

Oadby and Wigston Local Plan – Examination in Public Delivery Rates and Site Selection

Response to Additional Information Submitted by the Council

Introduction

1. At the Hearing Sessions, there was debate between the Council and GVA in relation to:-
 - i) the methodology adopted by the Council when selecting sites for allocation in the Pre-Submission Local Plan (PSLP);
 - ii) the deliverability of the Council's proposed allocations (and, in connection to i) the lack of evidence presented by the Council to demonstrate that its allocations are deliverable);
 - iii) the rate at which its proposed 'Direction for Growth' (DfG) sites might deliver new dwellings in the first five years of the Plan; and
 - iv) whether the Council will, on adoption of the Plan, be able to demonstrate a five-year supply of deliverable housing sites.
2. In relation to matters i) and ii), the Council advised, following questioning by the Inspector, that it intended to provide additional information demonstrating how it had chosen its proposed allocations from the pool of sites at its disposal and why it believes that its allocations are deliverable. The Inspector confirmed at the Hearing Sessions that GVA would be able to comment on any such additional information.
3. In relation to matters iii) and iv), these were debated firstly in an additional Hearing Session held on 25 April 2018, and which was informed by a supplementary note prepared by GVA which focussed on five-year supply matters (Examination Document HD1). They were also touched on again at the Matter 6 Hearing Session.
4. Subsequent to these debates at the Hearing Sessions, the Council has made further evidence available. The Inspector has invited GVA to comment on these documents. Accordingly, in the following paragraphs we review each submission and consider whether it alters the conclusions we have reached in our written and oral submissions to-date. The following should be read alongside our Hearing Statements, our separate note on five-year supply (HD1) and in the context of our submissions.

Large Site Lead-In Times and Delivery

5. GVA's view, as expressed in its written and oral submissions, is that it could take 58 months for the proposed DfG sites to begin delivering dwellings (or 49 months if there was no need for the sale of a site to a housebuilder to take place after the grant of outline planning permission).

6. The Council asserted at the Hearing Sessions that it has a track record of delivering housing on larger sites in much shorter periods than those stated by GVA. Furthermore, it stated that the numbers of dwellings which it forecasts being delivered on the DfG sites in the first five years of the Plan is “*conservative*” when compared to the numbers of dwellings which those promoting the DfG sites way will be delivered.
7. The Council has therefore produced two additional notes: a) HD2, which considers past delivery rates on ‘large’ sites in the Borough; and b) HD6 which sets out, in the Council’s view, how many dwellings it would have in its five-year supply if it relied on the trajectories given by the promoters of the three DfG sites. We comment on each as follows.

HD2 – Past Delivery on Large Sites

8. The Council’s submission refers to the following sites and schemes:
 - Meadow Hill – 53 dwellings;
 - East of Pochins Bridge Road – 120 dwellings;
 - 183 Kirkdale Road – 56 dwellings; and
 - Land at Station Road, Wigston – 87 dwellings.
9. The Council states that it expects the Meadow Hill site to be completed in March 2019, which will be 33 months after a planning application was first received. The Council states that the three other sites have all been completed, in periods of 50 months, 28 months and 55 months respectively after applications were first made.
10. We note, firstly, that none of the schemes referred to are comparable in size and scale to the proposed Direction for Growth sites. The largest scheme referenced by the Council is for 120 dwellings. Three schemes (which includes one promoted by our client) are for substantially less than 100 dwellings.
11. In contrast, the Council expects Stoughton Grange DfG to deliver 300 dwellings, Wigston Phase 2 DfG to deliver 600 dwellings and Cottage Farm DfG to deliver 250 dwellings. All three DfGs are therefore significantly larger in scale than the schemes referred to by the Council. They will almost certainly require a much greater amount of infrastructure to be provided in order for houses to be delivered, which will extend lead-in times. They are wholly incapable of being compared with much smaller schemes of circa 50 to 100 dwellings.
12. Secondly, the Council’s note confirms that all of the schemes it refers to were promoted by way of detailed planning applications. By contrast, in our experience schemes of the scale contemplated on the DfG sites are promoted by way of outline planning applications, which are then followed by applications for the approval of reserved matters. Our judgements on lead-in times (as set out in our previous submissions) reflect this. The need to obtain outline planning permission and then separate reserved matters approvals will, of course, increase the lead-in times for the delivery of housing on the DfG sites. For that reason, we again say that it is inappropriate to draw comparisons between the schemes referred to by the Council in HD2 and the proposed DfG allocations.

HD6 – Delivery on DfG Sites in First Five Years

13. The Council's trajectory anticipates 194 dwellings being delivered on the three proposed DfG sites in the first five years of the Plan. In HD6, the Council states that if it relied on the information it has been supplied with by the promoters of those sites, then 395 dwellings would be delivered on the DfG sites in the first five years.
14. We have set out in both our written and oral submissions why we think an assumption of 194 dwellings is overly optimistic. It follows, then, that we consider a figure of 395 dwellings to be wholly unrealistic.
15. Firstly, the Statement of Common Ground prepared by Pegasus on behalf of David Wilson Homes, promoters of the Wigston Phase 2 DfG allocation, acknowledges that it has taken 7 years for the Wigston Phase 1 to begin delivering dwellings since it was allocated in the Oadby and Wigston Core Strategy.
16. Secondly, Define Planning, on behalf of Bloor Homes, promoters of Cottage Farm Phase 2 DfG, stated at the Matter 6 Hearing Session that their client is starting on the Phase 1 site in May 2018 and anticipates the first dwelling being completed in April 2019. Outline planning permission was granted to Bloor Homes for the Phase 1 scheme in February 2015, and so it will have taken 50 months from the grant of outline planning permission for the first dwelling to be completed (and, we note, based on Define's timescales, it will be 11 months from start on site to first completion).
17. This 'on the ground' evidence is far more consistent with the lead-in times we have suggested should be assumed and supports our conclusion that the figure of 194 dwellings assumed by the Council (let alone the alternative figure of 395 dwellings) is overly optimistic.
18. A further point is that Table 3 in HD6 (which is a trajectory based on the promoters' submissions) states that Cottage Farm Phase 2 will deliver 60 dwellings between 1 April 2021 and 31 March 2022. However, Define Planning stated at the Matter 6 Hearing Session that a start on site would not take place until November 2021 at the earliest. There can be no expectation of 60 dwellings being built between November 2021 and 31 March 2022.
19. Indeed, as stated by Define at the Hearing Sessions, it is going to take 11 months from a start on site to first completion on the first phase of Cottage Farm. If the same programme is applied to Phase 2, following a start on site in November 2021, then the first completion will not be until towards the end of 2022 (in other words, well into year 5 of the five-year period). Therefore, Table 3 of HD6 (and by extension Table 4) must be disregarded as they are inconsistent with submissions made by Define at the Hearing Sessions.
20. We have also explained in our previous note on five-year supply (HD1) why the delivery rate assumptions adopted by Pegasus (on behalf of DWH) in respect of the Wigston Phase 2 site are not robust. As above, this means that no reliance can be placed on Tables 3 and 4 of HD6.
21. In summary, the only recent evidence of delivery of very large sites in the Borough are the first phases of the Wigston DfG and Cottage Farm sites. The former site has taken 7 years (84 months) to begin delivering following its allocation. In respect of the latter, a period of 50 months will have elapsed between the grant of outline planning permission and the first dwelling completion. This corroborates our assertion that the proposed DfG allocations will

only deliver very few dwellings in the first five years of the Plan (far fewer than the 194 which the Council anticipates) and that, by extension, the Council has over-estimated its five-year supply upon adoption of the Plan.

Site Selection Methodology and Analysis

22. GVA has consistently stated that nowhere in the Council's submissions is there any evidence which shows how: a) the proposed allocations were selected; and b) why, in the Council's view, the proposed allocations are deliverable.
23. In response, the Council has directed the Inspector to an 'All Member Briefing' which took place on 8 March 2017 (and so some 8 months before the PSLP was published for consultation). Specifically, it has provided a copy of presentation slides given to Members (HD4), and a copy of the meeting minutes (HD5).
24. It is evident that the meeting took place following the publication of HEDNA and at a time when the Council knew that it needed to provide either 148 dwellings per annum (dpa) between 2011 and 2031, or 155 dpa between 2011 and 2036.
25. The meeting minutes state, at Paragraph 4.2, that evidence base was still in preparation. That same paragraph records Mr Carr as advising Members that, "*When the evidence base is available, the Council will be in a better position to then establish whether or not it will be able to meet the need identified in the HEDNA*". However, Paragraph 4.3 of the minutes states that Mr Carr "*took Members through each of the sites that were submitted to the Council as part of the recent Call for Sites (2016) exercise (as well as those identified within the Council's SHLAA), and then using a traffic light system of green (deliverable), amber (less deliverable) and red (unsustainable), he went on to identify which of the sites are currently deemed to be most suitable (prior to all of the supporting evidence base being available)*".
26. In other words, Officers had, it appears, already taken some decisions on site allocations despite not having evidence base available to support its decision-making processes. If that is right, then such an approach is wholly inconsistent with the obligation on local planning authorities to propose a strategy in Local Plans which is appropriate and has regard to the available evidence.
27. A more fundamental point, however, is that neither the presentation slides nor meeting minutes provide any information on the way in which the Council has evaluated its options for site allocations, and then selected those sites which it wishes to allocate. Furthermore, they contain absolutely no assessment of whether sites are deliverable.
28. The Council stated at the Hearing Sessions that the additional information it intended to submit would explain to the Inspector the site selection process that it had carried out. Unfortunately, the additional information does nothing of the sort.
29. As a consequence, there is nothing to alter our conclusion that it is impossible to reach a judgement on whether the Council's strategy and site selection is sound, because there is no evidence which explains how the Council went about it. As we have said in our submissions to date, this is a serious, if not fatal, flaw in the Plan.