

MATTER 10 – OVERALL SUPPLY OF HOUSING LAND**10.1 Is there convincing evidence that:**

- (a) the plan will ensure that the housing requirement across Babergh and Mid Suffolk to 2037 will be met, and*
(b) an ongoing five year supply of deliverable housing land in both districts will exist throughout the plan period?

1. For the reasons set out in relation to matter 9 in respect of the level of analysis undertaken in the SHELAA and the likely level of lapsed consent we consider it is unlikely that the housing requirement across the plan period can be met nor will a rolling five year supply be maintained.
2. In this regard, it is noted that our comments in respect of Matter 9 are pertinent to the Matter 10 questions. They are set out herein for completeness and ease of cross reference.
3. The NPPF indicates that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.
4. It is also a requirement that (Para 67 refers) Local Authorities should ***"identify deliverable sites for years 1 to 5 of the plan period and specific, developable sites or broad locations for growth for years 6 to 10 and where possible for years 11 to 15 of the plan"***. These matters are of key importance in meeting the requirements of the NPPF which requires plans to ***"positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change"***
5. We note that the hearing session will take place during November which means that the information available and that our comments are based on (ie the October 2020 SHELAA) will be over 12 months old and so may well be superseded. This includes in terms of delivery of sites that were expected to be underway and sites that did not appear to have any progress that may now be subject to movement.
6. Notwithstanding this, we have significant concerns over the lack of information regarding how the overall figure is to be met, the plan will not comply with the various requirements of the NPPF and will fail to provide the policies to meet requirements.
7. Indeed, it still appears that there is likely to be a significant shortfall of dwellings against the delivery target (based on the sites listed in the trajectory at appendix 1 for Mid Suffolk and within the list of commitments). It is noted that the trajectory contains sites with planning permission (ie commitments) as well as proposed allocations, and the information provided in respect of proposed allocations does not seem to provide sufficient confidence over delivery. The list of commitments includes consents that have lapsed.
8. National guidance sets out a series of key considerations that need to be considered by plan makers when assessing whether sites are likely to be included. The assessment includes:
 - Paragraph: 017 indicates that plan-makers will need to assess the suitability, availability and achievability of sites, including whether the site is economically viable. This will provide information on which a judgement can be made as to whether a site can be considered deliverable within the next five years, or developable over a longer period.

- Paragraph: 018 requires that a site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated. Constraints include:
 - national policy;
 - appropriateness and likely market attractiveness for the type of development proposed;
 - contribution to regeneration priority areas;
 - potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation.
 - Plan-makers need to assess the suitability of identified sites or broad locations for different forms of development where appropriate, taking into account the range of needs for housing, economic and other uses.
- Paragraph: 019 indicates that a site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.
- Paragraph: 021 indicates that where constraints have been identified, the assessment will need to consider what action could be taken to overcome them. Examples of constraints include policies in the National Planning Policy Framework and the adopted or emerging development plan, which may affect the suitability of the site, and unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners, which may affect the availability of the site.

9. However, the SHELAA that is available does not provide this level of analysis of sites. Indeed paragraph 7 of the Spatial Housing Approach Paper confirms ***“the SHELAA is only an initial assessment of the development capacity of sites, and policy considerations such as infrastructure capacity and opportunities are required prior to the allocation of sites”***. From a review of sites in Mid Suffolk and the detail provided in the SHELAA, more questions are raised over delivery than answered. Indeed there are a large number of sites that are proposed to be allocated that are only classified as “potentially available” and are subject to a range of further technical investigations which does not address the points raised in national guidance and some even state that there is not strong evidence for delivery, these include the sites within the following table amounting to over 1,100 dwellings.

Site	Comments
Site LA001 Land east of Norwich Road, Barham- for 325 dwellings;	Constraints are identified including highways, heritage, Flooding, biodiversity and minerals. There is no indication of a lead in time for submission of an application only that the site is potentially suitable.
Site LA003 Land south of Church Lane, Claydon- for 75 dwellings;	Constraints are identified including highways, heritage, Flooding, TPO, minerals, easements and land ownership constraints. There is no indication of a lead in time for submission of an application only that the site is potentially suitable.

Site LA057 Land north of Ipswich Road, Debenham– for 140 dwellings;	Constraints are identified including highways, infrastructure, heritage and viability. There is no indication of a lead in time for submission of an application only that the site is potentially suitable.
Site LA066 Land west of Station Road, Elmswell– for 100 dwellings;	Constraints are identified including highways, heritage and open space. There is no indication of a lead in time for submission of an application only that the site is potentially suitable.
Site LA109 Land south of Eye Airfield, Eye– for 174 dwellings;	Constraints are identified including highways and contamination. There is no indication of a lead in time for submission of an application only that the site is potentially suitable. We would expect progress to be made given it is a long standing allocation in the Neighbourhood Plan.
Site LA111 Land at allotments north of Millfield, Eye– for 72 dwellings;	The site is existing allotments. No further commentary is provided in the SHELAA and there appears no timeframe for an application.
Site LA073 Land south of Glebe Way, Mendlesham– for 75 dwellings;	Constraints are identified including highways, biodiversity, Flooding and heritage. Whilst there is an application for just 28 dwellings there is no indication of a lead in time for submission of an application on the remainder of the site only that it is potentially suitable.
Site LA078 Land south of Stowmarket Road, Stowupland– for 300 dwellings;	Constraints are identified including highways, heritage, Noise, Flooding, open space, allotments and easements. There is no indication of a lead in time for submission of an application only that the site is potentially suitable.

10. In addition, it is noted that the table of sites with planning permission includes a significant number of sites ranging from 2009 to 2018 that were not implemented as of the 1st April 2018 and would have lapsed. There is scope that a large number of these could have lapsed either prior to 2018 (given the length of lead in time) or indeed since. We would therefore welcome either the addition of a lapse rate assumption or a more detailed analysis of those that have been unimplemented and would not contribute towards meeting needs. Whilst we have not reviewed all of the applications, from simply picking out a few randomly that were granted permission before 2016 (2660/14, 2294/13, 2207/12 for example) that were granted permission in 2012/2014 none were implemented by 2018 and so permission would have lapsed. These should have been removed from the list of commitments by the Authority.

11. Given the overarching shortfall in numbers identified, it will be difficult to ensure a “rolling” supply of 5 year land. It will not meet needs, provide the relevant flexibility to meet the requirements of the NPPF nor will it help to significantly boost supply. We are concerned that the approach taken towards allocations will not result in a sustainable pattern of development and is unduly restrictive. Given the matters set out herein we believe that additional land must be allocated in order to meet needs.

12. Our clients have an interest in an allocated site within the Plan, but they also seek to deliver further proposals on sites that are not yet allocated, but would form appropriate and sustainable means of provision of housing (detailed information has been submitted in respect of these sites).

IMPLICATIONS FOR THE JOINT LOCAL PLAN AND CHANGES REQUIRED TO MAKE IT SOUND

13. In order to ensure a robust and deliverable supply of land is identified we are of the view that in the first instance clarification on existing evidence is required:

1. That the Council's identified shortcomings of the SHELAA are rectified in order to provide a thorough assessment of sites and their ability to deliver over the full plan period. We believe that it is inadequate for the SHELAA in its current form to provide the basis for allocating sites given the deficiency identified.
2. The list of committed sites should be thoroughly assessed to exclude lapsed consents. It is not appropriate to count sites as commitments where planning permission has expired.

14. We are of the view that it is only through going through these two steps that the appropriateness of the supply can be considered and any shortfall in supply should be made up from sites demonstrated to be deliverable (to meet the requirement appropriately). We would welcome the opportunity to comment on the updated information when clarification has been made.

LRM Planning
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