

**Home Builders Federation: response to EX024
27 April 2018**

RBKC Five Year Housing Land Supply

What is the plan period?

Absolute clarity on the plan period is essential for the purposes of calculating (and maintaining) the five year land supply. We made this point at the exam hearings.

At the hearing sessions it was established that there is some ambiguity about the start date of the Local Plan. Different start dates were cited in different places. Different end dates are stated too.

Unfortunately document EX024 has not entirely clarified this essential issue. The Council's Further Proposed Modifications to the Local Plan dated April 2018 in MAIN/114, paragraph 35.3.2 invites further confusion.

The MAIN/114 states that the London Plan target for 2015-2025 has been rolled forward to 12 years (changed from 15 years in the previous iteration of the Local Plan). It remains unclear, however, what the start date is. This is never clearly stated.

MAIN/121 says that the housing supply requirement begins in 2017/18. Modifications MAIN/121 and MAIN 122 show that this is a change from 2016/17 which had been in the previous set of Modifications to the Local Plan. The end date of the plan has also been shortened from 2031/32 to 2028/29. The updated housing trajectories appended to these modification cause further confusion (pages unnumbered). One diagram states that the trajectory is for the period 2016/17 (this is the third and last diagram).

We do not mean to sound pedantic. This is an elementary requirement of planning. Clarity of the period of time that the plan is intended to operate over is not only essential for calculating the five year land supply but also to ensure public accountability.

If the Council is now maintaining that the Plan will operate over the period 2017/18 to 2028/29 which is what MAIN/116 now says (shortening the original plan period at both ends) then this needs to be stated clearly in paragraph 35.3.2 and ideally on the front cover of the Local Plan too.

In the Regulation 18 consultation (October 2016) the plan period was 2015/16 to 2029/30. In the Regulation 19 consultation (February 2017) the plan period was 2016/17 to 2030/31. In the Further Proposed Modification (April 2018) it is now 2017/18 to 2028/29.

Candidly, it appears as if the Council is manipulating its plan period to avoid meeting housing needs. We are sure that this is not the intention.

The HBF is happy to accept that the Council is unable to accommodate its housing need in full (733 dpa). If this is the case then it should be communicated clearly to the London Mayor through the Local Plan – i.e. the Local Plan should state clearly the extent of the unmet housing need. This will then become a matter of public record and this will be a matter that is material to the examination of the Draft London Plan. We consider that the capacity of London to absorb its housing needs on brownfield land within its current administrative footprint has been overstated by the GLA (chiefly because the SHLAA that supports the London Plan is essentially a theoretical assessment of land supply – one that relies to a large extent on the recycling of brownfield land rather than the identification of specific sites). What we are not happy about is

the manipulation of planning processes for reasons of political expediency. If the Council is unable to identify sufficient deliverable land to accommodate its housing target of 733dpa then it should state this clearly, not change the plan period to fit the deliverable supply.

Liverpool or Sedgefield?

We consider that the plan period has to be 2015/16 to 2029/30. We do not accept the constant changes to the plan period by the Council.

Under-delivery against the first two years of the Plan (2015/16 and 2016/17) should be addressed using either the Liverpool method (over the remaining years of the plan) or the Sedgefield method (within the next five years) approaches. The PPG encourages all local authorities to address the deficit as quickly as possible using the Sedgefield approach.

We are happy to support the Liverpool approach if that is a more realistic approach based on the Council's assessment of the delivery of its sites, but we are very concerned about the manipulation of the plan period.

We understand the point argued in paragraph 1.51 of EX024. Dealing with the backlog in delivery that has accrued since the beginning of the plan is not to be confused with the *effect* of under-delivery from a previous plan on the pace of household formation which is a factor for consideration as part of the calculation of the objectively assessed housing need (OAN). We agree that a fresh calculation of the OAN should have taken this into account. Whether it does or not – either by the GLA or by RBKC – is a separate discussion that relates to identifying the appropriate OAN not the management of the housing land supply. I stated this at the hearings.

5 or 20% buffer?

Previously the Council had accepted it needed to apply a 20% buffer. This was in its Regulation 19 Plan stated in paragraph 35.3.3. Now, as the Council realises that it might have to factor in the undersupply that it has accrued from the start of the Plan (2015/16), it decides that it should be a 5% buffer. This is not really acceptable. Unless there has been a change in national planning policy and guidance justifying a shift from a 20% to a 5% buffer then the Council ought to adhere to its earlier decision that the application of the 20% buffer is appropriate. What has not changed are facts of recent history: that RBKC has performed poorly against its previous targets. We remain of the view that it is appropriate to plan for a 20% buffer to improve the likelihood of the Council being able to meet its annual housing targets.

The Draft London Plan is anticipating that the Council can provide 488 dpa from 2019 onwards. This suggests that the GLA considers that there is an adequate capacity of brownfield land to maintain some housing delivery in the borough albeit at a lower level than the current plan. This suggests that it would be possible to bring forward other sites to maintain delivery of the current target in combination with both the Sedgefield approach and the 20% buffer. If the Council does not think this is feasible, then it needs to communicate this clearly through the Local Plan as this will be material to the examination of the Draft London Plan.

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