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**Post-Hearing Statement on behalf of Jelson Ltd**  
**Melton Borough Local Plan Examination**  
**Comments on Document M6-2: Proposed Five**  
**Year Supply Methodology**

March 2018

# 1. Introduction

- 1.1 As a participant in the hearing sessions that dealt with Matter 3, Jelson has been invited to comment on the content of a document (M6-2) that the Council has produced 'post-hearing' which:
- a) proposes that the Local Plan's housing requirement is stepped, or phased through the Plan period; and
  - b) proposes that the Borough's housing land supply is calculated / assessed on the basis of a combination of (i) the above mentioned stepped requirement and (ii) the 'Liverpool' approach to dealing with the shortfall that has accumulated in the period 2011 – 20118.
- 1.2 This is the first time in the Plan-making process, a process that began in 2013, that the Council has formally articulated and contended for such policies. Indeed, the idea of stepping the housing requirement was only contemplated for the first time during the hearing sessions and only then because the Inspector suggested that consideration ought to be given to the consequences of taking such an approach. The fact that such a fundamental policy shift is being promoted for the first time so late in the plan-making process is, in our view, wholly inappropriate. Moreover, as will be explained in the sections that follow, the approach that the Council is not proposing to take is completely unnecessary and is at odds, on every level, with what the Government is doing to try and fix the Country's broken housing market. Jelson, therefore, remains fundamentally opposed to the proposals.

# 2. Context

- 2.1 There are several critical factors to which regard should be had when determining which, of the housing delivery strategies available to the Council, the Inspector should find sound and recommend in this instance. These are:
- a) the housing crisis is very real. It is also of a scale that is difficult for most to comprehend. As the Prime Minister said when launching the Draft NPPF on 5 March 2018, the national housing crisis is one of the biggest barriers to social mobility we face today....in much of the country, housing is so unaffordable that millions of people who would reasonably expect to buy their own home are unable to do so. The crisis is one of the Government's top priorities and it is constantly evolving its policies and guidance to drive change and increase the rate at which new homes are built. Last year, 217,000 new homes were delivered in England. This was the highest number of completions that the Country has seen in all but one of the last 30 years. Yet the Government estimates that we need to be building over 300,000 new homes per annum by the mid-2020s if we're going to address the affordability issues and associated social inequalities that are impacting so adversely on our ability to create and maintain sustainable communities. To deliver 300,000 new homes a year is going to require every local authority and every developer to play their part. That will not be easy. It will involve the making of some very difficult decisions and the outcomes will be unpalatable for some and particularly those that would rather see predominantly rural areas left untouched. But the crisis will only be addressed if those difficult decisions are taken, if attitudes change and if local authorities look to maximise the rate at which new homes are delivered in their areas;

- b) contrary to the assertions in Document M6-2, the NPPF makes it clear that the Council is required to (i) ensure that the Local Plan meets the Borough's need for market and affordable housing in full, (ii) identify and update annually a supply of specific deliverable sites that are capable of providing 5 years worth of housing against their housing requirement (plus an appropriate buffer), and (iii) set out in a housing implementation strategy how they will maintain a five year supply of deliverable housing sites through the plan-period;
- c) there is no contemplation of the 'Liverpool' approach to dealing with historic shortfalls anywhere in Policy or guidance. Indeed, the NPPG makes it very clear that local authorities should aim to deal with any undersupply within the first five years of the plan period where possible and, where this cannot be done, authorities will need to work with neighbouring authorities under the duty to co-operate. Had the Government thought it appropriate to deal with undersupply over a 10-15 year period it would have said so. But it hasn't. The NPPG only contemplates undersupply being dealt with in the first 5 years of the plan-period, either within the Borough in which the undersupply has arisen or within a neighbouring area;
- d) this Council has a shocking record when it comes to housing delivery. But this is not because the Borough does not have developable land (it is not highly constrained by Green Belt, a National Park or AONB), it is not because the housing market is weak and it is not because the development industry does not have the capacity or appetite to deliver. It has failed to provide an appropriate amount of new housing because (i) it has not maintained an up to date Plan which makes appropriate provision for growth and, (ii) has been negative, rather than positive and proactive when it has come to determining applications for planning permission;
- e) the Council seems, post-submission, to have become concerned about whether it can facilitate the required change in the rate of housing delivery and is looking for relief in a stepped trajectory and Liverpool, yet it also claims to have been through a comprehensive and robust site selection process (which, amongst other things, has considered deliverability) and maintains that its proposed allocations can deliver an average of 513 dwelling per annum over the next 5 years and an average of 436 dwellings per annum over the next 10 years (see Table M6-T1). Even though the Council is now pushing for a stepped requirement and Liverpool, it does not appear to be suggesting that it would use Policies within the Local Plan to constrain delivery in the early years / spread delivery more evenly through the Plan period. This makes a nonsense of the proposition; and
- f) the Council has robust evidence of what needs to be delivered in the way of new dwellings to (i) ensure that its housing and economic development strategies are brought into line, (ii) fund essential infrastructure and (iii) provide more affordable housing than it has historically. Whilst Jelson considers that the Council's proposed housing requirement is lower than it should be, it agrees that these three factors have been correctly identified as the key drivers of the growth strategy that needs now to be deployed. These underpinning needs remain whatever the Council does with its housing requirement – they don't evaporate or dilute if the requirement is stepped.

### 3. Representations

- 3.1 As indicated during the Hearing Sessions, Jelson is completely opposed to the stepping of the trajectory and the use of the Liverpool methodology for dealing with the shortfall that the Council has amassed since 2011.

Taking the approach that is now proposed will simply put off the day when the Council's strategic objectives are satisfied. In the context of the housing crisis and the scale of need that the Borough has for market and affordable housing, this cannot be right. You don't fix problems associated with under-performance by allowing the under-performance to continue. You look at what is causing the problem i.e. what is preventing the Council from delivering housing at the rate needed to deal immediately with the shortfall and meet any revised requirement, and you address the problem at source.

- 3.2 The Council is now asserting that a gradual step change in delivery is an important factor in making sure the Plan remains realistic whilst still achieving a significant boost to the supply of housing. Yet it is not proposing to even out delivery rates and all the available evidence (from site trajectories to market intelligence) indicates that, actually, it will see a massive increase in the number of new homes that are delivered in the next 5-10 years. But it has two problems. The first is that, when housing land supply is assessed on the correct (Sedgefield) basis, the Plan still isn't making sufficient provision for development in the first 5 years (notwithstanding the huge improvement that is expected) and the second is that, after 9 years, only 2 housing sites are forecast to be making a material contribution to supply (after 11 years, they are the only sites delivering housing). This begs questions about whether, on the basis of the present Plan, the Council can maintain a 5 year supply of housing through the Plan period. Unfortunately, the Council has not produced the implementation strategy required by the NPPF, or any supporting analysis, which looks at the 5 year position on a rolling basis through to 2036.
- 3.3 These two problems are serious and significant but it is not appropriate to 'kick the can down the road'. The only appropriate response, in the light of the factors described in Section 2 above, is to ensure that the Plan allocates sufficient land of the right type (land that is in the hands of developers who can deliver housing quickly) to deliver housing at the level and rate that is needed to hit the 5 year Sedgefield thresholds. That, as indicated above, may be difficult and unpalatable to some, but it is necessary if the Borough is to deliver housing in the manner that makes an appropriate contribution to dealing with the housing crisis and alleviating major issues in respect of affordability.
- 3.4 In light of the above, it is clear that a stepped approach and use of Liverpool might only be appropriate where it can be demonstrated that there is no reasonable and deliverable alternative. However, and as evidenced through discussions at the Hearing Sessions, there are clear ways in which the 5 year shortfall can be addressed. At the very least, there are further options to be explored. We highlighted at the Hearing Sessions that fact that the Council's site selection methodology has been fundamentally flawed and that this has led to the rejection, without justification, of housing sites that have the clear and obvious potential to deliver housing in the first 5 years. Our Client's site at Asfordby is the clearest example. This is a sustainable site under the control of a house builder yet, even after the conclusion of the Hearing Sessions, we remain in a position where the Council has failed to provide any evidence at all as to why this site continues to be rejected for allocation.
- 3.5 It cannot realistically and reasonably be concluded that a stepped approach is justified when obvious remedies such as allocating additional deliverable sites, such as that at Asfordby, have not been given proper consideration.
- 3.6 It seems to us that Methodology 7 is completely the opposite of what the Council should be doing. The use of an artificial, mathematical means of satisfying policy (the 5 year supply requirement) is wholly

inappropriate and should be rejected in favour of amendments to the Local Plan which put in place a development strategy that actually delivers what is required.

# Contact Details

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## Enquiries

Craig Alsbury  
0121 609 8445  
[craig.alsbury@gva.co.uk](mailto:craig.alsbury@gva.co.uk)

## Visit us online

[gva.co.uk](http://gva.co.uk)

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### GVA

3 Brindleyplace, Birmingham B1 2JB

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