

EXAMINATION OF OADBY & WIGSTON LOCAL PLAN
MATTER 2 – SPATIAL STRATEGY - HOUSING

Inspector’s issues and questions in bold type.

This Hearing Statement is made for and on behalf of the HBF which should be read in conjunction with our representations to the pre submission Local Plan consultation dated 18th December 2017. This representation answers specific questions as set out in the Inspector’s Matters, Issues & Questions document.

Issue 1 : Whether the Spatial Strategy is the most appropriate having regard to all reasonable alternatives and the evidence base.

Q1. Is the LP timeframe of 2011 to 2031 appropriate and justified?

The NPPF (para 157) requires that Local Plans are drawn up over appropriate timescales preferably 15 years. If the Oadby & Wigston Local Plan is adopted in 2018 the remaining plan period will be less than 15 years contrary to the NPPF’s preference.

The HEDNA 2017 calculates OAHN for the timeframes 2011 – 2031 and 2011 – 2036. If the Council has chosen the 2011 – 2031 timeframe because the OAHN calculation is lower at 148 dwellings per annum rather than 156 dwellings per annum and in order to avoid the matter of its declared unmet housing need of 1,076 dwellings up to 2036 (see letter dated 10th March 2017) then this would be inappropriate and unjustifiable.

There is also an inconsistency in Local Plan timeframes between the Leicester & Leicestershire HMA authorities. The recently adopted North West Leicestershire Local Plan has a timeframe of 2011 – 2031 however this Plan was subject to an immediate review which is currently out for consultation including a proposal for a Plan end date of 2036. The Melton Local Plan currently under Examination has a timeframe of 2011 – 2036. The NPPG (ID : 2a-007) recommends that Local Plans are co-ordinated.

The consultation on the non-statutory Draft Leicester & Leicestershire Strategic Growth Plan is currently underway. This Draft document includes the statement that “The agreed distribution for the period 2011 – 2036 will be set out in a Memorandum of Understanding which will be published in early 2018. This will be used as the basis for preparing or reviewing Local Plans with 2036 as an end date”. Again this statement intimates that Local Plans in the HMA are expected to have co-ordinated end dates of 2036.

Q2. Is the overall housing requirement figure of 2,960 / 148 dwellings per annum (dpa) justified having regard to the Leicester & Leicestershire Housing & Economic Needs Assessment (HEDNA) (LP2/01)?

The HEDNA 2017 identifies for the period 2011 – 2031 an OAHN for Oadby & Wigston of 148 dwellings per annum based on a demographic starting point and market signal adjustment to improve affordability. This OAHN increases to 156 dwellings per annum for the period 2011 – 2036.

It is acknowledged that the Inspector examining the North West Leicestershire Local Plan concluded that the HEDNA 2017 was a robust piece of evidence.

The proposed housing requirement figure is the same as the Borough's OAHN figure. Therefore it excludes any further increases to meet significant affordable housing needs (also see answer to Q3 below) or unmet housing needs from Leicester City (also see answer to Matter 1 Q6).

Q3. Have all reasonable alternatives been considered to address the provision of sufficient affordable housing?

The net need for affordable housing is significant at 143 dwellings per annum which is almost equal to the Borough's overall OAHN figure. However there has been no increase to the housing requirement to assist in delivering more affordable housing as suggested in the NPPG (ID : 2a-029) (also see answer to Matter 3 Q2).

Q4. Table 1 of the Joint Statement of Co-operation Relating to Objectively Assessed Need (OAN) for Housing November 2017 (LP2/04) brings together the OAN as defined in the HEDNA for each authority area and the theoretical capacity relating to that area. For Oadby & Wigston the OAN and theoretical capacity are the same. Is the LP therefore sufficiently flexible to ensure delivery of sufficient housing to meet the OAN / housing requirement over the plan period?

There is no flexibility in the Council's HLS. Although the Council has cited an additional 400 dwellings as providing additional flexibility 300 of these dwellings are not expected to be developed until after the plan period post 2031. It is suggested that the Council should be providing further flexibility by the allocation of more housing sites.

The Council should also be careful not to propose a duality to the purpose of these 400 dwellings which has become confusing. Either these dwellings are meeting Oadby & Wigston's housing needs by providing flexibility in the HLS in case housing delivery does not happen as anticipated or it is a contribution towards meeting unmet needs from Leicester however between 2031 - 2036 the Council has its own unmet needs (see letter dated 10th March 2017) which surely the Council should seek to meet first before meeting any of Leicester's unmet housing needs.

Issue 2 : Whether the Council will be able to demonstrate a 5 year housing land supply (YHLS) on adoption of the LP.

Q1. When calculating the 5 YHLS is it appropriate in the context of Oadby & Wigston to (a) apply a 5% buffer and (b) only apply the buffer to the LP base requirement and not any shortfall (as set out in the

Council's response to the Inspector's Initial Questions to the Council (Q7))?

The Council's response to the Inspector's Initial Questions identifies that between 2011 (the plan period start date) – 31st March 2018 there were 686 completions against a housing requirement of 1,036 dwellings (148 dwellings per annum x 7 years). This illustrates that only 66% of the housing requirement was delivered during this 7 year period. Therefore it is arguable that a 5% buffer is not appropriate in the context of Oadby & Wigston. As set out in our representations to the pre submission consultation the HBF preference is a 20% buffer.

The application of the buffer to only the baseline housing requirement as set out in the S78 Appeal decision rather than to both the baseline requirement and any shortfall as set out in the Inspector's Initial Questions is not appropriate. The HBF's opinion is that the buffer is applied to both the baseline requirement and the shortfall. There are many examples of Inspector's examining Local Plans coming to the same conclusion including :-

- the Warwick Local Plan Examination Inspector's letter dated 1st June 2015 (paragraph 41) ;
- the letter dated 10th August 2015 from the Inspector examining the Amber Valley Local Plan ;
- the West Dorset Weymouth & Portland Joint Local Plan Inspector's Final Report dated 14th August 2015 (paragraphs 85 & 86) ;
- Herefordshire Local Plan Inspector's Final Report dated September 2015 (para 48) ;
- Gloucester, Cheltenham & Tewkesbury Joint Core Strategy Inspector's Interim Report dated 31st May 2016 ;
- Forest of Dean Site Allocations Plan Inspector's Interim Report dated 24 June 2016 ;
- West Somerset Local Plan Inspector's Final Report dated 14 September 2016.

The HBF is not aware of any Local Plan Inspector's Final Reports concurring with the Council's approach.

Q2. Is the Council's preferred approach of meeting the existing shortfall over the remaining plan period (the Liverpool approach) rather than over 5 years (the Sedgefield approach) justified?

The Council's preference for Liverpool rather than Sedgefield is not justified. It is the HBF's opinion that any shortfall against the housing requirement since the start of the plan period should be met as soon as possible using the Sedgefield approach in accordance with the NPPG (ID 3-035). Any alternative approach to delay meeting unmet housing needs from earlier in the plan period is failing those households who needed both market and affordable homes since the start of the Plan. This is not just a theoretical mathematical exercise because there are households who need homes now and it is

unreasonable and unequitable to expect them to wait until later in the plan period before their current housing needs are addressed.

Even if the Council could not demonstrate a 5 YHLS using Sedgefield on adoption of the Joint local Plan there should not necessarily be an automatic default to Liverpool. An alternative hybrid approach “Sedgepool” whereby the timeframe is less than the remaining plan period (Liverpool) but more than 5 years (Sedgefield) could have been considered.

Q3. Does the LP clearly express how 5 YHLS will be calculated?

The Local Plan does not clearly set out the 5 YHLS calculation. This omission should be rectified by a main modification to the Plan.

Q4. Is the LP sufficiently flexible to ensure delivery of and to maintain a 5 YHLS?

The Local Plan is not sufficiently flexible to ensure 5 YHLS on adoption of the Plan or the continued maintenance of a 5 YHLS.

Using the HBF’s preferences for 20% buffer applied to both the annualised housing requirement and shortfall together with a Sedgefield approach. The re-calculated 5 YHLS is as follows :-

- 148 dwellings per annum x 5 years = 740 dwellings ;
- Plus shortfall of 350 dwellings = 1,090 dwellings ;
- Plus 20% buffer of 218 dwellings = 1,308 dwellings (261 dwellings per annum).

- The Council’s stated HLS is 1,239 dwellings which equals 4.75 years. This calculation assumes that there is no substantial challenge to the Council’s HLS concerning lapse rates etc. Obviously if HLS was less than 1,239 dwellings the 5 YHLS would also worsen.

As set out above there is a deficit of -69 dwellings. This is a comparatively small deficit which could easily be remedied by the allocation of more sites.

Alternatively if the calculation was re-worked using Sedgefield approach and a 5% buffer then the 5 YHLS is a likely to equal or exceed 5 years.

Q5. Do the housing delivery monitoring indicators contain a timely trigger that will ensure measures are put in place promptly should the LP not be effective in maintaining a 5 YHLS?

The housing delivery monitoring indicators proposed are not a timely trigger to ensure prompt action should a 5 YHLS not be maintained.