



## **Gladman Developments Ltd**

# **Ribble Valley Housing and Economic Development DPD Examination**

## **Addendum Hearing Statement (Matter 2 Housing)**

### **Introduction**

- 1.1 This Addendum Hearing Statement has been prepared by Gladman Developments further to proposed main modifications made by the Council to the Ribble Valley Housing and Economic Development DPD (HEDDPD) and subsequent publication of the Housing Position Statement by the Council on the 5<sup>th</sup> December 2018.
- 1.2 Proposed main modifications to the HEDDPD include the identification of 5 additional sites with a collectively capacity of 210 dwellings at the settlements of Clitheroe, Simonstone, and Langho. Added to sites already identified through the submission version of the HEDDPD a total of 311 dwellings would be provided to the supply by the revised HEDDPD. The Housing Position Statement seeks to confirm the Council's latest five-year land supply as a result of further allocations and committed development with a base date of 30<sup>th</sup> September 2018. The Housing Position statement concludes a supply of 6.1 years.
- 1.3 The comments made within this statement should be read alongside those originally submitted in our December 2017 Hearing Statements. These comments have however been updated to take into account proposed main modifications to the HEDDPD and as well as the content of the December 2018 Housing Position Statement.
- 1.4 Noting the changing circumstances to the context of this examination, Gladman respectfully request the opportunity to make verbal submissions at hearing sessions scheduled for the week commencing the 21<sup>st</sup> January in relation to Matter 2.

**a) Is the amount of land allocated for housing sufficient to meet the CS requirements?**

- 1.5 Since the submission of the HEDDPD the Council has sought to identify additional housing land supply at 5 sites providing for 210 dwellings. Whilst at face value the action of the Council may be considered to provide a positive and proactive approach in providing for additional flexibility, Gladman hold doubts whether in reality these sites will be approved when applications for the development of these sites are submitted.
- 1.6 Gladman's reasoning for this is based on experience had in regard to its land interest at Henthorn Road, Clitheroe (the Site) which has recently been promoted for 110 dwellings (see application reference 3/2018/0688). The application was recently refused for a single reason by the Council's planning committee for locational sustainability, contrary to the recommendations of officers. In principle therefore, the Council has accepted that development of the Site would be consistent with the spatial strategy set by the Core Strategy however planning permission has been refused due to the considered inaccessibility of the site to existing services.
- 1.7 The Site sits on the built-up edge of Clitheroe (the Borough's principal and most sustainable settlement), to the south west of the town. The Site is adjacent to recently committed and built development and is in the location where past Inspectors have concluded that further expansion would be acceptable in principle<sup>1</sup>.
- 1.8 Reviewing proposed allocations made by the Council through the HEDDPD, the Site shares similar sustainability characteristics of those proposed for allocation by the Council. Indeed it could even be argued that the Site holds enhanced sustainability characteristics over those identified in settlements outside of Clitheroe owing to the Clitheroe's elevated position within the settlement hierarchy, and approach of the spatial strategy to concentrate a large proportion of future development needs at the town.
- 1.9 The overall effect is that the Council are seeking to allocate sites within the HEDDPD which could be consider as sustainable or even less sustainable then a site which has recently been refused by its planning committee purely on the grounds of locational sustainability. The result raises questions as to whether the approach of the HEDDPD is deliverable, should the Council's committee also refuse these sites on locational sustainability grounds despite there being no objection from any statutory consultee.

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<sup>1</sup> APP/T2350/A/11/2161186 Henthorn Road, Clitheroe March 2012

- 1.10 The additional allocations made by the Council places the authority in an improved position from that outlined in the original submission of the HEDDPD. Setting the matter of locational sustainability aside and assuming the additional allocations are deliverable, Gladman nevertheless consider that there is a need for further flexibility within the HEDDPD to ensure both consistent and overall delivery of the housing requirement through the remaining plan period.
- 1.11 The additional supply with that afforded by committed development and strategic allocations, means that the development plan provides 3,549 dwellings. This is 311 dwellings higher than the residual minimum housing requirement for 3,238 dwellings accounting for net completions recorded within the Borough to date. Overall there is flexibility of 9.6% provided by the development plan against the residual housing requirement.
- 1.12 The justification for Gladman's position is twofold. Firstly, Gladman considers that there is insufficient elasticity within the short-term housing land supply to allow for the Council to maintain a five-year supply and notes recent problems the Council has had in demonstrating a five-year supply. Secondly, is the potential for change over the plan period, and how this may adversely affect delivery rates predicted at this time.
- 1.13 The Council conduct regular monitoring of housing completions and its five-housing land supply position with publications issued twice a year. This record provides a good insight into how housing delivery and five-year supply has evolved within the Borough since the adoption of the Core Strategy in 2014<sup>2</sup>. Examining the findings within these documents back to the adoption of the Core Strategy, it is evident that the Council has never held a supply which is greater than 6 years. This means that over this period, the Council has tread a precarious position in maintaining its five-year supply, securing only what is necessary for this to be maintained as a minimum, rather than ensuring a supply beyond doubt.
- 1.14 The inflexibility of the Council's short-term housing supply has recently been problematic for the Council, as recently as 2018 the Council could not demonstrate a five-year supply<sup>3</sup>. This was caused by unforeseen delays in the development of the strategic site identified within the Core Strategy at Standen as well as delays in the delivery of other permitted strategic sites. As a result, the housing trajectory start date for these sites defaulted to later years of the period,

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<sup>2</sup> Documents available to view at:  
[https://www.ribblevalley.gov.uk/downloads/download/7171/housing\\_land\\_availability\\_surveys\\_and\\_reports](https://www.ribblevalley.gov.uk/downloads/download/7171/housing_land_availability_surveys_and_reports)

<sup>3</sup> See Housing Land Availability Schedule (July 2018)

with completions lower than anticipated. The result was a shortfall of 630 dwellings<sup>4</sup> which, due to the lack of elasticity within the supply, resulted in the Council being unable to claim a five-year supply.

- 1.15 It is also the case that some developments may lapse or come forward at a later date. This is often due to site specific issues such as landownership constraints, legal issues, viability and site conditions.
- 1.16 As a result of these factors, it is often common for rates of development to differ over the plan period with inevitable peaks and troughs in delivery. Delivery rates may also differ from site to site and settlement to settlement.
- 1.17 Gladman acknowledge that as part of its most updated position on five-year supply, the Council has provided a record of the discussions it has had with the agents of committed sites regarding their deliverability and delivery over the plan period<sup>5</sup>. This includes several Statements of Common Ground. Whilst evidence of this dialog is welcomed, Gladman do not consider that this evidence on its own is sufficient to demonstrate the deliverability of the housing requirement as a whole. The record provided represents a snapshot in time and should be treated with caution given the potential for change over the plan period. Especially given the recent change in the definition of what constitutes a deliverable site in the NPPF (2018) Annex 1. Whilst the examination is rightly considering the soundness of the document against the NPPF (2012) it will be the definition of deliverable considered in the NPPF (2018) which is used for decision taking.
- 1.18 The uncertainty in how sites are to be developed in future years is evident in examining the responses of agents provided within the 5-year Evidence of Delivery document, with several respondents outlining that a more detailed view of rates of delivery will be confirmed at a future date<sup>6</sup>. There are also examples within this document of sites which have or are likely to lapse<sup>7</sup>.
- 1.19 Mindful of the above, it is important that the Council ensure that the Local Plan is adequately equipped to ensure that it is adaptive and resilient to change with sufficient flexibility in supply provided. Added flexibility to the supply with additional sites will also ensure that any slack in expected levels of housing provision will be addressed and not affect overall completion rates.

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<sup>4</sup> At 31<sup>st</sup> March 2018

<sup>5</sup> See Document titled "5 year supply – Evidence of Delivery" (October 2018)

<sup>6</sup> See responses within 5 year supply – Evidence of Delivery document from Taylor Wimpey/Barratt (Page 9), Barratt/RVBC SoCG (Page 53), VH Land/RVBC SoCG (Page 109)

<sup>7</sup> For example see responses on Page 60, 69 and 99 of 5 year supply evidence document.

- 1.20 Gladman consider that the matter of flexibility in supply is of enhanced importance in Ribble Valley given the emphasis on delivery at relatively few sites to meet a large proportion of the balance of the housing requirement. Of the Council's committed development, as reported by the Housing Position Statement, 2,488 dwellings are to be provided on 13 sites, each with a capacity of over 100 dwellings. This represents 70% of the future supply.
- 1.21 Should any of these sites not be developed at the rate which is expected today, the Council will quickly be in a position where the housing requirement will not be met in full given that the flexibility planned through the HEDDPD is at present just 311 dwellings (or 12% of the contribution made by these sites).
- 1.22 Gladman acknowledge that some provision may come forward from alternative sources during the plan period which may provide a cushion to any under delivery experienced at these committed larger sites. However, as illustrated by the Council's 2018 Brownfield Register<sup>8</sup>, the amount of available and deliverable brownfield resources of the District is just 39 dwellings<sup>9</sup>. The limited brownfield supply is largely driven by the rural nature of the District. Further capacity may be provided at sites identified within the SHLAA, however these require action from third parties to come forward, and as such there can be no guarantee of its contribution over the remaining plan period.
- 1.23 Reflecting on the above, Gladman consider that there is a strong case for greater flexibility through the development plan. The approach of this flexibility should be twofold:
- 1) Increase planned provision to at least 15% above residual need; and
  - 2) Clarification of existing policy (namely Policy DMG2 of the Core Strategy).
- 1.24 A flexibility factor is commonly planned in emerging Local Plans to ensure that the development plan is deliverable. An increased flexibility factor to at least 15% would ensure that the Local Plan is better equipped to deal with any shortfall from the larger sites which make a significant contribution to the future supply and provide for more flexible five-year supply position.
- 1.25 The need for this increased flexibility is considered by Gladman to be all the more necessary in the case of Ribble Valley given the limited availability of alternative sources of supply. Increased flexibility, as identified through the HEDDPD would not conflict with the spatial strategy defined by the Core Strategy and provided that any new allocation is following the strategy set which

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<sup>8</sup> See [https://www.ribblevalley.gov.uk/info/200294/planning\\_and\\_buildings/1711/brownfield\\_register](https://www.ribblevalley.gov.uk/info/200294/planning_and_buildings/1711/brownfield_register)

<sup>9</sup> This capacity is provided from just two sites. The first site for a capacity of 5 dwellings already benefits from planning consent, whereas at the second site for 34 dwellings, the ownership is unknown.

seeks to concentrate development at the District's sustainable settlements (Clitheroe, Longbridge, Whalley, and the tier 1 villages).

- 1.26 Increasing the flexibility factor to 15% of the residual requirement would require a further 225 dwellings to be allocated through the HEDDPD. Gladman's aforementioned land interest at Henthorn Road, Clitheroe, could accommodate a large part of this additional flexibility with a capacity for around 110 dwellings. The Site has been subject to a recent planning application for its development for housing demonstrating its availability for residential development. Although refused for a single reason (relating to considered locational sustainability, the development was not subject to refused on the matter of principal and had no technical objections from statutory consultees. As such Gladman consider the site to represent a suitable and deliverable location for residential development. A Site Location plan is provided in Appendix 1 to this Hearing Statement.
- 1.27 The second approach to secure greater flexibility within the development plan would be a clarification of Policy DMG2 of the adopted Core Strategy. Policy DMG2 establishes the strategic approach to the location of development over the duration of the plan period. Part 1 of the policy sets out:
- "Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 villages should consolidate, expand or round-off development so that it is closely related to that main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement."*
- 1.28 The wording of the policy is a cause for confusion in decision making within the District with differing interpretations of its requirements. Gladman are aware that Officers at the Council have considered the policy to be flexible in its approach in permitting development proposals which lay beyond the settlement boundary given references made within the policy towards consolidation, expansion and rounding off of settlements, and its consideration of how proposals relate to existing main built up areas.
- 1.29 However, Gladman are also aware that elected members of the Council hold the opposing view, outlining that the policy is restrictive, given the wording earlier on in the policy which confirms its application for proposals "in" principle settlements and tier 1 villages. It is noted by Gladman,

that this interpretation has been shared by the Inspectors at the Longridge<sup>10</sup> and Read<sup>11</sup> Appeals.

- 1.30 The opposing interpretations of this policy are a cause for significant uncertainty for Applicants bringing forward windfall development which could contribute greatly towards the overall flexibility of the plan in terms of housing land supply. Gladman request that a clarification is made through the HEDDPD to Part 1 of Policy DMG2 which confirms the interpretation as set by Officers of the Council (presumably the authors of the policy). This approach would secure greater flexibility within the development plan. Gladman would welcome the Inspector's consideration of such a clarification through the HEDDPD. The amended wording could set out that Development within and/or adjacent to settlement boundaries would be consistent with Part 1 of Policy DMG2.

**b. Is there a housing trajectory for the delivery of housing on the strategic site and the principal settlements? 1040 dwellings are identified for Standen over the plan period, where will the remainder be provided?**

- 1.31 Appendix 2 of the Housing Position Statement clarifies the Council's position with regard to the delivery of the Standen SUE. For the purposes of this trajectory, the Site is split into two phases, taking into account information regarding delivery provided by the site agent. The trajectory confirms a new position that 512 dwellings will be achieved at the Site over the plan period. The trajectory advises the developer's expectation that the Site will generally be built at a rate of between 40 and 50 dwellings per year. Critically however, phase 2 requires the completion or near completion of phase 1 before it commences, given that the Site is being developed by a single developer. As a result, the delivery of phase 2 is somewhat reliant on the timely completion of phase 1 increasing the potential for delay, and an arising shortfall at the Site.
- 1.32 Gladman consider that suggested measures to provide for enhanced flexibility as set out in response to question a, would ensure that the development plan is resilient to any potential under provision taking place at Standen over the remaining plan period.

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<sup>10</sup> APP/T2350/W/17/3186969 Higher Road, Longridge, May 2018

<sup>11</sup> APP/T2350/W/17/3185445 Whalley Road, Read, November 2018

**f. Is the proposed monitoring likely to be adequate and what steps will be taken if sites do not come forward?**

- 1.33 The Council lists four policies of the Core Strategy under which further housing provision could be secured. As set out above, Gladman acknowledge that brownfield sites and sites located within settlement boundary may provide an element of additional supply moving forwards, however it must be recognised that the supply likely from these sources is limited, given the relatively few brownfield sites in the district which are available, deliverable and achievable.
- 1.34 The citation of Policy DMG2 of the Core Strategy by the Council as flexibility is noted and welcomed by Gladman. However, as set out above, the current wording of this policy creates difficulty for applicants and decision makers in providing a clear and transparent approach in setting out how the policy is interpreted for decision taking. As set out in Gladman's response to question (a), Gladman request that the Council clarify the approach to be taken through Policy DMG2 through the introduction of explanatory text in the HEDDPD which would confirm the policy as being flexible towards development proposals which are located beyond the settlement boundary.



## **Appendix 1**

### **Land at Henthorn Road, Clitheroe Site Location Plan**

