

Introduction

1. These representations are made on behalf of Weston House as owners of land at Halewood being promoted as a site which should be brought forward for residential development in the Knowsley Core Strategy to assist in meeting the housing requirement and to add to the flexibility of the plan, helping in its implementation.
2. The additional representations deal with matters on the agenda for the Re-convened Hearings taking place on 22 July onwards, and specifically relate to the relevance of the Planning Practice Guidance (PPG) to the identification of housing need and provision, and to the way the Council is proposing the short term land supply be addressed through the release of Green Belt sites.

Planning Practice Guidance

3. We write in response to the Inspector's invitation to comment on additional matters in relation to the PPG and particularly issue 1.3 relating to the approach on past under-supply.
4. The Core Strategy was unsound as submitted and the plan is effectively being created during and by the Examination. The publication of the PPG in this period has particular relevance therefore. The PPG is there as explanation of how the policy requirements of the Framework are to be met and it draws upon interpretation and good practice that has emerged and evolved in the meantime. Whilst it is only guidance, there would therefore have to be very good reasons for the plan to be prepared in a way which ran counter to the PPG, and in relation to the consideration of the housing requirements and what is done to address that requirement, no such reasons exist.
5. The practice guidance is clear about how to address past under supply (at ID 3-035-20140306), and states that LPAs should aim to deal with any under supply (shortfall) within the first five years of the plan where possible. If the plan area does not have a supply of sites when thoroughly examined, LPAs will need to work with neighbouring authorities to meet the housing need in appropriate locations under the duty to cooperate. The PPG is a material change in circumstances and should be reflected in the calculations used in the Knowsley Core Strategy.
6. The Council suggests (at paragraph 6.10 of the Sustainable Urban Extensions Technical Report - TR07) that it has addressed the accrued shortfall in the changes it proposes, but it has not done so in a way which accords with the intentions of the Framework or the guidance in the PPG. The Council presents its calculation of the required supply to be made for the first five years of the plan at table 6.1. The way this calculation should be presented to ensure the shortfall is accommodated in the supply of housing sites for the first five years from the base date of the plan set by the Council should be as follows:

Initial Requirement (450x5) (IR)	2250
Shortfall (2010-2013)	743
IR+S	2993
Buffer (20%)	599
Final five year Requirement	3592

7. Identifying a supply enabling the shortfall to be 'caught up' and discharged in the short term rather than being carried for the rest of the plan period and addressed incidentally, is the correct approach for positive plan making because the imperative of the Framework is to achieve a 'significant boost' in the supply of housing. With the early discharge of the shortfall as part of the calculation of the provision that is to be achieved, the 'buffer' of a further 20% is to be added to the figure including the shortfall, and not as the Council wishes, for the buffer to be added to a figure that does not include the shortfall. The requirement from the Framework for the addition of a buffer is not to increase the overall housing requirement, but is the Government's way of ensuring that the planned supply of housing sites has more inherent flexibility where, for a variety of possible reasons, the delivery of housing has persistently fallen below the identified requirement.
8. The calculation above shows that for the plan to accord with the Framework it should identify a supply of specific deliverable sites for 3592 dwellings, whereas it only plans for 2831 dwellings in the first five years. There is clearly therefore a deficit in the supply for the first five years of 761 units
9. Notwithstanding the absence of any proposal to address the shortfall through the planned provision, the Council concludes that the shortfall will have disappeared after five years. This is based on the premise that the delivery of housing will be at a rate greater than the requirement, but this is highly misleading if the planned level of supply is artificially depressed in the first place. The purpose of the Framework is to achieve a significant boost in housing through positive planning, not to provide for plans to be adopted on the basis of a mathematical game.
10. The consequence of acknowledging the confirmation in the PPG of what is intended by the Framework is that the housing supply should be increased by 761 units to meet the proper five year land supply requirement. In simple numbers this will require more development land than the Council proposes be included in the plan. When the practicalities of delivering housing are considered, it is clear that the housing requirement would be more likely to be met if the plan included more sites, and more sites that are readily deliverable in the short term.
11. Returning briefly to whether the implications of doing so provide reason to depart from the proper approach of catching up the shortfall at the beginning of the plan period, this cannot be the case when the Council has discounted potential development sites such as Weston House which is

clearly deliverable and where development would have no effect whatsoever on the effectiveness of the Green Belt continuing to perform the role for which it was designated.

Short term land supply and release of Green Belt sites

12. The Council is correct in principle and in the interests of proper planning to remove the attempt to phase the delivery of housing from Green Belt sites to a period different from that for other sites. How spurious this approach was is well demonstrated by the support for dropping the timing mechanism set out in the Sustainability Appraisal, whilst sustainability was part of the justification for the approach in the first place.
13. Having proposed this structural change to the submitted plan to try and address the deficit in the five year supply (by its calculation rather than ours), the Council sets out a housing supply trajectory including the earlier supply from the former reserve sites, now 'sustainable urban extensions'.
14. This continues the improper approach to the shortfall and buffer on which the plan is now founded. The trajectory set out at Appendix 15 appears to demonstrate a 20% buffer to 2018 which is then reduced to 5% because the assumption is that the previous under-delivery will have ceased to persist. At that point however, the cumulative target will still not have been reached and the annual delivery target will only have been exceeded in one year. This does not in any reasonable interpretation of the term, amount to a change away from persistent under delivery. The Council in its trajectory however, reduces the buffer applied to years 2018-26 to only 5%, in order to maintain the appearance of a surplus for as long as possible, notwithstanding the consequence of the heavy frontloading of the housing supply in the trajectory leaving the supply in the last two years of the plan period falling to 126 and 92 dwellings respectively.
15. The modifications proposed to allocate the sustainable urban extensions lead to the Council identifying a supply of 450 units from these sites in 2017/18, making up the deficit by its calculations though not according to the way we suggest this issue should be addressed. According to the correct approach more land is required simply to address the re-calculated deficit in the five year supply numbers, and we are promoting an eminently suitable site which could make a valuable contribution.
16. The identified supply in one year of 450 dwellings from the sustainable urban extensions alone is more than twice the average completion rate of 202 dwellings achieved over the last three years as reported in the Council's AMR, and 150% of the average of 300 completions achieved over the past 15 years. These completions are to have been achieved in the third year after the plan's adoption. These are sites which until April 2015 by the Council's estimate will have been in the Green Belt (meaning little incentive for owners and developers to commit resources to their promotion in the meantime), with masterplans to be prepared and agreed by the Council in some cases, and in all cases for landowners to reach agreement, for outline and then full permission to be granted, and with the s106 to have been signed and for conditions to have been discharged before site preparatory works and construction can be started. The achievement of the Council's calculated supply relies on everything happening in relation to each of the sites according to a best possible scenario. This is not consistent with reality.

17. The Council has latterly and properly sought to determine the availability of the sites relied upon in its plan. Not surprisingly landowners acting according to an economic rationale when asked if they would prefer their land to be in the Green Belt or not, have generally opted for the latter. It is another matter whether they will all follow through with development at the earliest possible opportunity. The most realistic prospect is that whilst some may, there will certainly be some who won't. Amongst the possible reasons to phase the realisation of their new found asset in a different way or simply to hesitate will be such as the viability of development for which any up-front infrastructure is required, and the enormous hike in the Council's notional housing trajectory (with a delivery figure of 1,312 units in 2018/19 for instance) relative to what the market has to date demonstrated it is able to assimilate in Knowsley. Market activity will tend to have the effect of spreading the provision of housing in Knowsley over the plan period, flattening the peaks in the trajectory and filling in the troughs.

Conclusions

18. The calculation of the five year supply and the implications of promoting the reserve sites come together as one conclusion. Applying the critical test of the plan in relation to the supply of housing, the plan continues to fail because the realistic prospect of a supply from the identified sustainable urban extensions resolving the true deficit in the five year supply must be zero.
19. The practical way to increase the prospects of the Framework's requirements being met is to increase the pool of sites that can contribute, to counter the tendency of the promoters of some of the sites not to act immediately, and for the pool of sites to have a greater representation of smaller, simple, readily deliverable sites. Whilst including sites such as Weston House may not close the gap entirely, proceeding with a large deficit whilst such sites can be included to the benefit of housing provision in Knowsley would surely be wrong.