



Knowsley Local Plan: Core Strategy Examination

**Written Statement
Relating to Matter 3: Housing Provision**

In respect of
Land off Fox's Bank Lane, Whiston
(In Support of Release of Sites from the Green Belt
and Reallocation for Residential Development)

October 2013

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1 Introduction

1.1 Purpose

This Written Statement has been prepared by Frost Planning Ltd in connection with the Examination of the Knowsley Local Plan Core Strategy ('KLPCS').

It specifically addresses the Inspector's Matter 3 (Spatial Development Strategy and Principles) and the issue of: *"Whether the proposed amount of housing development meets the objectively assessed needs of the borough."*

This Statement also addresses the additional questions raised by the Inspector in relation to Matter 3. It concludes why the Core Strategy is currently unsound and what changes are required to make it sound.

1.2 Context

The context for this Statement concerns two parcels of land (edged red below), located to the west of Fox's Bank Lane, Whiston.

These were the subject of representations submitted to earlier stages of the KLPCS process on behalf of the landowners by Jones Lang LaSalle and Frost Planning Ltd.



Site Location Plan

Both sites are form part of a larger strategic site (“reserve location”) for Green belt release within the KLPCS (reference: KGBS14 South of Whiston), as identified below.



-  Boundary of Alternative Green Belt Location
-  Potential Developable Area (where applicable)
-  Boundary of Knowsley Green Belt Study Location
-  Listed Buildings
-  Local Wildlife Sites
-  Conservation Areas
-  Knowsley Boundary

1.3 References

This Written Statement relies upon and should be read in conjunction with the documents constituting the Examination Library.

2 Response to Matter 3

Issue 1: Whether the proposed amount of housing development meets the objectively assessed needs of the borough.

We have not previously commented on the Council's approach to its Strategic Housing Market Assessment ('SHMA'). However, we recognise that the "assessment of housing need" is a significant concern raised by the Inspector and that this fundamentally informs the 'soundness' of the KLPCS in a number of key respects. It is significant to note that the Council has relied on a SHMA last produced in 2010, during the height of the economic downturn. We also note that the Council has not taken into account any of the backlog of under-delivery between 2010-2013 in terms of meeting its target for years 0-5 of the Plan. We understand the Council will be producing further evidence to corroborate its position regarding the overall 8,100 dwellings target and that we will have the opportunity to debate this further at the Examination. Accordingly, we reserve the right to comment further at the Examination.

Issue 2: Whether the broad distribution of housing development across the borough is consistent with the spatial strategy and the evidence base.

Response – see response to Question 3.7.

Issue 3: Whether the KLPCS is sufficiently clear, effective and robust to ensure timely delivery of the proposed amount of housing development

We are not convinced that the KLPCS, as currently framed, will achieve this aim. Policies CS1, CS3 and CS5 do not provide clear or effective mechanisms for ensuring this. A key flaw is the reliability of the development pipeline outlined in the current SHLAA, and in turn the housing trajectory (Figure 5.1), as discussed in section 3 of this Statement.

3 Response to Additional Questions Raised by the Inspector in Relation to Matter 3

3.1 Question 3.1

Response – no comment pending further evidence to be produced by the Council and debated at the Examination.

3.2 Question 3.2

As above.

3.3 Question 3.3

As above.

3.4 Question 2.4

As above.

3.5 Question 3.5

Clearly, if there is compelling evidence to increase the target provision for open market and affordable housing provision then the overall dwellings target should be increased. This would underpin the justification to roll-back Green Belt boundaries to accommodate future housing needs. It would also underline the need to release Green Belt land both immediately and throughout the Plan period.

3.6 Question 3.6

Response – no comment.

3.7 Question 3.7

The question of a 'contingency' plan arises for precisely the reasons we have outlined herein. There is a serious risk that the broad distribution of housing will not be achieved by the KLPCS, either in quantum terms or in a timely manner, if the release of Green Belt sites for housing is delayed until years 6-10 of the Plan.

3.8 Question 3.8

The NPPF sets out a requirement for LPAs, via the SHLAA process, to identify specific, developable sites to provide a 10 year supply of housing and, where possible, a 15 year supply. Where it is not possible to identify specific sites for years 11 to 15, "broad locations" for future growth should be indicated.

Within this context it is first worth considering the Council's own past housing delivery performance according to the latest SHLAA (2012) findings. In terms of past under-provision against RSS targets (2003-2011), there is shortfall of 1,873 dwellings. When set against the base date for the KLPCS housing target (of 450 dpa) there remains a shortfall of 581 dwellings. This is important as Government guidance is clear that dwelling targets should take account of historic under-performance. According to the SHLAA (paragraph 7.17) this backlog is only factored-in as a higher overall dwelling target to meet in 6+ years, to coincide with the timing for Green Belt release. We consider this to be the wrong approach to adopt. The KLPCS should be more positive and effective. It should seize the opportunity to correct its housing delivery as soon as possible by releasing a sizeable quantity of Green Belt land immediately, thereby re-balancing delivery in years 0-5 of the Plan period.

In terms of forward housing land supply, we do not consider the SHLAA can be relied upon as it grossly overestimates the supply situation.

Firstly, after making provision in the housing supply for a “risk assessment”, the SHLAA identifies an over-supply of 547 dwellings in the 0-5 year period. However, this does not allow for the backlog of 581 dwellings since 2010. If this backlog is factored-in it equates to a shortfall of 34 which under the current drafting of the KLPCS would trigger Green Belt release under policy CS5. Beyond the 0 – 5 year period the SHLAA concedes there is an under-supply of 387 dwellings in the 6 – 10 year period (equating to an actual shortfall of 968 dwellings with backlog added). A further 426 dwellings are identified in the 11 – 15 year period, which represents a shortfall of 1,181 dwellings (equating to an actual shortfall of 1,762 dwellings with backlog added). In summary, the SHLAA accepts housing delivery has under-performed. It accepts that there are insufficient urban housing sites in Knowsley to meet the NPPF requirements for Local Plan purposes. It accepts it will be necessary to release Green Belt sites by at least year 6 of the Plan period and thereafter. However, by ignoring the backlog in years 0-5 of the plan period it over-estimates the 5 year land supply. There is in reality a less than 5 year land supply at present. It follows that the SHLAA is misleading and that Green Belt land should be released now and throughout the Plan period to maintain a 5 year supply.

Crucially, in our opinion the SHLAA then goes on to exaggerate the deliverability of a large number of sites. The SHLAA relies on a large number of sites in years 0-5 which we seriously doubt are “deliverable” in terms of the NPPF definition – i.e. suitable, available or achievable/viable. The NPPF states (paragraph 159) that LPA’s should “... prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period”. The NPPF adds (footnote 11) that to be considered deliverable, “sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until planning permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.” Taking all this into account, and recent planning appeal decisions where the SoS has amplified the meaning of ‘deliverable’, we consider the SHLAA is flawed.

Firstly, the SHLAA relies on a large number of sites which do not have planning permission. Technically they are therefore not deliverable. Secondly, and of greater significance, is the large number of sites which fail the test in other respects and principally on achievability/viability grounds. In summary, and as a simple snapshot of the sites included within the SHLAA supply for years 0-5 which we have significant doubts about, we consider the following sites (or a substantial proportion of their total yield) should be discounted:

Site Ref	Yield	Reasons for discounting
K0407 (Kirkby)	14	Doubt achievability/viability
KO431 (Kirkby)	263	Doubt achievability/viability
KO404 (Kirkby)	165	Doubt achievability/viability, availability and suitability
K0411 (Kirkby)	10	Doubt achievability/viability, availability and suitability
KO422 (Halewood)	22	Doubt achievability/viability and availability

K0390 (Stockbridge)	55	Doubt achievability/viability
K0391 (Kirkby)	82	Doubt achievability/viability and availability
K0399 (Kirkby)	23	Doubt achievability/viability
K0371 (Huyton)	209	Doubt achievability/viability and suitability
K0372 (Kirkby)	93	Doubt achievability/viability
K0375 (Huyton)	36	Doubt achievability/viability and suitability
K0381 (Huyton)	64	Doubt achievability/viability and suitability
K0383 (Kirkby)	45	Doubt achievability/viability
K0389 (Halewood)	55	Doubt achievability/viability and suitability
K0201 (Stockbridge)	206	Doubt achievability/viability
K0906 (Stockbridge)	54	Doubt achievability/viability
K0080 (Kirkby)	14	Doubt achievability/viability
Total Yield	1,410	

Clearly, if this total yield was applied as a discount to the SHLAA's 0-5 years supply it would create a significant shortfall. If even 50% of the total yield of these sites was discounted it would still equate to a significant shortfall. This is also without allowing for the backlog in delivery since April 2010.

In overall summary, the SHLAA has not been prepared in accordance with current guidance or the NPPF and is seriously flawed. The backlog of housing under-delivery has not been correctly factored-in to the 0-5 years supply situation and there is strong evidence to suggest sites have not been robustly assessed in terms of their delivery. Most importantly, there are clear signals that the borough is facing a chronic shortage of deliverable housing land over the next 5 years and quite likely beyond unless Green Belt land is release now.

3.9 Question 3.9

It is important to note that densities significantly in excess of 40 dph would most likely necessitate a significant percentage of apartments. However, very few apartments are likely to be developed for the foreseeable future in Knowsley (and particularly during the first 0-5 years Plan period) due to poor market demand allied to limited mortgage availability and low rental returns. Therefore, it would be disingenuous to expect the existing urban areas to accommodate a significantly higher density of residential development than has been forecast.

3.10 Question 3.10

A 20% discount for non-delivery of SHLAA sites is too low. It should be a significantly higher percentage given: i) the past under-delivery set against RSS targets since 2003; ii) the past under-delivery seen in 2011, 2012 and 2013 of just 178, 141 and 195 dwellings respectively (set against an annual target of 450 dwellings per annum);

iii) the severe market constraints associated with many of these sites; and iv) the prevailing local economic situation (market demand, mortgage availability, local unemployment, etc.) for at least the next 5 years in this area.

3.11 Question 3.11

In our opinion the need for affordable housing is unlikely to be met based on the current KLPCS. The main driver of affordable housing provision is large residential sites in strong market locations where a large proportion of open market housing can viably withstand a blend of affordable housing provision. An obvious source will therefore be Green Belt sites. However, the inflexibility of policies CS1, CS3 and CS5 for releasing Green Belt sites in a timely manner means that any 'rebalancing' of the housing market across Knowsley will be put at serious risk.

3.12 Question 3.12

In our opinion policy CS3 will not manage the phased release of housing land in a way which maintains a 5 year land supply throughout the Plan period, or provide for affordable housing and wider infrastructure improvements in an effective and timely manner. Policy CS3 should therefore be re-worded to more positively recognise the socio-economic benefits of bringing forward Green Belt sites alongside urban sites throughout the Plan period, including in years 0-5. This blend will ensure the KLPCS maintains a 5-year housing land supply, maximises affordable housing provision where appropriate, and deliver wider infrastructure improvements in a timely manner.

3.13 Question 3.13

The housing trajectory (Page 45, Figure 5.1) is unrealistic and in our opinion undeliverable. The main reason is that it is based on a SHLAA which is seriously flawed. It does not in our opinion, for reasons outlined above, demonstrate a reliable 5 year housing land supply. It can however be easily fixed by releasing a substantial amount of Green Belt land now and throughout the Plan period to ensure the current shortfall is overcome and a sufficient 'headroom' of supply exists up to 2028.

The Inspector is right to query what the 'review mechanisms' are for mitigating any future shortfalls if the trajectory is not delivered. We also seek clarification of this.

4 Conclusions

4.1 Which part of the Core Strategy is Unsound?

Policy CS3.

4.2 Which Soundness Test does it Fail?

Not positively prepared. Not justified. Not effective. Not consistent with national policy.

4.3 Why does it fail?

- Not positively prepared because policy CS3 will fail to meet objectively assessed housing needs and infrastructure requirements throughout the Plan period, and particularly within years 0-5.
- Not justified because the evidence points firmly towards the need for an alternative strategy which should mean the immediate and substantial release of Green Belt in years 0-5. Policy CS3 is presently reliant on a flawed evidence base – specifically the current SHLAA.
- Not effective because policy CS3 will fail to meet objectively assessed needs for housing over years 0-5 and risks failing to meet longer terms needs for housing over the course of the Plan period.
- Not consistent with the NPPF because policy CS3 does not positively seek the opportunity to meet the objectively assessed housing and wider infrastructure needs of the borough throughout the Plan period, particularly in relation to paragraphs 14 and 47 of the NPPF. Importantly, it also relies on a SHLAA as a core part of its Evidence Base which has not been prepared in accordance with the NPPF and is seriously flawed.

4.4 How can the Core Strategy be made Sound?

Refer to section 3 and see below.

4.5 What is the precise change/wording that is being sought?

Policy CS3 should allow for an immediate and substantial release of Green Belt land both now and throughout the Plan period to correct the existing shortfall situation and provide sufficient headroom in land supply thereafter.

Furthermore, in recognition of the unique advantages of releasing “reserved land” South of Whiston (reference KGBS14) as an early first phase, the policy should clearly state that this site will be released for housing immediately.

Appropriate wording should be inserted to this effect under #3. of policy CS3.

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