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Housing Land Supply Rebuttal

Response to Housing Land Supply and Affordable Housing Matters in Mark Sennitt's Proof of Evidence

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1.0 Introduction

- 1.1. I have prepared this rebuttal in response to certain of the housing land supply and affordable housing matters set out in Mr Sennitt's Proof of Evidence ("PoE") (July 2021).
- 1.2. As set out at paragraph 2.1 of the signed and dated Five Year Housing Land Supply Statement of Common Ground ("SoCG") (8 July) (**CDD.2**), it is common ground that the Council is not able to demonstrate a five year supply of deliverable housing land against the minimum five year requirement for the five year period 1st January 2021 to 31st December 2025.
- 1.3. The Council suggests it has a five year supply of 2,310 dwellings. This results in a shortfall of 924 dwellings and a supply of 3.57 years. I identify a supply of 600 dwellings, which results in a shortfall of 2,634 dwellings and a supply of only 0.93 years.
- 1.4. However, and despite the supply differences, paragraph 5.3 of the SoCG confirms that whilst the Council and Appellant disagree as to the extent of the shortfall, it is nevertheless agreed, on either position, that the shortfall is significant and the weight to be attached to the delivery of housing from the Appeal Scheme is

significant. As such it is not considered necessary for the Inspector to conclude on the precise extent of the shortfall.

- 1.5. My rebuttal is prepared against the above background.

2.0 Mr Sennitt's Evidence

Five Year Housing Land Supply

- 2.1. Mr Sennitt, for FBC, does not accept the position reached by the Newgate Lane Appeal Inspector in relation to the consideration of five year housing land supply matters.
- 2.2. The Newgate Lane Appeal Decision is included at **CDJ4**.
- 2.3. For that Appeal, the Council considered its housing land supply was 3.4 years, while the Appellant considered it was 0.97 years.
- 2.4. As set out in the Appeal Decision, the Inspector accepted the common ground for that Appeal that the shortfall was material on either basis, and did not consider it necessary to conclude on the precise extent of the shortfall (Paragraph 87), though the Inspector did find, on the available evidence, that the housing land supply position was likely to be closer to the Appellant's estimate than the Council's (Paragraph 91). The inspector also concluded that "a shortfall in housing land supply will persist for some significant time to come" (Paragraph 92).
- 2.5. Paragraph 10.12.1 of Mr Sennitt's PoE summarises some of the Newgate Lane Inspector's findings on five year housing land supply matters.
- 2.6. Mr Sennitt attempts to address the deliverability concerns that were raised by the Inspector and highlights three issues:
 1. Nitrate mitigation (Paragraph 89 CDJ4)
 2. Delivery of housing at Welborne (Paragraph 90 CDJ4); and
 3. The likely adoption date of the emerging Local plan (Paragraph 92 CDJ4)

- 2.7. Although for the purpose of the Romsey Ave Appeal it is agreed that the actual numbers and extent of the housing land supply deficit does not matter insofar as the shortfall is significant on either position (Council or Appellant), the Council does continue to dispute the findings of the Newgate Lane Inspector and suggest significant progress is being made on the three issues raised above.
- 2.8. I do not agree with the Council's stance and remain of the view that my analysis better reflects the actual position having regard to the available evidence including past completion rates, my NPPF and ppg compliant approach to assessing deliverability and the Council's consistently overly optimistic assumptions about future housing delivery.
- 2.9. To the extent it is necessary to do so, these matters can no doubt be considered in the form of a Round Table Session. However, and for the record, the parties are in agreement that the shortfall in the five year land supply position is significant and that the weight to be accorded to housing delivery from the Appeal Site in the circumstances is also significant. As such, whether the Inspector seeks to adopt my figures, Mr Sennitt's figures for the Council or an alternative figure, the outcome is not determinative in terms of the weight to be accorded; insofar as that position has already been agreed as being significant.

Affordable Housing

- 2.10. Section 11 of Mr Sennitt's PoE sets out affordable housing need and supply. Mr Sennitt's paragraph 11.1.1 mirrors the agreed position at paragraph 4.12 of the main SoCG (8 July 2021) which confirms there is a significant unmet affordable housing need within the Borough. Paragraph 11.1.4 identifies a shortfall of 1,038 affordable dwellings in the eight year period 2011/12 to 2018/19. This is assessed against the 206 affordable dwelling requirement per annum identified in CDH.33.
- 2.11. My table two identifies a shortfall of 1,486 dwellings during the 9 year period 2011/12 to 2019/20 when set against the 234 dwelling annual affordable housing requirement set out in the PUSH OAN Assessment.

2.12. I have run the calculations based upon Mr Sennitt's figures (206dpa for the 8 year period 2011/12 to 2018/19) and agree that approach would result in a shortfall of 1,038 dwellings. By adding in the 2019/20 monitoring year, that same approach would result in a shortfall of 1,234 affordable dwellings for the 9 year period 2011/12 to 2019/20. This can be compared with my 1,486 figure (my Table 2), with the difference explained by applying 206dpa as opposed to 234dpa. On either basis, it is agreed that the shortfall is significant.

3.0 Summary

3.1. Although there is a disagreement as to the extent of the shortfall in the five year housing land supply position and in relation to the extent of the cumulative shortfall in the provision of affordable dwellings, it is nevertheless agreed, on either figures:

- i. The Council is not able to demonstrate a five year supply of deliverable housing land; and the shortfall is significant.
- ii. in the circumstances, the weight to be attached to the delivery of housing from the appeal site is also significant.
- iii. Finally, it is also agreed that there is a significant unmet affordable need.

3.2. As set out in the Housing Land Supply SoCG (CDD.2), notwithstanding the different figures relied upon by the parties, in light of the agreement reached in relation to the significance of the five year housing land supply shortfall, neither party intends to call their respective witnesses to deal with housing land supply matters unless such evidence is requested by the Inspector. This will save time and resources and will enable a more efficient inquiry process.
