undetermined with a target date for a decision of 31st January 2016. The Council's Trajectory envisages completions on this site coming forward in 2015/16 (60 dwellings) with 80 dwellings in each of the four subsequent years. As this site has not yet been granted outline planning permission, will then require a legal agreement to be completed, the submission and determination of reserved matters application(s) and conditions precedent to be discharged, it is highly unlikely that any dwellings will be delivered on this site until 2017/18 at the very earliest.
7. In relation to Monks Farm Phase 1 Grove, outline planning consent was granted for 133 dwellings on 11th February 2014 and a subsequent reserved matters application was registered on 28th April 2014. The reserved matters application has not yet been determined and has a target decision date of 22nd January 2016. A subsequent outline application also for 133 dwellings for the same part of the site was granted permission on 13th August 2015. No reserved matters application pursuant to the latter outline consent has been submitted as yet.
8. The Council's Trajectory expectation that 20 dwellings will be delivered on this site in 2015/16 is clearly incorrect. Any delivery on this site would not commence until in 2016/17 but more likely in 2017/18 if the later outline permission is pursued.
9. An outline application for up to 160 dwellings on another part of the site was registered on 20th July 2015. It has not yet been determined. Assuming that it is eventually approved, allowing for the completion of any legal agreement, submission and approval of reserved

matters and approval of any conditions precedent, it is unlikely that any dwellings will be completed on this site until 2018/19.

9. Turning now to large sites with a resolution to grant planning permission, in this category there are three sites where the Council's delivery expectations will not be met, namely Crab Hill, Wantage; land east of Coxwell Road, Great Coxwell and Grove Airfield.
10. Outline planning permission was granted for 1500 dwellings on the Crab Hill site on 13th July 2015. A reserved matters application will need to be submitted and determined and conditions precedent discharged before development may commence. As conditioned on the outline consent, prior to the submission of any reserved matters application, a Development Delivery Strategy document, a Housing Delivery Document and a Masterplan for the whole site must all be submitted and approved by the Council.
11. Clearly the Council's expectation that 150 dwellings will be completed on the site in 2015/16 is wrong. Gladman estimates that it may be possible that 20 dwellings might be delivered in 2017/18 and 150 dwellings per annum in subsequent years.
12. In relation to Land East of Coxwell Road, Faringdon, outline consent for up to 200 dwellings was granted on 14th January 2015. This is subject to a condition that no dwelling is to be completed on the site until the Faringdon Sewerage Treatment Work has been upgraded. An application to reduce the affordable housing requirement for the site was refused on 14th August 2015. An appeal against this refusal is due to be heard on 19th January 2016. No reserved matters application has been submitted as yet.
13. Clearly there are issues relating to viability on this site and development is dependent upon the upgrading of the Sewage Treatment Works as well as securing reserved matters approval. It is understood that the upgrading of the Sewage Treatment Works is provisionally programmed to take place in 2017. In the circumstances Gladman considers that it is possible that 10 dwellings might be delivered in 2017/18 and 45 in subsequent years.
14. An outline application for Grove Airfield up to 2,500 dwellings, secondary school, primary schools, local centre, open space (including community park) and realignment of Denchworth Road, was registered on 27th February 2012. The Planning Committee resolved to grant permission on 4th December 2013 subject to a Section 106 Agreement. However, amended plans relating to the relocation of the proposed secondary vehicular access were submitted

in February 2015 and the application has not yet been finally determined although the VOWH website gives a target Committee date of 18th March 2015.

15. The Council's expectation that 175 dwellings would be delivered on this site in 2015/16 is therefore incorrect. In the light of the need for the application to be reconsidered by the Planning Committee, the completion of the Section 106 agreement, the submission and approval of reserved matters and the considerable amount of infrastructure required for the development, Gladman would not anticipate the delivery of dwellings on this site until 2018/19 at the earliest.
16. In respect of the proposed allocated sites in the Local Plan part 1, the following have not secured planning permission or are not subject of a current planning application:
 - North Abingdon
 - North West Abingdon
 - Radley
 - Kennington
 - North West Valley Park
 - East Harwell Campus
 - North West Harwell campus
 - Milton Heights
 - East Sutton Courtney
 - South West Faringdon
 - Monk Farm Phase 2
 - West of Stanford in the Vale
17. Gladman considers that it is highly unlikely that these sites will commence delivering housing completions until 2019/20 allowing for planning permission, legal agreements, conditions precedent and infrastructure requirements. In respect of Monk Farm Phase 2, the scale of infrastructure requirements make it likely that delivery will not commence until 2020/21 compared to the Council's position where these will contribute to housing completions in 2017/18.
18. For those proposed allocations where an application has been submitted or where there is a resolution to grant planning permission, including East Hanney, Kingston Bagpuize, West Harwell, South Faringdon and North Shrivenham, Gladman anticipates that housing completions on these sites will come forward in 2017/18. However, for Valley Park where an outline application has been submitted, because of the need for a Masterplan to be prepared

and because of the scale of the infrastructure required (including the provision of the Harwell Link Road) Gladman considers that housing completions on this site is unlikely until 2019/20.

19. The following table summarises Gladman's estimates of housing completions on the above mentioned sites.

Table 1 Gladman Trajectory Estimates

Site	Dwellings	Status	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
N Abingdon	800	No application					45	45	90
NW Abingdon	200	No application					23	45	45
East Hanney	200	Full application			23	45	45	45	43
Kingston Bagpuize	280	Outline application			10	45	45	45	45
Radley	240	No application					23	45	45
Kennington	270	No application					23	45	45
Crab Hill	1500	Outline permission			20	150	150	150	150
Grove Airfield	2500	Outline permission				50	175	175	175
Monks Farm	750	Outline permission for 133/outline application for 160			25	75	100	100	30
Valley Park	2550	Outline application					50	200	200
NW Valley Park	800	No application					90	90	90
E Harwell Campus	850	No application					45	90	90
NW Harwell Campus	550	No application					45	50	90
W Harwell	200	Full application			23	45	45	45	23
Milton Heights	400	No application					23	45	45
E Sutton Courtenay	220	No application					30	45	43
S Park Road Faringdon	350	Resolution to grant outline (380 dwellings)			30	80	80	80	80
SW Faringdon	200	No application					10	45	45
E Coxwell Rd Faringdon	200	Outline permission			10	45	45	45	45
S Faringdon	200	Outline application 250 dwellings			10	45	45	45	45
N Shrivenham	500	Resolution to grant outline on half of site (260 dwellings)			10	45	55	90	90
W Stanford in Vale	200	No application					45	45	45
Total			0	0	161	625	1237	1610	1599

20. With regard to the methodology utilised by the Council in assessing its 5 year housing land supply, Gladman considers that backlog (or previous underperformance) should be addressed promptly and for the purpose of calculating the housing land supply position the entire backlog should included in the 5 year housing land supply calculation i.e the Sedgefield

approach. This is favoured in PPG (ID 30035-20140306) and is also supported in numerous recent appeal decisions. It is therefore incumbent upon the Council to demonstrate why such an approach is not possible.

- 19 In its Housing Topic Paper 4¹, the Council argues that it would not be possible to make up the past undersupply of housing in the first 5 years because of various factors including *"the time required for sites to start to deliver, competition in local markets and potential market saturation, and constraints on the water and wastewater network"*.
20. Gladman does not accept this to be the case. Whilst it is accepted that there may be potential issues regarding market saturation in the 'Ring Fenced' area, it does not believe this to be the case in the Abingdon and Western Vale sub areas where there are opportunities for additional site allocations. The provision of a range of alternative smaller sites that are available for development over the district would assist with maintaining delivery and would counteract the concentration of the supply in the South East Vale Sub-Area and the ring-fenced areas in particular.
21. Gladman would also point out that the difficulties in the water and sewerage network are not legitimate reasons for restricting housing supply. Legally water and sewerage providers are obliged to make provision for new development.
20. Since 2011, against the Council's SHMA requirement of 1,028 dwellings per annum, annual completions have been substantially below this figure for all years. The identified shortfall was 2,081 dwellings at the end of 2014/15. Gladman considers that this should be interpreted as persistent under-delivery over a number of years and is clearly inconsistent with Para 47 of NPPF which aims to significantly boost the supply of housing.
21. Neither NPPF nor the PPG prescribe the point at which a 20% buffer should be applied, other than where there is a persistent under delivery of housing. The PPG does however advise that it is appropriate to take a longer term view to take into account of fluctuations in the housing market.
22. A number of recent appeal decisions have interpreted a shortfall of more than 1 years' equivalent supply to meet the definition of persistent under-delivery. In allowing an appeal at Baldwin's Gate² in Staffordshire in January 2015, an Inspector concluded that, even though

¹ Para 6.4

² Land at Baldwin's Gate Farm, Baldwin's Gate, Newcastle- under-Lyme, Staffs (Appeal ref: APP/P3420/A14/2218530)

the authority had met its target for the last two years and delivery seemed to be improving, a 20% buffer should apply:

"In assessing the correct buffer figure to apply, it is good practice to look at the Council's housing delivery figures over a significant period of time to iron out short term fluctuations. The Council's own evidence is that the CSS target of 285 dwellings per annum has been met in only two of the last 8 years. Even though the Council can demonstrate a surplus in the last 2 published years, and Mr Bridgwood submits that the current year appears to be on a similar upward trajectory, the fact remains that there is a large cumulative deficit of some 303 dwellings, which amounts to more than a full year's requirement. To my mind, the evidence clearly demonstrates persistent under-delivery thereby requiring a 20% buffer to be applied."

23. At a recent appeal in Wistaston, Cheshire East³, the Inspector concluded that a 20% buffer should be applied (endorsed by the Secretary of State) on the basis that the Council had not met its target for the preceding six years and the shortfall was sufficient to justify a description of persistent under delivery:

"97....Recent appeals in Cheshire East have been split on which buffer should apply, but with the majority in favour of 20%, on the basis that the Council have failed to meet their target in each year since 2008..

The conclusions of this appeal, and those others supporting a 5% level, are taken into account. However it is also the case that the shortfall in the six years since 2008 has been significant, with deliveries in this period achieving only about 54% of the Regional Strategy target then applying ... The depressive effects of the recession, and of the 2007-8 moratorium, are taken into account as contributory reasons for the shortfall, but over the last six years it has been of sufficient extent to justify the description of persistent under delivery. Having regard to the NPPF objective to boost significantly the supply of housing, a buffer of 20% is justified."

25. Consequently Gladman agrees with the Council that a 20% buffer should be applied to the housing supply assessment. This buffer should be applied to both the requirement and the accumulated shortfall as the buffer is intended to boost supply to give greater confidence that the overall housing requirement will be met.
26. Gladman contends that the Local Plan as drafted would not enable a 5 year supply of housing land to be identified on adoption. This should be remedied by the inclusion within the Plan of a significant number of newly allocated sites for housing. These should include

³ Land at Church Lane, Wistaston, Crewe, Cheshire (Appeal Ref: APP/R0660//A/14/2213505)

immediately available smaller sites in sustainable locations which are capable of contributing towards housing completions in the first five years after the adoption of the Plan.

11.2 Is it realistic that a five year supply of deliverable housing land would be maintained throughout the Plan Period?

27. Gladman considers that the Local Plan as drafted would not provide for a 5 year supply of housing land throughout the Plan Period and this appears to be accepted by the Council in its Trajectories set out in its Housing Topic Paper 4. Gladman contends that additional site allocations are required to achieve a 5 year supply if housing land on adoption. However whilst Gladman considers that the failure of the Plan to provide for a 5 year supply throughout the Plan period is regrettable, it accepts that in theory this could be rectified by the expeditious preparation of the proposed Part 2 Local Plan or an early review of the Plan which would enable the allocation of additional sites for housing development to provide a 5 year supply of deliverable housing land for the later years of the Plan Period. It could also be addressed through the preparation of neighbourhood plans.
28. This is, however, a high risk strategy in that there is no guarantee that the Part 2 Local Plan or a review of the Local Plan would be produced, examined and adopted in sufficient time to maintain the 5 year supply of housing land throughout the whole Plan Period. Also there is no guarantee that Neighbourhood Plans will be produced in sufficient quantities or where they are prepared they may not allocate sufficient land for housing to maintain a 5 year supply of housing land across the District.