

Committee: LOCAL PLAN WORKING GROUP

Agenda Item

Date: 17 October 2013

Title: Future Housing Growth Requirement

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Summary

1. The purpose of this report is to consider the timeframe and scale of growth to be met in the new Local Plan.

Recommendations

2. A plan which is most likely to be found sound is one prepared in accordance with the NPPF which would be a plan with at least a 15 year time frame from adoption and based on our full objectively assessed need.
3. The working group notes that
 - a. The preparation of a plan on the economic scenario will not continue as this is highly likely to be found unsound.
 - b. The plan will be based on the 2010 based sub-national population projections.
 - c. The plan will be for at least a 15 year time frame from adoption.
4. The plan period will be 2011 – 2031 and will provide for 10,460 dwellings. This requires the Council to identify additional sites for about 2680 homes.
5. The 5-year land supply requirement will be based on the objectively assessed need of 523 dwellings a year.

Financial Implications

6. Costs of additional consultation will be met within existing budgets.

Background Papers

7. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Uttlesford Residential Land Survey 2013
Technical Assessment: Objectively Assessed Housing Need July 2013

Impact

- 8.

Communication/Consultation	Will influence Local Plan which will be
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	subject to public consultation
Community Safety	n/a
Equalities	Will influence Local Plan which will be subject to Equalities Impact Assessment
Health and Safety	n/a
Human Rights/Legal Implications	n/a
Sustainability	Will influence Local Plan which will be subject to sustainability appraisal
Ward-specific impacts	All
Workforce/Workplace	n/a

Situation

Background

9. The Council is preparing a new Local Plan to replace the Adopted Local Plan 2005. The Adopted Local Plan identified sites for the development of 5052 dwellings for the period up to 2011.
10. In considering its objectively assessed housing needs and in accord with the mutual duty to cooperate, the Council, along with other authorities in Essex and adjoining counties, contributed to a demographic study. The first two phases of this study were published in March 2012. They considered a number of growth scenarios and the resultant average dwelling rate. In April 2012 Cabinet adopted the Economic Scenario as the most appropriate basis on which to develop the new Local Plan. Its objective was to seek an appropriate balance between employment growth and new homes so that people could access work in a sustainable way. In this economic scenario the population and household growth is constrained by the growth in the annual labour force.
11. The Draft Local Plan, published for consultation in June 2012, included a housing strategy of providing 9,870 new homes between 2001 and 2028 based on the requirements of the Regional Strategy for the East of England up to 2012 and the economic scenario for the remainder of the plan period up to 2028. The draft Local Plan was prepared with the anticipation that it would be adopted by the end of 2013.
12. In July 2012 Phase 3 of the Greater Essex Demographic Forecasts were published. This phase updated the scenarios in the light of more up to date statistical data. The forecasts updated the economic scenario to a jobs-led scenario. For Uttlesford, the population and household growth remained constrained by job growth. The findings were discussed at the LDF Working Group on 22 November 2012. At this meeting Members also discussed the

time period of the Local Plan. The current adopted Local Plan has an end date of 2011 and it was therefore considered appropriate to start the new Local Plan from that date to ensure there was continuous Local Plan coverage. To prepare a 15-year plan, this would provide an end date of 2026 for the new Local Plan. Members of the working group and subsequently Cabinet resolved to confirm the Phase 3 Demographic Forecasts Economic Scenario for the preparation of the Uttlesford Local Plan.

13. Officers have therefore been preparing a local plan with a plan period 2011 – 2026 based on 2 years at the RSS annual requirement of 430 dwellings per annum and 13 years at the economic scenario rate of 415 dwellings per annum. This provides an overall requirement of 6255 dwellings.
14. A timeline of events is set out in Appendix 1.

Local Plan Time Period

15. At the time the Council decided to prepare a plan covering the 15 year period 2011 to 2026 it was envisaged that the Plan would be adopted by the end of 2013. However adoption is now unlikely to be achieved before early 2015. This would have the result of shortening the timeframe post adoption.

National Policy

16. The National Planning Policy Framework makes clear in paragraph 157 that Local Plans need to be 'drawn up over an appropriate timescale, preferably a 15-year time horizon, take account of longer term requirements and be kept up to date'.

Examples for other Examinations

17. The following examples show how this policy has been implemented by Planning Inspectors.
18. The Inspector's Preliminary Conclusions on the Bath and North East Somerset Core Strategy (June 2012) on the plan period were that as it was looking increasingly likely that there would be less than 15 years to the end of the plan period. Other than possible small site windfalls, there was little indication of how housing delivery might be sustained beyond the plan period. He notes that whilst the NPPF does not make a 15 year span a requirement, a longer term perspective is particularly important, in this instance, if there needs to be any review of the Green Belt. He suggests a 15 year plan period and longer term requirements should inform any further significant work on this Plan.
19. The Inspector's report in to the Haringey Local Plan: Strategic Policies (Dec 2012) stated that although the NPPF indicates that it will be preferable for a plan to be drawn up for a 15 year horizon, it is clear that there is some discretion in this figure. In this particular case the examination took some time to be completed but the inspector considered that there is no evidence to suggest that the period over which the Local Plan extends does not remain appropriate.
20. The Inspector's report in to the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (Nov 2011) extended the plan period from a 15 year time period (2011- 2026) by a further two years to

2028 so that the forthcoming Site Allocations DPD would cover a 15 year time period.

21. The message appears to be that there is some discretion over the plan period but any deviation from a 15 year plan from adoption will be considered against the particular issues facing the Local Authority.

Legal Advice to the Council

22. The Council therefore needs to consider whether the most robust approach would be to prepare a plan with a timeframe to cover 15 years post adoption. Assuming adoption in 2014 this would provide a plan with a time period 2011 – 2029. Alternatively the plan could cover the period 2011-2026 with a commitment to undertake an early review to identify additional sites to roll the plan forward. This latter approach carries more risk and would require a planning justification as to the rationale to be submitted for the Inspector to consider. With this in mind the Council has sought Counsel's opinion and advice from a Planning Inspector.
23. Counsel advises that that it is implicit from the advice in paragraph 47 on having a housing supply that covers a 15 year period, that the 15 year period in paragraph 157 is forward looking and so should be post-adoption. Advice was sought as to whether there was merit in having a short plan period with a commitment to review it in 2015 or 2016 following the outcome of the Davies Commission on Airports, and any Government response to its findings. The advice received was that expansion of Stansted Airport is only one of the potential options being considered by the Commission and the airport strategy of either the current or any future Government is simply too uncertain to form a sensible basis for planning.

Informal Inspector's Visit

24. Officers have had a recent informal Inspector's Visit arranged by the Planning Inspectorate. Notwithstanding paragraph 157 of the Framework relating to preferably a 15-year time horizon, he considered that an inspector at an examination would want to test whether the plan achieves the most sustainable pattern of development in the long term.
25. In relation to having a commitment to review the plan following the Davies Commission the Inspector considered that there is still likely to be a degree of uncertainty for many years and it would be better to have a plan which incorporates growth than delay the plan. For these reasons the Inspector's initial opinion was that requesting an early review following the publication of the Davis Commission's report is not a strong enough argument to overcome a shorter plan period. If development sites were being proposed in locations which may be affected by a larger airport it would be legitimate to phase the delivery of these sites until the future of the airport was certain.
26. The Inspector also advised that the argument that a plan with a shorter plan period can be submitted and sites provided quickly is also not a sufficient argument. The NPPF has been in existence long enough for the Council to adhere fully to its policies.

Conclusion on the time period for the Local Plan

27. The advice given to the Council is that the plan should cover the period 15 years from the anticipated date of adoption.

Scale of growth to be proposed in the Local Plan

National Policy

28. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For plan-making this means that:

Local planning authorities should positively seek opportunities to meet the development needs of their area;

Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, 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; or
- specific policies in the Framework indicate development should be restricted. For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

What is our objectively assessed housing need?

29. In determining its objectively assessed need the Council has used the Demographic Forecasts produced for Greater Essex by Edge Analytics.
30. The forecasts considered a number of scenarios of which 2010 based Sub-National Population Projection (SNPP) gives a high housing and job figure; and the economic scenario provides a mid-range housing and jobs figure, whilst forecasts based on the 2010 Annual Monitoring Report and Net-Nil migration provide a low growth scenario. These latter two scenarios were not considered sound options for further consideration.
31. In May 2013 the Government published the Household Interim Projections 2011 to 2021 for England. For Uttlesford, they indicate that over the 10 year period the number of household is projected to grow by 4774 which equates to an additional 500 dwellings per year 2011 to 2021.
32. The 2010-based SNPP uses statistics for the period prior to the 2011 census. The Interim 2011-based SNPP uses statistics from the 2011 census based Mid-Year Estimates. The difference between the 2010-based and the 2011-based SNPP for Uttlesford is small showing only an increase of 830 (0.9%) in the projected 2021 population.
33. The DCLG Household Interim Projections 2011 to 2021 are the most recent statistical release and are based on the Interim 2011-based SNPP. They are

interim projections because they both assume a continuation of the estimated trends in fertility, mortality and migration used in the 2010-based projections.

34. Notwithstanding the small population increase for Uttlesford projected by the interim 2011-based SNPP, the 2011-based Household Projections show a lower number of dwellings per year than the 2010-based SNPP. For England as a whole, the 2011-based projections show a lower growth in households compared with the 2008-based household projections. This is not the case in Uttlesford however, where the 2008-based household projections forecast an increase of 8000 households between 2008 and 2028, which equates to 400 households per annum (which equates to 415 dwellings per annum), compared to 477 households (which equates to 500 dwellings per annum) shown in the 2011 based household projections.
35. The 2011-based household interim projections are based on the 2011 census. The projections are trend based reflecting the recent historical pattern of population growth but taking into account the lower growth in number of households. Although these historic rates have occurred at a time of economic recession, the district has experienced high rates of dwelling completions, indicating that the local economy is relatively strong.
36. Although the most recent statistical release, they are interim because they only forecast for a 10 year period to 2021 and although partially based on the 2011 census, trends in fertility, mortality and migration have not been updated to 2011.
37. The following table sets out the average dwellings per year required by each of the scenarios including the RSS requirement for comparison. The RSS figure was tested at an Examination in Public, but is based on evidence that is now relatively dated and it is unlikely that it will be given significant weight during the public examination of the Local Plan.

Table 1: Annual dwelling rate for each Scenario	
Scenario	Average dwellings per year
SNPP 2010- R	523
Household Interim Projections 2011	500
Approved RSS – R	430
Economic – R	415
<i>Note: The 'R' suffix on scenarios indicates that they have used headship rates that have been scaled to ensure consistency with Council Tax property statistics provided for each district.</i>	

38. Household formation rates will vary according to local economic activity and the housing market. Notwithstanding the very small projected population increase for Uttlesford in the 2011 SNPP compared to the 2010 SNPP, it is considered that planning for growth in line with the 2010 household projections would be more appropriate because of the more buoyant household formation rates those projections assume.

Strategic Housing Market Assessment

39. In order to have a clear understanding of the housing needs of the district, the NPPF requires authorities to prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:
- meets household and population projections, taking account of migration and demographic change;
 - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and
 - caters for housing demand and the scale of housing supply necessary to meet this demand;
40. Uttlesford has worked with Brentwood, Broxbourne, East Hertfordshire, Epping Forest and Harlow in preparing a Strategic Housing Market Assessment for the London Commuter Belt East/M11 Sub-region (LCB East). A 2012 Update has been prepared by Opinion Research Services (ORS) for the eastern authorities within the sub-region, namely East Herts, Epping Forest, Harlow and Uttlesford.
41. The Strategic Housing Market Assessment uses the ORS Housing Mix Model to consider both housing need and overall housing requirements on a longer-term basis, to provide robust and credible evidence about the required mix of housing over the plan period and understanding how key market drivers (such as affordability) will impact on the appropriate housing mix. The housing mix model on one hand considers households in terms of the baseline population and projected household growth, and their associated affordability and housing requirements and on the other hand it considers the dwelling stock in terms of the tenure and housing costs for both the existing stock and the recent housing completions.
42. The SHMA uses the Greater Essex Demographic forecasts for the baseline population and projected household growth, and concludes that using the trend based projections of the 2010-based SNPP, the total housing requirement for Uttlesford is 11,500 for the period 2011-2033 (523 dwellings per annum).
43. The SHMA identifies the tenure mix of the overall housing requirement. The SHMA identifies a high requirement for affordable housing, with this need increasing with rising house prices. The SHMA modelled the overall requirements based upon 2007/8 average prices and the long term trends. Uttlesford requires 70% affordable housing based on 2007/8 prices which were at the peak of the cycle. However under the longer term trends of house prices the requirement drops to 48%. The 2012 update of the SHMA revised the requirement to 54% which reflects 2011/12 house prices.

44. The SHMA concludes that under the other scenarios less affordable housing would be provided.

Examples from other Examinations

45. What is meant by objectively assessed need is still the matter of debate and deliberation by Inspectors at inquiries into Core Strategies and Local Plans as shown by the following examples.

46. When a plan is formally submitted to the Planning Inspectorate for examination, in the first instance, prior to the examination in public, the Inspector will identify if the plan has any elements which make it unsound and the Inspector will write to the Council alerting them to any potential soundness issues. As the following examples demonstrate, there are cases where Councils have been warned that their Core Strategy is likely to be found unsound because they have not planned for their full, objectively assessed need. In such cases, Councils have delayed the public examination until they have prepared a revised Plan.

47. In response to the exploratory meeting prior to examination of Rushcliffe BC Core Strategy (February 2013) the inspector considered that following the revocation of the Regional Plan and having regard to localism, it would be just too simplistic to consider the lower housing target for Rushcliffe. She considered that a plan based on an annual housing figure lower than the figure based on the SNPP would be insufficient to meet the full, objectively assessed need.

48. The Inspector's Preliminary Conclusions on the Melton Borough Core Strategy (April 2013) stressed that it is important that the Core Strategy makes provision to meet objectively assessed housing needs. The inspector considered that the 2011 census data showed a higher housing need than indicated by the evidence produced by the council. Furthermore, he considered that past build rates showed that this higher level of provision was achievable.

49. The inspector's preliminary conclusions on the Bath and North East Somerset Core Strategy (June 2012) acknowledged that although the relationship of the housing requirement to economic growth is clearly an important one, the Council is in effect using this link to determine a cap on the housing requirement. In an area such as Bath and North East Somerset, which is such an attractive place to live and attracts people who are not economically active, the link between homes and jobs cannot be the primary determinant of the housing requirement and does not meet the full, objectively assessed needs for market and affordable housing.

50. In May 2013 Maldon District Council presented a report to Planning and Licensing committee and then to Council on their plan and route for progression. Copies of the papers can be found on their website at <http://www.maldon.gov.uk/meetings/meeting/550/council>. Maldon DC has sought advice and clarification on what is meant by objectively assessed need from Counsel, the Planning Inspectorate and the Government in the form of a meeting with Nick Boles MP (Planning Minister).

51. Nick Boles MP informed Maldon DC that the Planning Inspectorate was currently focussing their attention on Councils that are attempting to reduce

their housing requirement from the East of England Plan target. However, they were likely to look favourably on Councils seeking to increase their housing requirement from the RSS requirement.

52. Of particular relevance is the advice they received from the Planning Inspectorate. Advice received from Keith Holland, Assistant Director for Development Plans and Major Casework at the Planning Inspectorate, confirmed that the Government is taking an uncompromising line (my emphasis) on promoting housing growth, and that the Council must explore all reasonable options to meet objectively assessed needs for housing within the Local Plan. Where 'local' (artificial) constraints exist, the Council must plan positively to ensure that every reasonable attempt to overcome the constraints has been investigated. Otherwise the Plan is likely to be found to be unsound. Therefore, infrastructure constraints, such as the capacity of the highway network, the capacity of local schools, or the visual impact of growth on landscape in the District is highly unlikely to provide sufficient justification for not planning to meet objectively assessed needs for housing (my emphasis) 'Critical' (fixed) constraints, such as sewerage constraints that cannot reasonably or viably be overcome, or lack of available land for development due to flood risk and / or national / international environmental designations could potentially provide adequate justification.

Legal advice to the Council

53. The Council has obtained both counsel's opinion and the views of a visiting inspector on the Council's objectively assessed housing need.
54. Counsel concurs that a plan based on the economic scenario is likely to be found unsound and that a plan based on the 2010 SNPP is likely to be found sound. The plan should not use the housing requirement from the East of England plan prior to its revocation because the East of England Plan is no longer part of the development plan and its housing figures are below the level of need as now identified by the SNPP.

Informal Inspector's Visit

55. The Inspector confirmed that the focus of examinations is the objectively assessed need. An inspector will consider a plan in the wider context of the Framework which aims to boost housing and economic growth and therefore any policies in the plan which imply constraining growth are likely to be found unsound.
56. Once the Council has identified its objectively assessed housing needs it needs to be tested against the criteria identified in NPPF paragraph 14 and it is important to note that impacts have to 'significantly' and 'demonstrably' outweigh the benefits when assessed against the policies in the Framework, which as explained above promote growth.
57. The Inspector also considered that the Regional Plan does not reflect the most update objectively assessed need. As the demographic evidence for the objectively assessed housing need is more up to date and has a start date prior to the revocation of the East of England Regional Plan then these more recent figures should be used for those years rather than the regional strategies figures. .

Duty to Cooperate

58. Neighbouring authorities are similarly considering plans based on the upper end of a range of scenarios to meet their objectively assessed need. Uttlesford Council has not been approached by any authority under the Duty to Cooperate to assist them in meeting their objectively assessed need.
59. Chelmsford City Council and Braintree District Council have adopted Core Strategies.
60. Epping Forest District Council undertook an Issues and Options consultation in July 2012. This consultation considered the Phase 2 demographic forecasts and concluded that the SNPP scenario, the updated migration scenario, the Approved RSS scenario should be included in the consultation on the understanding that the figure would be updated by Phase 3. The Phase 3 demographic forecasts increased the annual housing requirement from 500 to 740 dwellings per annum under the SNPP-R scenario. Since the Issues and Options consultation the Council has commissioned Edge Analytics to undertake analysis of the Phases 3 and 4 data in relation to issues facing Epping Forest District and specifically the robustness of the figures on outmigration from London to the District.
61. Harlow District Council consulted on the Core Strategy Issues and Options document in November 2010. The Council are considering the implications of the Demographic Forecasts and are undertaking background studies specifically on the role of housing growth in regenerating the town.
62. East Herts District Council prepared a report to the District Planning Executive Panel in March 2012 on the Phase 2 demographic forecasts considered that the lower-middle scenario grouping (which includes SNPP-2008; Economic, and RSS) and the upper-middle scenario grouping (which includes the migration led scenario), is likely to produce positive consequences in terms of demographics, affordable housing, migration and the local economy, whilst at the same time result in an acceptable level of land-take. The Phase 3 housing requirement increased the housing requirement. A report to the District Panel Executive Panel for 25 July 2013 concludes that there is no justifiable reason for not relying on official projections as a basis for informing planning policy. The council is therefore now considering that it has to plan for the upper end of range of scenarios.
63. South Cambridgeshire District Council has published its proposed submission Local Plan for consultation from 19 July to 30 September which meets its own objectively assessed housing need within the District.

Conclusions on objectively assessed housing need

64. The message is that plans must be consistent with the Framework's aim to boost significantly the supply of housing and a plan based on a low housing growth will not be acceptable.
65. The Council considers that its objectively assessed need is that identified by the 2010-based SNPP.
66. It accords with National Planning Policy Framework in that it meets household and population projections, taking account of migration and demographic change, and it relates to a more buoyant household formation rate. It can be

clearly seen that a jobs based housing need constrains population and household growth. There are no legitimate reasons to vary the assumptions made in the official population and household projections.

67. The SHMA shows that in order to meet its affordable housing need a housing requirement based on the trend based forecast is most likely to provide the greatest amount of affordable housing.
68. One of the core planning principles identified in paragraph 17 of the Framework, upon which other policies throughout the Framework are based, is that every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and to respond positively to wider opportunities for growth. The evidence has shown that by constraining the population growth, this similarly constrains the number of houses provided, impacting on the age profile of the district, and would result in fewer jobs, which altogether is contrary to the policies in the framework as a whole. The evidence has shown that there is sufficient land to meet the housing, business and other development needs of the District and that any constraints to the infrastructure can be overcome and the infrastructure can be provided to meet this need.
69. The appropriate assessment of the plan under the Birds and Habitats Directives has determined that none of the site allocations, strategic policies and development management policies will have a significant effect on any of the following:
- Special Area of Conservation (SAC)
 - Special Protection Area (SPA)
 - Or Ramsar Site
70. Uttlesford District does not contain any Areas of Outstanding Natural Beauty, Heritage Coast or National Park. Furthermore there is sufficient land beyond or land which would not have a detrimental impact on Sites of Special Scientific Interest, Metropolitan Green Belt, Local Green Space, designated heritage assets; and locations at risk of flooding to meet its objectively assessed housing need.
71. Furthermore the Strategic Housing Land Availability Assessment (SHLAA) indicates that there are sufficient sites within the District to meet the Council's housing need.
72. It is therefore considered that there are no adverse impacts on the Framework as a whole or specific policies in the Framework which would restrict the Council in meeting its objectively assessed need.

Comparison of requirement and supply

Supply

73. The supply of housing will be met through dwelling completions; committed sites which are sites with planning permission; and sites without planning permission but are considered to be deliverable during the plan period, including new sites to be identified in the emerging Local Plan; and a windfall

allowance based on historic rates and current planning policy. This is set out in table 4.

Table 4: Housing Supply for 12 and 15 year plans from adoption		
Supply	2011/12 – 2025/26	2011/12 – 2028/29
Built since April 2011	1061	
Sites of 6+ units with PP @ April 2013	1970	
Sites without PP @ April 2013	243	
Proposal sites without PP @ April 2013	3060	
Windfall allowance 50dpa	650	800
Total supply	6984	7134
See Appendix 2 for details of supply		

Economic Scenario

74. The current position is that officers have member approval to prepare a plan based on the economic scenario for the period 2011 - 2026. Taking into account the advice received on not using the requirement from the East of England Plan, this would require the plan to identify sites to provide 6225 dwellings as set out in table 2.

Table 2: Requirement of 12 year plan from adoption based on Economic Scenario			
Requirement 2011-2026	Annual requirement	No. of years	Total
2011/12 – 2025/26 @ objectively assessed need of economic scenario	415	15	6225

If the plan period is extended to 2028/29 the requirement increases to 7500 as set out in table 3.

Table 3: Requirement of 15 year plan from adoption based on Economic Scenario			
Requirement 2011-2029	Annual requirement	No. of years	Total
2011/12 – 2028/29 @ objectively assessed need of economic scenario	415	18	7470

75. The supply is more than adequate to meet a plan to 2026 but there is a shortfall of 336 dwellings to meet the requirements of a plan to 2029. As at 3 October 2013 planning permission or planning permission subject to a S106 has been granted for a further 547 dwellings (see appendix 2) which is a more than adequate supply to meet the requirements of the economic scenario.

Table 5: Comparison of requirement and supply for 12 and 15 year plans from adoption based on Economic Scenario		
	2011/12 – 2025/26	2011/12 – 2028/29
Requirement	6225	7470
Supply	6984	7134
Surplus/shortfall	+759	-336

76. If a plan was prepared on this basis the Council would need to present some very strong arguments supported by compelling evidence to the Inspector as to why the economic scenario was selected; and what the implications are compared to other growth options, especially as there is evidence that there is demand for a greater need for housing than the economic scenario would permit.

Objectively assessed housing need

77. The implications of preparing a plan up to 2026 and 2029 with an objectively assessed need based on the 2010-based SNPP is as follows in tables 6 and 7

Table 6: Requirement of 12 year plan from adoption based on 2010 SNPP	
2011/12 – 2025/26 @ requirement of 523 dwellings per annum	523 x 15 = 7845
Supply	6984
Shortfall	861

Table 7: Requirement of 15 year plan from adoption based on 2010 SNPP	
2011/12 – 2028/29 @ requirement of 523 dwellings per annum	523 x 18 = 9414
Supply	7134
Shortfall	2280

78. For a plan to 2026 there is shortfall of about 860 dwellings. There is a significant shortfall of 2280 for a plan to 2029. Although, as at 31 July 2013

planning permission or planning permission subject to a S106 has been granted for a further 547 dwellings (see appendix 2). A significant amount of additional sites would need to be proposed to meet the shortfall arising from a 15 year plan.

79. As set out in Table 7 a 15 year plan from adoption based on the 2010-SNPP would require additional sites to be identified. The evidence on which additional site will need to be selected will be based upon the Strategic Housing Land Availability Assessment (SHLAA); Sustainability Appraisal, and comments received on the sites during the Role of Settlements and Site Allocations consultation undertaken in January 2012. This will change the scale of development in some settlements with potentially wider impacts on infrastructure delivery.
80. It is therefore important for the Council to consult on the additional sites. This would add an additional stage into the process delaying adoption until 2015 resulting in a plan period up to 2030. With a plan base date of 2011, it is proposed to prepare a 20 year plan to 2031 which allows the Council to prepare a plan which takes account of the longer term requirements of the District in line with the NPPF.

Table 8: Requirement and supply for a plan 2011 - 2031	
2011/12 – 2030/31 @ requirement of 523 dwellings per annum for 20 years	10,460
Supply	
Built since April 2011	1061
sites of 6+ units with PP @ April 2013	1970
sites without PP @ April 2013	243
Proposal sites without PP @ April 2013	3060
Windfall allowance 50 dpa	<u>900</u>
	7234
Shortfall	3226
See Appendix 2 for details of supply	

81. The Council will therefore need to prepare a plan for 10,460 dwellings to be provided between 2011 and 2031. A number of dwellings have been built since 2011 and as at April 2013 the Council has already granted planning permission or identified sufficient land in the draft local plan to provide 7234 dwellings. In addition between 1 April 2013 and 3 October 2013 an additional 547 dwelling have been granted planning permission (see appendix 2).
82. This therefore means that the Council needs to consult on sites for a further 2680 homes.

Summary

83. When the government first announced the revocation of the regional plans, it was implied that the Council was free to set its own level of housing growth

supported by appropriate evidence. However, since the publication of the National Planning Policy Framework and recent inspectors' decisions it is becoming clear that the government is looking to authorities to provide a scale of growth based on the highest and most up to date figures being produced by the Department of Communities and Local Government (DCLG) and Office of National Statistics (ONS), unless there are very specific policies of national interest which would be harmed or that through the 'Duty to Cooperate' an adjoining authority would accommodate the housing that could not be provided within the district.

84. With this in mind, the Council need to be aware that a plan based on the economic scenario is very unlikely to be found sound by an Inspector because it is below the previous requirement of the Regional Plan and there is evidence that there is demand for a greater need for housing.
85. The 2010 based SNPP produces the highest dwelling requirement and whilst its assumptions may be subject to review in the light of the 2011 Census, its relatively buoyant household formation rates will ensure that these projections are the most appropriate basis in planning for growth in Uttlesford.
86. The Council considers that it's objectively assessed need is that identified by the 2010-based SNPP.
87. It accords with National Planning Policy Framework in that it meets household and population projections, taking account of migration and demographic change. It can be clearly seen that a jobs based housing need would constrain population and household growth in Uttlesford. There are presently no legitimate reasons to vary the assumptions made in the official population and household projections.
88. The SHMA shows that in order to meet its affordable housing need a housing requirement based on the trend based forecast provides the greatest amount of affordable housing.
89. The Council therefore concludes that there are no demonstrable reasons why it should not meet its objectively assessed housing need.
90. For the Council to meet its objectively assessed need it needs to prepare a plan for 10,460 dwellings between 2011 and 2031. This requires the Council to identify additional sites for a further 2680 homes.

Recommendations

91. A plan which is most likely to be found sound is one prepared in accordance with the NPPF which would be plan with a 15 year time frame from adoption and based on our full objectively assessed need.
92. It is recommended that
 - a. The Council no longer continue with a plan prepared on the economic scenario as this is highly likely to be found unsound.
 - b. That a plan is prepared based on the 2010- based sub-national population projections.

c. That the plan should be prepared with a 15 year time frame from adoption.

93. It is therefore recommended that a plan be prepared 2011 – 2031 for 10,460 dwellings. This requires the Council to identify additional sites for a further 2680 homes.

94. That the Council's 5-year land supply requirement is based on its objectively assessed need of 523 dwellings a year.

Risk Analysis

1.

Risk	Likelihood	Impact	Mitigating actions
That the Local Plan is likely to be found unsound. This could either be when the plan is submitted and the inspector advises the Council that the plan is likely to be found unsound; or that following the formal hearing the plan is found unsound.	3. There is a significant risk that an inspector will consider that a plan based on the economic scenario is unsound and/or that the time period of the plan does not conform to the NPPF.	3 That adoption of the Local Plan will be delayed whilst additional work is undertaken.	Ensure that the plan does not constrain growth, in accordance with the NPPF.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

APPENDIX 1: TIMELINE OF EVENTS	
May 2008	East of England RSS published by Secretary of State Required 430 dwellings per year 2006 - 2021
May 2010	Coalition government came to power
July 2010	Secretary of State announced the revocation of Regional Strategies with immediate effect.
September 2010	Environment committee – 7 September Implications of revocation of RSS considered and resolved to review scale of growth in Uttlesford and subsequently the location of that growth.
November 2010	The High Court recognised that the secretary of state's unilateral revocation of regional strategies was unlawful and premature. On 29 November 2010 the Court placed a temporary block on the Government's claim that its plans to abolish RSSs should be regarded as a material consideration in planning decisions, but this was lifted on 7 February 2011.
March 2011	Environment Committee – 17 March Locally derived housing number approved as basis for further consultation requiring 296 dwellings per year
June 2011	Cabinet – 16 June Verbal update on CALA Homes high court appeal against Secretary of State's statement on revocation of RSS. As plans still needed to be in conformity with RSS decided to delay consultation on revised housing figures.
July 2011	Edge Analytics appointed to undertake Greater Essex Demographic Study
January 2012	Consultation Role of Settlements and Site Allocations DPD Development Management policies DPD.
March 2012	National Planning Policy Framework published
April 2012	Cabinet – 5 April Report on Phase 1 – EPOA Demographic Study which considered seven scenarios. Migration led = 686 dwellings per year Approved RSS = 430 dwellings per year Draft Review RSS = 400 dwellings per year SNPP = 410 dwellings per year Economic = 338 dwellings per year AMR dwelling trajectory = 133 dwellings per year Net-nil migration = -26 dwellings per year Economic Scenario approved requiring 338 dwellings per year

May 2012	<p>Cabinet – 10 May</p> <p>Report on the findings of the suit of evidence and various distribution strategies.</p>
24 May 2012	<p>Cabinet – 24 May</p> <p>Local Development Scheme approved which set out timetable for production of Local Plan as opposed to Development Plan Documents</p>
June 2012	<p>Consultation</p> <p>Draft Local Plan</p> <p>Included a housing strategy of providing 9,870 new homes between 2001 and 2028 based on the requirements of the Regional Strategy for the East of England up to 2012 and the economic scenario for the remainder of the plan period up to 2028. The draft Local Plan was prepared with the anticipation that it would be adopted by the end of 2013</p>
June 2012 onwards	<p>Planning Inspectorate finding strategies sound only after housing provision was increased following submission</p> <p>See: Objectively Speaking 12 months of applying the NPPF to housing targets in Local Plans: A review of examinations; NLP April 2013.</p>
December 2012	<p>Cabinet – 13 December</p> <p>Report on Phase 3 - EPOA Demographic Study which considered 5 scenarios</p> <p>SNPP-2010 = 523 dwellings per year Approved RSS = 430 dwellings per year Economic = 415 dwellings per year net nil migration = 142 dwellings per year AMR 2010 dwelling trajectory = 133 dwellings per year</p> <p>Economic Scenario approved requiring 415 dwellings per year</p> <p>Resolved to confirm the Phase 3 demographic Forecasts Economic Scenario for the preparation of the new Uttlesford Local Plan.</p>
January 2013	<p>East of England plan revoked</p>
March 2013	<p>Publication</p> <p>Choice of Assumption in Forecasting Housing Requirements; Cambridge Centre for Housing and Planning Research.</p> <p>Concluded that official population and household projections are generally seen as best available and will carry substantial weight at examinations.</p>
August 2013	<p>Update to SHMA published</p>

APPENDIX 2 – COMPONENTS OF HOUSING SUPPLY

Supply	
Built 2011/12 & 2012/13	1061
A: Sites of 6+ units with PP at April 2013	1970
B: Sites without PP @ April 2013	243
C: Sites granted PP since April 2013	547
D: Proposal Sites without PP @ April 2013	3060
Windfall Allowance 2013 – 2030 18 years at 50dpa	900
Total Supply	7781

A: Sites of 6+ units with PP at April 2013	
Saffron Walden	316
Great Dunmow Woodlands Park	931
Great Dunmow	193
Elsenham	57
Stansted Foresthall Park	85
Stansted Mountfitchet	20
Takeley Priors Green	116
Takeley/ Little Canfield	6
Thaxted	115
Other Villages	131
Total	1970

B: Sites without PP @ 31 March 2012	
Priors Green, East of Takeley (“Island Sites”)	39
Phase 6 Oakwood Park Flitch Green (Expired permissions 0537/05)	98
Flitch Green (village centre)	49
Woodlands Park, Great Dunmow (expired permissions 1910/07x6 dwlgs; 0339/08x17 dwlgs; 0496/08x34 dwlgs)	57
Total	243

C: Large sites granted or resolved to grant planning permission since April 2013	(net)
March - land r/o Foxley House, Rickling	14

April - Barnetson Court, Gt Dunmow	10
June - Carnation Nurseries, Newport	22
June - Mead Court , Stansted Mountfitchet	2
June - Bardard's Fields, Thaxted	8
June Land at Watch House Green, Felsted	25
June – Goddards Yard, Saffron Walden (Permission for 12 increased to 14 therefore gain of 2)	2
July – Brick Kiln Farm, Gt Dunmow	65
July – Brewers End, Takeley	100
July – Henham 2 increase in capacity of 4	4
August – Chadhurst Takeley	12
September – Walpole Farm, Stansted	160
September – The Kilns Saffron Walden (outstanding permission for 32 increased to 52 therefore gain of 20)	20
September – Elsenham 3 increase in capacity of 25	25
October – Elms Farm, Stansted	51
October – Hillside and land to the rear, Bury Water Lane, Newport	43
October – Newport 1 – decrease in capacity of 16	-16
Total	547

D: Proposal Sites without PP @ April 2013	
Saffron Walden 1	800
Saffron Walden 2	60
Great Dunmow 1	850
Great Dunmow 2	350
Elsenham 1 (permission subsequently granted)	155
Elsenham 2 (since resolved to grant permission subject to Section 106)	130
Elsenham 3 (since resolved to grant permission subject to Section 106)	140
Great Chesterford 1	35
Great Chesterford 2 (permission subsequently granted for 50 on part of site)	60
Newport 1	100
Newport 2	70
Stansted Mountfitchet 1 (policy deleted)	0
Stansted Mountfitchet 2 (policy deleted)	0
Stansted Mountfitchet 3	35

Takeley 1	75
Takeley 2 (since resolved to grant permission subject to Section 106)	41
Takeley 3	46
Takeley 4	15
Takeley 5 (outstanding capacity following planning permission granted for 7)	13
Henham 2 (since resolved to grant permission for 14 subject to Section 106)	10
Henham (Blossom Hill Fm South of Chickney Rd)	25
Radwinter 1	40
Stebbing 1	10
Total Supply	3060