

## Addendum to the Housing Topic Paper - Updated position

### Introduction

This Addendum to the Housing Topic Paper (SD08) is intended to provide an updated position for the Examination in the following regards:-

- 1) Estimated number of housing completions in the borough in 2017/18
- 2) The implications for the residual housing requirement over the remainder of the Plan period
- 3) The 5 year housing land supply position for the period 2018-23, taking account of the above matters and the clarification provided by the *St Modwen* Court of Appeal judgment from October 2017
- 4) Any update of the site specific circumstances of the sites listed in Appendix 1 of the Housing Topic Paper.

### **1. Housing completions 2017/18**

In preparation for the Local Plan Examination, the Council has surveyed all major housing sites with planning permission in the borough, both allocated and windfall, to count the number of new properties completed in the 2017/18 monitoring year. This exercise is normally undertaken in April but the proximity of the survey work (February 2018) to the end of the monitoring year means that the results should be regarded as a robust estimate of a final completions figure for the year.

The survey work showed that there had been 411 completions on major sites at the time of the survey with a further 42 units highly likely to be completed by the end of March\*.

In addition, it has been estimated that the 109 units recorded as being under construction on minor sites at the end of March 2017 have been completed by the end of March 2018, but that no minor site granted permission during the 2017/18 monitoring year will have been completed. In practice, this should err on the cautious side. The position will be confirmed by full survey after the end of March 2018.

In total, therefore, the Council is estimating a total of 562 completions across the borough for the 2017/18 monitoring year.

### **Actual and Expected Completions (2017/18)**

<b>Sites</b>	<b>completi ons</b>
Finberry (LP 2000) (including 14 expected*)	157
Repton Park (LP 2000) (Including 11 expected*)	90
Wye, Land at Kelston (Policy WYE1)	17
Aldington, Calleywell Lane (Policy ALD1)	12

Tenterden Southern Extension Phase A (TENT1A)	20
Godinton Way (TC8) (including 17 expected*)	52
Blackwall Road (U5)	26
<b>TOTAL COMPLETIONS ON ALLOCATIONS (including 42 expected*)</b>	<b>374</b>
<b>Major windfall site completions (actual)</b>	<b>79</b>
<b>Minor windfall completions (expected)</b>	<b>109</b>
<b><i>Estimated total number of completions 2017/18</i></b>	<b>562</b>

## 2. Residual housing requirement

Based on the estimated number of completions for 2017/18, the Council has recalibrated the housing numbers in Table 1 of the Submission Local Plan. This is set out below.

**Revised Table 1**

<b>Objectively Assessed Need</b>	<b>15,675</b>
<b>Future Proofing</b>	442
The Housing Target (2011-2030)	<b>16,120</b>
<b>Delivered since 2011</b>	3,739
Residual Requirement	<b>12,381</b>
<b>Extant commitments (previously allocated sites – some with permission)</b>	2,742
<b>Extant windfalls*</b>	845
<b>Chilmington Green</b>	2,500
<b>Future Windfalls</b>	950
<b>Proposed Allocations</b>	6,749
<b>TOTAL</b>	<b>13,786</b>
<b>Contingency buffer</b>	1,405

*\* This retains the -25% non-delivery rate on all 'not started' windfall sites*

It is notable that the overall contingency buffer has risen significantly from the 1,006 figure in Table 1 in the Submission Plan. This is as a consequence of two factors – additional windfall sites being granted planning permission over the course of the year being greater than those

that have been developed out, and the addition to the extant windfall figures of a small number of permissions that had been omitted from the previous year's figures.

### **3. Updated 5 year housing land supply position**

Paragraphs 190-229 of the Housing Topic Paper discuss the question of five year housing land supply in some detail, although this is largely in the context of the 2017-22 land supply period and the expected level of housing completions set out in the Housing Trajectory at Appendix 5 of the Submission Local Plan.

This part of the Addendum updates the housing land supply position in light of the estimated level of completions for 2017/18 referred to above and the clarification provided by the *St Modwen* Court of Appeal judgment in October 2017. Whilst the judgment was referred to in the Housing Topic Paper (paras. 215-217), it was stated that the Council had not yet undertaken a review of its 5 year housing land supply position in light of the judgment and that this was to be done prior to the Examination of the Plan and as such, the Topic Paper's assessment had not then taken the implications of the judgment into account.

This judgment clarified the appropriate test for 'deliverability' in respect of determining a 5 year housing land supply given the Footnote 11 'tests' in the NPPF and in particular made clear that the expected rate of delivery shown in a housing trajectory was different from the 'realistic prospect' test to be used to judge deliverability for the purposes of assessing the five year supply.

The Housing Topic Paper set out the land supply position using the housing trajectory at Appendix 5 of the Submission Local Plan. However, as the *St Modwen* judgment has now made clear, the role of the housing trajectory in setting out what is the Council's expectation of housing delivery, is different from the appropriate test for establishing a 5 year supply of land for housing. Just because a site is capable of being delivered within five years, it does not necessarily mean that it will be. The proper test for five year land supply purposes is now clearly established as what is deliverable in terms of footnote 11, rather than what is expected to be delivered as shown on the trajectory.

#### **Key principles**

In considering whether a site has a realistic prospect of being delivered within 5 years in accordance with footnote 11, the Council has considered the progress a site has made through the planning process, for example, whether a scheme has planning permission or a resolution to grant subject to a Section 106 or other form of Legal agreement; whether pre-application discussions have commenced and if so, the stage they have reached; whether EIA Screening or Scoping Opinions have been sought or may be required, etc. Regard has also been had to the relevant provisions of the planning practice guidance. The other elements of the footnote 11 definition have also been applied.

Site specific issues have also been considered such as the need for strategic or off-site infrastructure to release development or enable occupations; any land ownership or occupancy constraints; or the presence of a known housebuilder or developer.

The rate of delivery on sites has taken account of the number of housebuilders (or different products offered by a single housebuilder) on a particular site where this is known; the density and the types of dwellings to be delivered and, where relevant on larger or equivalent sites, any recent evidence of completion rates achieved. The Council has also sought to update the evidence from developers themselves where the information contained within Appendix 2 to the Housing Topic Paper is out of date or there is reason to believe there may be a change of timetable. Careful consideration has also been given to lead in times, based on the circumstances of the specific sites.

### **2018-23 Five Year Housing land supply**

The following table takes account of the estimated level of housing completions for 2017/18 (562 units) and recalibrates the 5 year housing land requirement for the 2018-23 period from that shown in the table contained within para. 213 of the Housing Topic Paper. The five year housing land supply requirement (assuming a Sedgefield approach to the shortfall and 20% buffer) against the objectively assessed housing need for the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2023 is set out in the table below:-

5 year OAN requirement	4,125 (5x825)
+ Delivery shortfall against OAN since 2011	2,036
Sub-total	6,161
(+20% buffer)	1,232
<b>TOTAL</b>	<b>7,393</b>

If the equivalent exercise is undertaken using the Council's proposed annualised Local Plan requirement (i.e. OAN plus the 'future proofing' uplift from adoption), the figures are as follows:-

5 year Local Plan requirement	4,295 (5x859)
+ Delivery shortfall against OAN since 2011	2,036
Sub-total	6,331
(+20% buffer)	1,266
<b>TOTAL</b>	<b>7,597</b>

The Housing trajectory at Appendix 5 of the Submission Local Plan shows that for the 2018-23 housing land supply period, the Council expects a total of 7,618 dwellings to be delivered. Therefore, even on the basis of what the Council 'expects' to happen, a five year housing land supply can be demonstrated, albeit with only a small surplus.

However, by applying a revised assessment of housing land supply on the proper footnote 11 basis, the Council considers that there is a realistic prospect of additional housing completions in the 2018-23 period over and above those expected to happen as shown in the trajectory. The reasons and scale of additional supply are set out below.

- a) Missing housing numbers:** The previous iterations of the housing trajectory did not include two town centre brownfield developments both of which are under

construction. One at Victoria Way East (for 59 dwellings) and one at land around Panorama (for 110 dwellings). This was an error. **Additional 169 dwellings.**

- b) Chilmington Green:** Access to the site from both the east and the west has now been completed and infrastructure to serve the initial phase has been installed or is otherwise available. The first reserved matters application for 346 units is due to be granted consent soon (17/01170). The developers' schedule shows first completions occurring in 2019 with a total of 1501 dwellings completed by the end of 2022 divided between the respective developers over that period. The housing trajectory shows an expected completion rate of only 800 dwellings over this period and so given the marked difference between the trajectory and the developers' own expectations, there is at least a reasonable prospect that significant more dwellings may be completed here during the 2018-23 period. Based on the expected rate of occupations set out in the developers' schedule, the Council considers at least an additional 350 units could be delivered as this is still only approximately 75% of the developers' own assessment. **Additional 350 dwellings.**
- c) Victoria Way East (2):** This site has planning permission for 215 dwellings and forms the remainder of the site where a new brewery development will be located (now under construction). It is currently shown in the housing trajectory to be coming forward in the years beginning 2023 and 2026 but given the commencement of the wider site, the lack of impediments, and the developers' intentions to bring forward the residential elements much earlier in document 2 of Appendix 2 of the Housing Topic Paper, there is at least a reasonable prospect of delivery in the 2018-23 period. **Additional 215 dwellings.**
- d) Powergen:** The housing trajectory shows that it is expected that this development will be complete in 2023/24, with the last 60 flats to be built in that year. The scheme will be delivered in large flatted blocks of development and is currently under construction. Recent correspondence with the developers indicates that build out rates are likely to be faster than previously thought and hence there is at least a realistic prospect that the last 60 flats will now be completed in the 2022/23 monitoring year. **Additional 60 dwellings.**
- e) Park Farm South East (S14):** This is an allocation which is an extension to an existing development that is expected to complete its final 35 dwellings in the 2023/24. The site is in the hands of two national housebuilders, Taylor Wimpey and Persimmon Homes, who have a strong track record of housing delivery in Ashford (previous Park Farm phases, and Repton Park). Recent correspondence with the developers has confirmed their intention to submit a full application for the site imminently (late March /early April 2018) and there have been extensive pre-application discussions with the Council to date. Given these factors and the lack of any strategic constraint on the site coming forward, there is a reasonable prospect that the additional 35 units could be delivered prior to March 2023. **Additional 35 dwellings.**
- f) Lower Queen's Road (S8):** The trajectory expects this site will start in 2024 but it is a small site allocation of 40 units and so it is considered there is at least a reasonable prospect it would come forward earlier, especially in light of recent pre-application discussions. **Additional 40 dwellings.**

- g) Former Newtown and Klondyke Works (S6 and S7):** Previously the Klondyke Works site is proposed for a tourism/visitor attraction (a model railway museum) in the Submission Local Plan but the policy also states residential use would be a suitable alternative. In the housing trajectory this site is linked to the adjacent Newtown Works site in terms of expected rate housing to be delivered. Since the drafting of the Submission Local Plan, it is now likely that the museum would be pursued on the adjacent site at Newtown Works thus freeing up the Klondyke Works site for residential use. Pre-application proposals for up to 100 flatted units have been received and discussions held with the Council with a planning application expected shortly. Therefore, the Council believes there is at least a reasonable prospect that 100 units would come forward on the Klondyke site within the 2018-23 period.

In terms of the overall rate of delivery, this scenario equates to an additional 50 units than currently assumed in the trajectory given that the Newtown and Klondyke sites were combined and 50 dwellings are already expected to be completed in the year 2023. The expectation was based on the then on-going discussions with the developer (Kier) about bringing forward the Newtown Works site but that may now be more complicated given the potential delivery of the museum as part of a wider redevelopment package here. Hence the Council would now take a somewhat less optimistic view on early delivery at the Newtown works site leaving a net additional supply of 50 units across the two sites. **Additional 50 dwellings.**

- h) Char 1 – Land south of Arthur Baker playing fields, Charing (S29) –** This site is currently shown in the trajectory as delivering 35 dwellings in 2018/19. However, the site has recently been granted a hybrid planning permission for 51 age restricted affordable units (in detail), plus outline permission for indicatively 40 general market dwellings. This is an increase of 56 dwellings to the Submission Local Plan position, of which there is a clear prospect that all of the dwellings would be completed over the next 5 years. **Additional 56 dwellings.**
- i) Re-assessment of permitted windfalls:** The current approach in the trajectory applies a 25% reduction based on past conversion rates unless the sites have commenced construction. However, by applying the realistic prospect test this figure should be increased to include all extant housing windfalls up to April 2017. This equates to 910 dwellings, an additional 161 dwellings to the 749 assumed in table one of the Local Plan 2030. This is consistent with footnote 11 of the NPPF which states that sites with planning permission should be considered deliverable until permission expires or there is clear evidence on non-implementation within the 5 years. As a minimum, this means that a further 161 dwellings should be regarded as having a realistic prospect of delivery over the next 5 years. **Additional 161 dwellings.**
- j) Re-assessment of unidentified windfalls:** There is extensive evidence of the continuing and indeed increasing role of windfall housing schemes contributing to housing delivery in the borough. In 2017/18, it is estimated that 188 completions arose on non-allocated sites and this is in line with trends over recent years where completions from windfall sites have averaged at 177 per annum over a 10 year period. The housing trajectory has taken a very conservative approach to assumed delivery from windfall sites in the future with 150 units in 2021/22 and only 100 in

2022/23. The recent relaxation in PD rights and the introduction of a more flexible rural windfall policy (HOU5) suggests that these trends are likely to continue or, indeed, increase in the foreseeable future. Given the evidence available on delivery, the Council considers that there is a reasonable prospect of at least 150 units from unidentified windfall sites being delivered in 2022/23. **Additional 50 dwellings.**

By applying the appropriate ‘reasonable prospect’ test from footnote 11 for 5 year housing land supply purposes to the 2018-2023 housing land supply period, a total additional 1,186 dwellings should be added to the figures expected to be delivered in the Submission Local Plan housing trajectory. To this total needs also to be added the housing that was not delivered in 2017/18 but which is predicted to be delivered in the housing trajectory and additional planning permissions granted during the course of the 2017/18 monitoring year which do not appear in the housing trajectory.

In total, this gives a 5 year housing land supply figure for 2018-23 of **9,058 dwellings**. This equates to a 5 year land supply position against OAN (using a Sedgfield approach + 20% buffer) of the following:-

**The calculation 2018 – 2023 based on OAN:**

- 5 year requirement (825 x 5)	= 4,125
- Shortfall against OAN since 2011	= 2,036
- Sub-total	= 6,161
- +20% buffer	= 7,393
- Annualised	= 1,479 dpa
- ‘Reasonable prospect’ supply	= 9,058
- Housing Land Supply position	= <u>6.12 years</u>

4. Update of Appendix 1 of the Housing Topic Paper

Appendix 1 of the Housing Topic Paper set out a site by site assessment of the expected delivery for 5 year housing land supply purposes for the period 2017-22. Following the reassessment of specific sites using the appropriate test of ‘deliverability’ provided above, some of the individual site details contained within the original Appendix 1 require updating with regards to the reasonable prospect of housing delivery over the 2018-2023 period, completions recorded in the 2017/18 monitoring year, or new windfall sites.

The paragraph reference correlates to Appendix 1 of the Housing Topic Paper. If a site is not included, then the expected level of completions remains the same for 2018-23 as that detailed within the Housing Topic Paper 2017 Appendix 1. In some cases, an update in the status of a site has also changed since the publication of the Housing Topic Paper and this is also included in the table below where not referenced in section 3 above. Two recent e-mails received on behalf of the developers at Waterbrook (S16) and Park Farm South East (S14) on the intended delivery of development on their respective sites are also appended to this Addendum.

Para. Ref in Apx 1	Site Name	Expected 5 year delivery in HTP (2017-2022)	Updated 5 year delivery (2018-2023)	Updates
<b>Part 1 – Extant Commitments of allocated sites</b>				
i	Former Powergen	411 dwellings	660 dwellings	
li	Elwick Road Phase 2	100 dwellings	200 dwellings	
iii	Victoria Way East	0 dwellings	215 dwellings	
iv	Finberry	600 dwellings	580 dwellings	
v	Repton Park	394 dwellings	304 dwellings	
vi	Godinton Way (TC8)	52 dwellings	-	Completed in 2017/18
vii	Blackwall Road (U5)	28 dwellings	2 dwellings	
ix	Conningbrook Phase 1	225 dwellings	300 dwellings	
xi	Tenterden Southern Extension (TENT1A)	250 dwellings	230 dwellings	
xii	Land at Kelston, Wye (WYE1)	17 dwellings	-	Completed in 2017/18
<b>Part 2 – Chilmington Green</b>				
xiv	Chilmington	600 dwellings	1150 dwellings	
<b>Part 3 – Proposed Allocations</b>				
xvi	Commercial Quarter (S1)	0 dwellings	79 dwellings	KWG land purchased by developers U&I.
xvii	Lower Queens Road (U4/S8)	0 dwellings	40 dwellings	
xviii	former Ashford South primary school (S13)	50 dwellings	110 dwellings	
xxi	Willesborough Lees (S17)	220 dwellings	220 Dwellings	Update –full permission for 192 units now granted.
xxii	Former Klondyke and Newtown Works (S6/S7)	0 dwellings	100 dwellings	
xxiii	Land NE of Willesborough Road, Kennington (S2)	150 dwellings	225 dwellings	
xxiv	Court Lodge (S3)	140 dwellings	230 dwellings	
xxv	Land n. of Steeds Lane (S4)	110 dwellings	170 dwellings	
xxviii	Park Farm SE (S14)	210 dwellings	325 dwellings	
xxx	Waterbrook (S16)	120 dwellings	170 dwellings	Hybrid application

				submitted in January 2018
xxxii	Eureka Park (S20)	210 dwellings	290 dwellings	
xxxiii	Land s. of Brockman's Lane, Bridgefield (S45)	0 dwellings	50 dwellings	
xxxvi	Rear of Holiday Inn, Hothfield (S48)	50 dwellings	100 dwellings	
xxxviii	Land S of Arthur Baker Playing fields (S29)	35 dwellings	91 dwellings	
xl	Tenterden southern extension Phase B (S24)	70 dwellings	150 dwellings	
xlix	Northdown Service Station, Charing (S28)	20 dwellings	20 dwellings	Application for 17 units submitted in January 2018
l	Land adj Poppyfields, Charing (S55)	180 dwellings	180 dwellings	Application for 135 units on part of the site submitted in January 2018
liv	Warehorne Road, Hamstreet (s57)	50 dwellings	50 dwellings	Application for 70 dwellings submitted in January 2018
lx	Shadoxhurst, Rear of Kings Head PH (S36)	25 dwellings	19 Dwellings	Site is now under construction
lxx	Tilden Gill, Tenterden	100 dwellings	100 dwellings	RM application submitted.
<b>Major Windfall Sites – Remove from 2018-23 land supply</b>				
lxxii	The North School, Essella Rd (14/0735)	17 dwellings	-	Completed in 2017/18
lxxiii	Farrow Court (13/0357)	12 dwellings	-	Completed in 2017/18
lxxvii	15 to 17 North Street (16/1350)	14 dwellings	-	Completed in 2017/18
lxxviii	Tufton House (17/0068)	36 dwellings	-	Completed in 2017/18
<b>Major Windfall Sites – Additions to land supply</b>				
n/a	Victoria Way East - Former Travis Perkins. (16/00981 and 16/00986)	--	59 dwellings	Under construction
n/a	Panorama (14/00899)	--	110 dwellings	Under construction

n/a	Kent Highways Depot, High Halden (16/01198)	--	25 Dwellings	Full Permission granted February 2018
n/a	Little Orchards, St.Michaels	--	10 dwellings	Outline permission granted
n/a	Danemore, Tenterden (15/01160)	--	10 dwellings	Under construction
n/a	Land between Aldington Fresh Foods and Brockenhurst (16/01412)	--	10 dwellings	Under construction
n/a	Yew Tree Park Homes, Charing (17/0505)	--	15 dwellings	Full permission granted
n/a	Land rear of 11-22 Waltham Close (15/0260)	--	26 dwellings	Full permission granted