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Land at The Orchard Western Avenue, Emsworth

5 Year Housing Land Supply Statement

for
**McCarthy & Stone
Retirement Lifestyles Ltd.**

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sa/pks/4798

1. INTRODUCTION

- 1.1. I have been instructed on behalf of McCarthy & Stone Retirement Lifestyles Ltd to assess and report on the housing land supply position in Havant Borough. This is in order to inform a planning application for 25 retirement living apartments at The Orchard, Emsworth.
- 1.2. The application proposals are for Use Class C3 accommodation and therefore contribute to the housing land supply in the borough.

2. BACKGROUND

2.1. The adopted development plan comprises the Havant Borough Core Strategy, adopted in March 2011 and the Havant Borough Local Plan (Allocations) adopted in July 2014. The housing land requirement established in the Core Strategy was based on the South East Plan's housing requirement for the borough. The allocations local plan followed on from the Core Strategy and allocated land considered to be sufficient to meet its housing needs.

2.2. In March 2012, the government published the National Planning Policy Framework which, *inter alia*, required local authorities to boost significantly the supply of housing. To do this, local planning authorities should:

'..use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs¹ for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period'.¹

2.3. It was evident from case law and planning appeal decisions that the SEP housing requirement was not a full, objectively assessed housing need but was a 'policy-on' assessment that in its own terms did not meet in full identified needs in the region.

2.4. More recent housing need assessments based on the latest household forecasts issued by DCLG had been carried out by the PUSH² authorities and derived housing requirements that used a methodology compliant with the Framework's policy. This is set out in the latest revision of the PUSH SHMA³ published on 07/06/2016 and identified a FOAN for Havant Borough of 11,250 new homes for the period 2011-2036.

2.5. In August 2016, an appeal decision was issued which allowed an appeal by my client (McCarthy and Stone Retirement Lifestyles Limited) for a

¹ National Planning Policy Framework, §47

² Partnership for Urban South Hampshire

³ Strategic Housing Market Assessment

retirement development in the borough at London Road, Purbrook. In allowing that appeal, the Inspector agreed with the appellant that as the Core Strategy housing requirement was not an FOAN it was out-of-date. It was also agreed that as the allocations local plan was based on the Core Strategy, which it sought to implement, it too was out of date with regard to its housing related policies. As a result, §§49 and 14 of the Framework were engaged and planning applications for housing development were to be allowed unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

- 2.6. Whilst the Council, in accepting this position, has now resolved to prepare a new local plan taking into account the FOAN, the formal position with regard to the adopted development plan is that their housing related policies are out-of-date and there is therefore a strong presumption in favour of granting planning permission for housing developments.

3. HOUSING LAND SUPPLY IN HAVANT BOROUGH

- 3.1. As a result of the London Road, Purbrook appeal decision, the Council has sought to take positive action to bring forward housing development to meet the FOAN whilst it prepares its replacement development plan. This approach is set out in the 'Local Plan Housing Statement' published in December 2016.
- 3.2. This statement is described as the first step in addressing the rising housing need through a review of the Local Plan but it is recognised that it does not have the same status as a Local Plan in decision-making. It was subject to public consultation between 25th July and 9th September 2016, has been subject to Sustainability Appraisal, Habitats Regulations Assessment and an Integrated Impact Assessment. It asserts that it provides the foundation for the new Local Plan as Regulation 18 work and creates a positive framework for decision makers until the new Local Plan is adopted.
- 3.3. The weight to be afforded to this document in determining planning applications is very restricted. It is not a Supplementary Planning Document as SPD's are limited to implementing adopted development plan policy and it is evident that the statement steps well beyond this. As it purports to allocate development sites, it could not be an SPD but would be a Development Plan Document (DPD), but that would have little weight until it has passed through an Examination in Public. At best, the statement shows a positive approach by the council to changed planning policy circumstances and an acceptance that the current best evidence of an FOAN in conformity with §47 is established in the PUSH SHMA at 11,250 additional dwellings for the period 2011 – 2036.
- 3.4. With regard to the 5-year housing land supply, the council adopts the 11,250 requirement and sets out several calculations in the AMR 2015/16 using different assumptions. These give a deliverable land supply in the range of between 4.9 years and 3.6 years. My own assessment using the council's own data is a range between 3.7 and 4.2 years, depending on

whether the 5% or 20% buffer is used⁴. As the AMR also shows that in the longer term, the local plan will have to find a substantial additional supply of sites to meet the FOAN to 2036, it is not tenable to spread the current housing shortfall across all the years of the plan as in the Liverpool method. Rather it is to be met within the current 5-year period - the Sedgefield method.

- 3.5. Whichever approach one takes to assessing the housing land supply, such as making the judgement that all identified sources of housing are deliverable within the 5-year period, including those in the housing statement, there remains a significant shortfall in housing land. This is despite the council's constructive response resulting from the Purbrook appeal decision. In the words of the housing statement at §§3.36-3.37:

'3.36 The details of this Local Plan Housing Statement and supporting Housing Constraint and Supply Analysis Paper demonstrate that 'no stone has been left unturned' in trying to best meet the identified housing need for Havant Borough. The SHLAA has been revisited and a detailed analysis and understanding has been developed on the development potential for the Borough.

3.37 When assessing all the above potential sources of supply, including the strategic site at the Area Between Denvilles and Emsworth, a gap remains between what can be sustainably achieved in Havant Borough and the housing need for the Borough. This gap stands at 1,733 dwellings'

⁴ Appended

4. CONCLUSIONS

- 4.1. From the above assessment, it is evident that even taking an optimistic view about the delivery of identified housing sites there is a significant shortfall in housing land supply in Havant Borough. This means that the Framework's §§49 and 14 are engaged, as recently concluded in the Purbeck appeal decision, and applications for sustainable housing development proposals should be allowed adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 4.2. Because optimistic assumptions have been taken in calculating the adequacy of the housing land supply, including reliance on delivery from sites in the housing statement which has no formal status, has not been examined and is of little weight, the housing land calculations quite probably overstate the actual deliverability of sites. This has a significant positive bearing on the weight to be given in favour of sustainable housing developments.
- 4.3. Proposals to develop sites for housing are to be seen in the context where the council, as quoted above, has 'left no stone unturned' in trying to best meet the identified housing need for the borough. It therefore follows that sites, particularly those within the urban area not previously identified for housing development, should be particularly welcomed especially where the development density is high and makes efficient use of the additional site.
- 4.4. It follows that there is very strong support in principle for the development proposed on the Orchard site and the application should be allowed unless there are material considerations that clearly outweigh their substantial benefit to housing delivery.

Havant Housing Land Availability Assessment

Table SA1 2015/16 AMR basis

				Requirement 2011/2036		11,250
				(annual)		450
Havant	5 year supply					
	Requirement			Supply	Balance	
Year	annual	clearance	total new	Completions		
2011/12	450		450	186	-264	-264
2012/13	450		450	249	-201	-465
2013/14	450		450	200	-250	-715
2014/15	450		450	492	42	-673
2015/16	450		450	584	134	-539
			2250	1711	-539	
2016/17	450		450			
2017/18	450		450			
2018/19	450		450			
2019/20	450		450			
2020-21	450		450			
			2250	2446		
Include previous balance			539	LPA Expected completions Permissions (Large)1386 Permissions (Small)228 Local plan allocations603 LP Housing Statement229 2446 annual ave489		
			2789			
5-year requirement			2928			
with 5% buffer						
Annual requirement			586			
Actual Deliverable Supply (5%)			4.2 years			
5-year requirement			3347			
with 20% buffer						
Annual requirement			669			
Actual Deliverable Supply (20%)			3.7 years			

LPA Expected completions	
Permissions (Large)	1386
Permissions (Small)	228
Local plan allocations	603
LP Housing Statement	229
	2446
<i>annual ave</i>	489

Data source: Annual Monitoring Report 2015/16