

North East Derbyshire District Council  
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23 June 2020

Dear Sir / Madam

**NORTH EAST DERBYSHIRE LOCAL PLAN EXAMINATION – COMMENTS  
ON HOUSING LAND SUPPLY (HLS) EVIDENCE**

Thank you for consulting with the Home Builders Federation (HBF) as a participant of North East Derbyshire Local Plan Examination Matter 11 Hearing Session. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. We would like to submit the following representations.

The Council has provided up dated evidence in the following documents :-

- ED95 Five Year Housing Land Supply (5 YHLS) Statement (at adoption), April 2019 ;
- ED96 Schedule of Completions 2018/19 ;
- ED97 Schedule of Commitments at 31<sup>st</sup> March 2019 ;
- ED98 Rolling 5 YHLS Table, April 2019 ; and
- ED99 Housing Trajectory for Plan Period, April 2019.

In ED95, the Council's 5 YHLS position between 2019/20 – 2024/25 is stated as 6.32 years. In this calculation, housing need is 1,827 dwellings (365.4 dwellings per annum) based on :-

- housing requirement of 330 dwellings per annum (using standard methodology LHN figure) x 5 years ;
- +90 dwellings shortfall up to 2019/20 ;
- 5% buffer (as determined by 2019 Housing Delivery Test results).

And HLS is 2,310 dwellings comprising of :-

- 1,835 dwellings on major sites with consent (lead in times & delivery rates established by contact with landowners / developers ) ;



- 80 dwellings on proposed Local Plan allocations (DR1, DR3 & KL1) without consent (signed SoCG with landowners / developers set out lead in times & delivery rates) ; and
- 395 dwellings (79 dwellings per annum) from minor sites with consent less 8% lapse rate.

There is a surplus of 483 dwellings between the housing need and HLS between 2019/20 – 2024/25.

It is noted that the Council has applied a cautious approach to lead in times and delivery rates of developments as set out in Appendix 2 : Site Information of ED95 but these assumptions pre-date the Covid-19 crisis. At present, the short / long term impacts on viability, delivery rates and market sentiment of Covid-19 crisis are unknown. However, it is more than likely that the shutdown of construction sites and the return to work under social distancing rules will have an impact on house building productivity therefore delivery rates may be less than anticipated by the Council. There may also be an increase in the lapse rate of 8% applied to minor sites with consent if self & custom builders and SMEs struggle in a recessionary economic climate post Covid-19. Both these consequences will erode the surplus of 483 dwellings and reduce the Council's 5 YHLS position to less than 6.32 years.

The Council is referred to Appeal Decision Ref. APP/X0360/W/19/3238048 Land North of Nine Mile Ride, Finchampstead, Berkshire dated 9 April 2020 (copy attached), in which the Inspector considers the impacts of Covid-19 pandemic on HLS and determines that it is reasonable to make a reduction (see paras 87, 109 – 111).

The planning system should be plan-led. The Local Plan's strategic policies should set out the pattern and scale of development and make sufficient provision for housing. These strategic policies should bring forward sufficient land at a sufficient rate to address housing needs over the plan period by identifying HLS of deliverable sites for Years 1 – 5 and developable sites for Years 6 – 10. The deletion of proposed housing site allocations DR2, EC1 and part of DR3 combined with the decision not to identify any replacement sites has created a deficiency in the Council's developable HLS for Years 6 – 10. As set out in ED98, the Council cannot maintain a 5 YHLS beyond 2024/25, when the Council's 5 YHLS is calculated as only 4.83 years. The Council's failure to maintain a 5 YHLS beyond Year 6 means under the tests of soundness the Local Plan is not positively prepared nor effective because its strategy fails to meet housing needs and is not deliverable over the plan period.

In ED65, the Inspector indicated that in such circumstances an early review of the Local Plan would be necessary. A Main Modification for an early Local Plan review to ensure a 5 YHLS of deliverable sites beyond 2024/25 should be set out in policy rather than in supporting text or a Monitoring Framework. Even when set out as a Local Plan Policy, there is always a concern that an early review will not be undertaken in a timely manner by the Council. North East Derbyshire District Council has a poor track record of plan-making, the last

Local Plan was adopted in 2005. It is the HBF's opinion that an Early Review Policy should specify a timetable for the review including a deadline date for submission for examination (before 2024/25) and penal consequences for the Council for failure to do so.

## **Conclusion**

It is hoped that these representations will be helpful to both the Council and the Inspector in preparing Main Modifications to the North East Derbyshire Local Plan. If any further assistance or information is required please contact the undersigned.

Yours faithfully  
for and on behalf of **HBF**

A handwritten signature in blue ink, appearing to read 'Susan E Green', is positioned above the printed name.

**Susan E Green MRTPI**  
**Planning Manager – Local Plans**