
Gladman Developments Ltd

Matter 2 Hearing Statement
Oadby and Wigston Local Plan

Spatial Strategy - Housing



March 2018

Matter 2 – Spatial Strategy – Housing

Issue 1

1.1. Q1. Is the LP timeframe of 2011 to 2031 the most appropriate having regard to all reasonable alternatives and the evidence base?

- 1.1.1. The Framework is clear at Paragraph 157 that Local Plans should preferably be drawn up to cover a 15-year time horizon. The Oadby and Wigston Local Plan covers a Plan period of 2011-2031 which, if adopted in late 2018, would leave 13 years to run. This is therefore contrary to the guidance in the Framework.
- 1.1.2. Whilst this situation is far from ideal, given the circumstances facing not just Oadby and Wigston, but the whole of the Leicester and Leicestershire HMA regarding unmet housing needs from Leicester City, this approach may be understandable.
- 1.1.3. As set out in our Hearing Statement to Matter 1, Leicester City Council have declared unmet housing need which is likely to be considerable and stems from 2011 onwards. As yet, the extent of this unmet need has not been quantified by Leicester City and it is clear from the Strategic Growth Plan (SGP), that the distribution of the unmet need will not be dealt with through the SGP process.
- 1.1.4. Therefore, the Oadby and Wigston Local Plan needs to remain flexible so that when the unmet need is quantified and agreed, the Local Planning Authority can quickly assess whether any can be accommodated in Oadby and Wigston, through a review of the Local Plan.
- 1.1.5. The need for a Local Plan review must therefore be clearly set out in the Oadby and Wigston Plan, in an effective and implementable format, to ensure that unmet housing needs can be fully addressed across the HMA and so that the Plan periods of all Local Plans across Leicestershire are consistent. This is discussed further in our response to Issue 2, Question 5 below.

1.2. Q2. Is the overall housing requirement figure of 2960 / 148 dwellings per annum (dpa) justified having regard to the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA)?

- 1.2.1. The HEDNA 2017 does provide a starting point for setting the housing requirement of Oadby and Wigston which for the Plan period 2011-2031 is 148dpa. However, it is just that, a starting point.
- 1.2.2. Whilst the Inspector at the North West Leicestershire Local Plan Examination ratified the approach to housing needs taken by the HEDNA, this does not account for the need for the constituent Local Planning Authorities to assess if this is the most appropriate figure, when considering all local factors.

- 1.2.3. Oadby and Wigston have a critical need for affordable housing which, as identified in the Council's evidence, is 143dpa. This figure is almost as high as the overall need for housing identified in the HEDNA. It can therefore not be delivered through the Local Plan using the current housing need figure (148dpa) and the affordable housing requirements set out in Policy 13.
- 1.2.4. Therefore, the Council should have undertaken an assessment, as part of the Local Plan preparation process, to examine whether an uplift applied to the starting point of housing need would be required, in order to make a positive contribution to meeting significant affordable housing needs.
- 1.2.5. No uplift was applied by Oadby and Wigston to address this issue and consequently, it is considered that the approach to housing needs taken by the Oadby and Wigston Local Plan is not in conformity with Government guidance on this matter.
- 1.2.6. In addition, as set out in our response to Q1 above, there is a need for the Local Plan to be flexible to assist, if possible, in accommodating unmet housing need from Leicester City. As the housing requirement included within the Oadby and Wigston Plan is as set out in the HEDNA 2017, there is no flexibility built into the Plan to address this fundamental cross-boundary issue.

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

- 1.3.1. No. See our response to Q2 above.

1.4. Q4. Is the LP sufficiently flexible to ensure delivery of sufficient housing to meet the OAN / housing requirement over the Plan period?

- 1.4.1. No. Table 1 of the Oadby and Wigston Local Plan (page 28) clearly sets out that with completions, commitments and new allocations, the housing requirement can be met with no flexibility included within the figures. This would mean that every commitment must be built out and all allocations must come forward in the timeframe and with the number of units envisaged in the Local Plan.
- 1.4.2. It is widely recognised that this optimism is unfounded and between 10% and 20% of sites do not come forward for development for one reason or another. Therefore, Inspectors have typically required Local Plans to build in flexibility to the housing supply by requesting that Local Planning Authorities over-allocate in the Local Plan by at least 10%.
- 1.4.3. The Council has identified in para 4.2.11 of the Local Plan that a couple of additional sites are identified which could add an element of flexibility to the housing supply. However, the additional 300 units which could come from Phase 3 of the Wigston Direction for Growth are unlikely to be delivered in the short term as they form part of Phase 3 of the strategic allocation. If therefore, the Council identify a problem with housing delivery that needs addressing in the short term, in order

to maintain a 5-year housing land supply, the flexibility set out in the Plan (para 4.2.11) is unlikely to help to resolve this issue. It is therefore considered, that further flexibility is required in the Local Plan through the identification of small scale sites, that are in line with the Spatial Strategy, but which can be delivered in the short term to plug any gap in the 5-year housing land supply.

- 1.4.4. Additional small-scale sites do exist adjacent to the existing built up areas of the borough, particularly in the south, which could contribute to this flexibility. Oadby and Wigston should re-assess these opportunities and allocate a number of additional small-scale sites for residential development to provide sufficient flexibility in the housing supply.

Issue 2

1.5. Q1. When calculating the five-year housing land supply, is it appropriate in the context of Oadby and Wigston to (a) apply a 5% buffer and (b) only apply the buffer to the LP base requirement and not any shortfall?

- 1.5.1. Since the base date of the calculation of housing need (2011) as set out in the HEDNA, the total housing provision in Oadby and Wigston has been 686 units. This is compared to a Plan requirement over the same period of 1,036 units. There has therefore been an undersupply of housing since 2011 of 350 units, equivalent to in excess of two years' worth of housing supply. In fact, from information taken from the 2016/2017 Annual Monitoring Report, the Council has only achieved its housing target once since 2011.

- 1.5.2. This magnitude of shortfall, coupled with the fact that the Council has only achieved its housing target once since 2011, suggests that there is substantial evidence of persistent under delivery within Oadby and Wigston. As such, a buffer of 20% should be applied to the calculation of the 5-year housing land supply, as required by Paragraph 47 of the Framework.

- 1.5.3. Gladman also agree with the Inspector, as set out in her Initial Questions to the Council, that the buffer should be applied to both the Local Plan base requirement plus the shortfall. This conclusion has also been reached by many recent Inspectors' Reports and Decision Letters

1.6. 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?

- 1.6.1. The Council's proposed approach to use the Liverpool method of spreading the shortfall over the remainder of the Plan period is not justified.

- 1.6.2. The shortfall arises from 2011 onwards and is considered, relative to the overall housing requirement, to be considerable. These undelivered houses represent real people in real need of

accommodation now and the Council should be seeking ways in which their needs can be met as soon as possible. In the context of national policy, it must be regarded as unacceptable for these people to potentially have to wait many more years before their housing needs are addressed.

- 1.6.3. In our view, adopting the Liverpool method will not significantly boost the supply of housing in the borough and does not reflect the provisions of Paragraph 47 of the Framework. The solution is clear, more deliverable land needs to be identified for both the 5-year period and more land needs to be identified for the Plan period as a whole.

1.7. Q4. Is the LP sufficiently flexible to ensure delivery of, and to maintain, a five-year housing land supply?

- 1.7.1. No on either proposition. The Local Plan allocates sufficient sites to just meet the housing requirement with very little built-in flexibility, should any of the sites or commitments fail to come forward.
- 1.7.2. However, as set out above in answer to Issue 1 Question 4, it is widely recognised that this optimism is unfounded and between 10% and 20% of sites do not come forward for development for one reason or another. Therefore, Inspectors have typically required Local Plans to build in flexibility to the housing supply by requesting that Local Planning Authorities over-allocate in the Local Plan by at least 10%.
- 1.7.3. Additional small-scale sites do exist adjacent to the existing built up areas of the borough, particularly in the south, which could contribute to this flexibility. Oadby and Wigston should re-assess these opportunities and allocate a number of additional small-scale sites for residential development to provide sufficient flexibility in the housing supply.

1.8. 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 five-year housing land supply?

- 1.8.1. No, the indicators do not provide an effective mechanism to correct any failure to maintain a five-year housing land supply.
- 1.8.2. A rapid response to a situation where the Council's allocated sites are not delivering should be multi-faceted. They should assess why specific sites have not come forward and seek solutions to the issues that are raised. They should also have flexibility built into the Plan to bring forward additional sites, in the short-term, to fill the gap in supply (see our response to Question 4 above). In addition, a policy requiring a review of the Local Plan is considered to be fundamental to address issues such as unmet housing need in the HMA, continued failure to maintain a 5-year housing land supply and to ensure that the end date of Plans across the HMA are aligned.

- 1.8.3. The Council highlight the issues relating to the review of the Local Plan in paragraphs 1.5.6 and 1.5.7 of the Local Plan. These paragraphs state that the Council will commence a review of the Plan no later than five years from the adoption of this Plan or potentially earlier if the Plan is found not to be delivering its targets, there is evidence of unmet housing need which cannot be met in the other authorities within the HMA or the post 2031 strategy set out in the SGP comes forward at a faster rate than currently anticipated. This approach is considered to be inadequate for a number of reasons.
- 1.8.4. Firstly, all Local Plans should be reviewed every five years in line with Government guidance. Therefore, the statement does no more than re-iterate current guidance. Secondly, in order to carry full weight and to ensure that any review is carried out in accordance with this intention, the review mechanism should be included within the Plan as a Policy.
- 1.8.5. The statement included in paragraph 1.5.6 also contain no firm commitment on the timing and completion of the Local Plan review. The Policy refers to commencing a review within 5 years of the adoption of the Plan but there is no specific timeframe for completion of the review. This means that the Council has no specific imperative to do anything but start the review process which may, under the current policy, never be completed. There is of course no definition of the term 'commenced' which could, in its simplest terms, mean beginning the collection of evidence. With a fair wind, it would be at least 3 years before any Local Plan review would be adopted. Added to the potential 5 years for the Council to commence a review, this could lead to eight years before a Local Plan review is adopted.
- 1.8.6. It is therefore suggested that in order to be as effective as possible, the review mechanism should be contained in a policy within the Monitoring Framework section and should be far more robust and set within a definitive timescale.
- 1.8.7. The Oadby and Wigston Local Plan Review Mechanism should therefore read:

Oadby and Wigston Borough Council is committed to meeting its requirements for housing, employment and other development and infrastructure. The Council will regularly monitor delivery of new development in the context of policies and targets within this Plan. Where monitoring identifies significant and persistent shortfalls in the delivery of housing and employment, infrastructure or spatial distribution that deviates significantly from the Plan strategy, or there are changes within the HMA to the objectively assessed need for development or the spatial distribution of growth across the HMA, the Council will commence a full or partial review of the Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) within 6 months of the occurrence, of one of the following events

- (i) 5 years from adoption of the Local Plan and every 5 years subsequent to the completion of the Review; or**
- (ii) the identification in the Strategic Growth Plan or Memorandum of Understanding of a quantity or spatial approach that is significantly different to that set out in the Local Plan, unless there is sufficient numerical flexibility in housing supply already provided for within the Local Plan; or**
- (iii) changes occur within the HMA to the objectively assessed need for development or the spatial distribution of growth across the HMA including Oadby and Wigston; or**
- (iv) where, when demonstrated by the Monitoring Framework that aggregate housing completions over any rolling three-year period following adoption of the Local Plan are in excess of 20% beneath the planned targets in housing trajectory.**

Any Plan review arising from the above should be carried out quickly. Any such review shall be submitted to the Secretary of State for examination within two years of commencement of such review.