



## **HEARING STATEMENT – MATTER 4**

**Examination of the Breckland District Local Plan (2011 – 2036)**

On behalf of:

**Orbit Homes (2020) Limited**

In respect of:

**Land off Greenfields Road, Dereham**

Date:

**August 2018**

Document Reference:

**Reference: GA/DJ/05217/S0002**

## 1.0 INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of our client Orbit Homes (2020) Limited (henceforth 'Orbit Homes') in response to Matter 4 of the Inspector's Questions on the Additional Work and related Proposed Modifications (Document Reference EX.86). It is intended to assist the Inspector's consideration of the soundness of the Plan and aid discussion at the hearing session on 18<sup>th</sup> September 2018.
- 1.2 It is understood that at the previous hearing sessions held in spring 2018, the Inspector queried the reliability of delivery at the Thetford and Attleborough SUEs. It was indicated that there was scope for further allocations in Dereham and that the reliance on the SUEs could result in a lack of 5-year supply soon after adoption. It was indicated that once further work regarding the housing trajectory was carried out and a new Sustainability Appraisal produced, the Inspector would relook at the reliability of these SUEs and it was suggested that a site-specific call for sites be carried out for Dereham as a fall back. In this context, we seek to address key questions under Matter 4 as set out below.

## 2.0 MATTER 4 – HOUSING: THE SUPPLY OF LAND FOR HOUSING, DELIVERABILITY AND VIABILITY

### Five Year Housing Land Supply

#### Question 1.10 – Is calculating the shortfall based on the stepped trajectory and Liverpool method justified?

- 2.1 Policy HOU 01 of the Local Plan proposes the use of a stepped trajectory with a housing requirement of 584 dwellings per year being set for the 5 years from 2017/18 - 2021/22, which would then increase to 622 per year for the remainder of the plan period. At paragraph 3.3 the plan states that:

*"The housing trajectory includes a stepped approach to housing delivery, reflecting the delivery time lines of the two Sustainable Urban Extensions in Thetford and Attleborough"*

and at paragraph 3.6 it states that:

*"3.6 The Local Plan seeks to deliver the most sustainable approach to development outside the strategic urban extensions (SUEs) of Attleborough and Thetford for distributing growth across the sustainable settlements in the District and achieving a more balanced approach in housing development between rural and urban areas in line*

*with the Strategic Vision, local and market demands. In meeting the requirements of providing 15,298 homes over the plan period between 2011 and 2036 a stepped approach has been taken in the housing trajectory (appendix 1) to reflect an increase in delivery to coincide with commencement of SUE delivery.”*

- 2.2 There is little guidance in the NPPF or PPG on the acceptability of using a stepped trajectory and new Draft Planning Practice Guidance published in March 2018 that proposed to support this approach was not included in the final version released in July 2018. There have been a few inspectors to pronounce on this approach. In June, inspector Jonathan Bore declared Guildford Borough Council’s proposal for a stepped trajectory combined with use of the "Liverpool method", which extends any housing delivery backlog over the entire plan period, "not acceptable". Bore said the council’s approach would not deliver sufficient homes "early enough to counter worsening affordability trends" and would be "contrary to government policy to boost the supply of housing". Instead, he urged the council to identify additional sources of housing delivery in the early years of the plan period. Other inspectors have found in favour of the stepped approach where justified by particular circumstances (e.g. Inspector Mark Dakeyne for Arun Local Plan in early in July), but there is a general consensus emerging that using both a stepped trajectory and the Liverpool method together is wholly unjustified as it essentially enables a Council’s 5 year housing land supply requirement to be discounted twice. There is also recognition that the use of a stepped trajectory should be informed by the level of affordability of housing in the local area and where affordability is a pressing issue, the presumption should be against the use of stepped trajectories.
- 2.3 In answer to the question of whether the Council’s use of a stepped housing trajectory and the Liverpool method is justified, we therefore consider that using them both at the same time is wholly unjustified and that for the reasons set out below there is also little justification for using either method separately.

#### Core Strategy Housing Requirement

- 2.4 The adopted Core Strategy sets a housing requirement of 780 new homes each year from 2001 to 2021. This is 27% higher than the annual requirement set by Policy HOU 01 and there is therefore no justification for a stepped trajectory as there has been no increase in housing requirement and therefore no need for a step-change in delivery. There is also no justification for using the Liverpool method as any past shortfall is a result of a failure of the local authority’s previous strategies to deliver and not a higher housing requirement than expected that has led to under-delivery during the early years of the plan period.

#### Strategic Site Delivery

- 2.5 As discussed in our hearing statement for the previous hearing sessions (Ref: RS.4), Breckland is facing

a significant affordability crisis and any reduction in housing delivery to allow time for strategic sites to come forward therefore requires significant justification to demonstrate that it will not unnecessarily delay delivery. The Council's justification is counterintuitive in this respect as paragraph 3.6 of the plan states that it seeks to deliver a more balanced approach to housing delivery across the district, but then seeks to justify the stepped trajectory to reflect the delivery timescales of the two SUEs which do nothing to help deliver a more balanced spatial strategy.

- 2.6 Under Question 1.12, this statement demonstrates that the Council have been highly optimistic in their delivery projections for the two SUEs which adds further weight against arguments for a stepped trajectory as it could put at risk the ability of the plan to meet fully its housing requirement within the plan period. There is no evidence to suggest that it wouldn't be possible for the Council to meet its full annual housing requirement in the next five years if it were to allocate more sites outside of Thetford and Attleborough in line with its vision of a more balanced approach to housing delivery and we therefore consider the use of the stepped trajectory to be wholly unjustified.

**Question 1.11 – The Council suggest that they can demonstrate a five year housing land supply without a stepped trajectory and by addressing the shortfall via the Sedgefield method? On this basis, is a stepped trajectory and the use of the Liverpool method in the Plan justified?**

No. If the Council consider that they can realistically demonstrate a 5 year housing land supply without a stepped trajectory and by Sedgefield then there is absolutely no justification for using a stepped trajectory and Liverpool. The NPPG is clear that local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible and it is clear that the Council considers this to be possible for their full housing requirement. The use of a stepped trajectory and the Liverpool method is therefore also not consistent with national policy.

## **Sites**

**Question 1.12 – Does the evidence provided in the topic paper justify the Council's view that the Attleborough and Thetford Strategic Urban Extensions can feasibly deliver up to 250 dpa over a sustained period of time?**

- 2.7 No. The evidence presented would appear to show that no site in Breckland has delivered more than 68 homes per year ever. The Council attempt to use the fact that several sites in Breckland have recently delivered approximately 50 homes per year, to justify a prediction of 200-250 dwellings per year on individual sites at Attleborough and Thetford. Their reasoning here is that if one developer can deliver 50 homes per year on a site, then 5 developers can deliver 250 homes together. This is quite simply optimistic

to the point of absurdity. The evidence the Council have presented from other authorities in Norfolk clearly shows that delivery in the region of 200 dwellings per annum is very much a rarity on individual sites and has only been achieved on sites that are within a few miles of Norwich where values are much higher than at either Attleborough or Thetford. Furthermore, the Council have, in the case of South Norfolk, attempted to present delivery in settlements as a whole (e.g. Wymondham) as being the same as delivery on individual sites. Put simply, all the Council's evidence does is point to the fact that the predicted delivery rates at the SUE's is completely unfeasible.

2.8 This Council's excessive optimism with regards to delivery at the SUEs also fails to take into account the current situation at these sites that the Council should be all too aware of:

- **Attleborough SUE:**

Land South of Attleborough is allocated for a Sustainable Urban Extension (SUE) of 4,000 homes, with 2,680 dwellings projected to be delivered within the plan period according to the Council's latest trajectory. An outline planning application is currently pending on the site for 4,000 dwellings that was validated on 1st August 2017 (Ref: 3PL/2017/0996/O) and is still pending determination having not yet been taken to planning committee. The application is submitted by Attleborough Land Ltd (part of Ptarmigan Land Ltd) which submitted a hearing statement ahead of the initial hearing session on Matter 14 that contained the predicted trajectory used by the Council, but recognised that this was ambitious and also based its predictions on achieving planning consent in summer 2018. It is clear that this timescale has been subject to delay as the application is not yet scheduled to be taken to planning committee and will require significant s106 negotiations following any resolution to grant consent. It is also notable that in the evidence presented on site delivery elsewhere in Norfolk, the Council have not referred to Ptarmigan Land's strategic site at Hethersett, South Norfolk where we are aware there is a record of significant delays and under-delivery against predictions.

- **Thetford SUE:**

Land North of Thetford is an existing allocation for 5,000 homes which is forecast 3,250 homes during the plan period in the Council's latest trajectory. Planning permission for the 5,000 home SUE was granted in 2014 (Ref: 3PL/2011/0805/O), but it is understood there have been significant delays in the commencement of development due to the need for largescale infrastructure improvements. The Council's Housing Topic Paper (Ref: EX.79) states that delivery will start in 2019/20 with 45 dwelling per year for 3 years, before jumping to in excess of 200 dwellings per year for the remainder of the plan period. Following the concerns raised by the Inspector at the previous hearing sessions, we have looked into the issue of delivery at the Thetford SUE in more detail and the claims made in the Statement of Common Ground between the Council and Pigeon, and would raise the following

concerns:

- To achieve the required level of delivery set-out in the SoCG and the Council's latest housing trajectory will require 5 developers building 50 dwellings per year. We are aware that currently just one developer (Hopkins Homes) has bought parcels of land on the site and that there has been little interest from other housebuilders.
- The SoCG describes Pigeon as "the Master Developer responsible for comprehensive planning and delivery of the Thetford SUE on behalf of the landowners". Despite this, it is clear from Hopkins Homes' recent reserved matters consent on sub-phase 1a (Ref: 3PL/2017/1576/D) that they are not acting in the normal capacity of a master developer. We would normally expect a master developer to deliver all the common parts of the site (i.e. main roads, open space and drainage infrastructure), but Pigeon are expecting the house builders on individual sub-phases to plan for and provide this infrastructure, adding to the complexity of the development, leading to potential confusion and most importantly making the sub-phases less attractive to prospective purchasers.

2.9 We consider that the only reasonable way to predict delivery at the SUE's is to base it on published independent evidence of industry average delivery rates combined with any knowledge of the specific developments. In terms of industry evidence, a good example is that contained in a report by Lichfields<sup>1</sup>. This report shows that average delivery on strategic scale sites similar to the SUEs deliver on average 161 dwellings per year and that annual delivery tends to fluctuate a lot during the lifetime of a development. While in terms of knowledge of the specific developments, we would expect the Council to take into account the evidence presented above and any other evidence they are aware of to inform realistic predictions of delivery at the SUEs. This will require a more detailed assessment and interrogation of information provided by Ptarmigan and Pigeon, but as set out in our initial hearing statement (Ref: RS.4), we would expect Attleborough to be capable of delivering c.2000 homes during the plan period (leaving a shortfall of 680) and Thetford to be capable of delivering c.2,500 during the plan period (leaving a shortfall of 1,250).

## **Suggested Changes to the Plan**

2.1 In order to make the plan sound, we consider that Policy HOU 01 needs amending to remove the proposed stepped trajectory and Policy HOU 02 needs amending to lower the projected delivery at the two SUEs and increase the delivery at other locations through making additional housing allocations elsewhere in

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<sup>1</sup> Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?, Lichfields, November 2016, <http://lichfields.uk/content/insights/?article=start-to-finish-how-quickly-do-large-scale-housing-sites-deliver>

the plan. As recognised by the Inspector in the previous hearing sessions, Dereham is a uniquely sustainable location to deliver additional homes and there are several omission sites that could sustainably deliver major housing developments. As set out in in our initial hearing statement on behalf of Orbit Homes (Ref: RS.4), one of these new policy allocations should be the re-allocation of Land at Greenfields Road, Dereham for the higher level of development proposed in Orbit Homes’ current full planning application (i.e. 279 dwellings as opposed to the 220 allocated by not superseded Policy D2).

**Policy HOU 01 – Development Requirements (Minimum)**

To enable the District to meet future housing needs the Local Plan will provide for no less than ~~15,298~~ 17,060 new homes between 2011 and 2036, an average of ~~612~~ 682 dwellings per annum.

The ~~annualised level of new housing provision will increase during the plan period, from 584 per year from 2017/18 – 2021/22 to 622 per year from 2021/22, as reflected in the housing trajectory~~

**N.B.** Please see arguments for a higher housing requirement set out in our previous hearing statement (Ref: RS.4)

**Policy HOU 02 – Level and Location of Growth**

Housing growth will be distributed in line with the following individual settlements targets:

Settlement	Total completions 01/04/2011 to 31/03/2018	Total commitments 01/04/2011 to 31/03/2018	Allocations not superseded	Decisions awaiting s106	Proposed Allocation	Total
Attleborough	515	1,180	-	-	<del>2,680</del> <u>2,000</u>	<del>4,383</del> <u>3,703</u>
Thetford	323	<del>3,343</del> <u>2,093</u>	-	-	0	<del>3,666</del> <u>2,416</u>
Dereham	401	359	<del>220 (D2)</del>	48 (3PL/2016/0952/O) 216 (3PL/2015/1487/O)	540 <u>819</u> (216 have decision to grant)	<del>1,784</del> <u>1,843</u>

**N.B.** Significant further work is obviously needed to identify additional sites to meet both the increased OAN and the projected under-delivery of the two SUEs. The above changes therefore simply recommended changes to the delivery at the SUEs and the increase needed in the housing figure for Dereham to re-allocate Land at Greenfields Road for 279 dwellings.

**New Policy – Dereham Housing Allocation 6**

**Land at Greenfields Road, Dereham**

Land amounting to 12.32 hectares is allocated for a residential development of approximately 279 dwellings.