



Braintree Local Plan Section 2

Examination Hearing Statement

Main Matter 5 (A Prosperous District – Homes – Policy LPP 17)

**Prepared by Strutt & Parker on behalf of Trustees of the Bradwell Estate
(Respondent ID:867287)**

June 2021

1. Introduction

- 1.1 Strutt & Parker submitted representations on behalf of The Trustees of the Bradwell Estate ('Bradwell Estate') on the Publication Draft Local Plan Section 2 in July 2017. Representations were also made as part of consultations undertaken throughout the earlier stages of the Plan since the initial Call for Sites in 2014.
- 1.2 The most recent representations were duly made, and recorded as comment ID 749 and 750 for respondent ID 867287.
- 1.3 Bradwell Estate's principal interest in respect of the Local Plan Section 2 (LPS2) relates to land at Church Road, Bradwell.
- 1.4 This Hearing Statement concerns Main Matter 5 (A Prosperous District – Homes – Policy LPP 17) of the Local Plan Section 2 (LPS2) Examination.
- 1.5 Considerable time has elapsed since the LPS2 was prepared and published for consultation in 2017. The housing land supply position has understandably altered over the last four years, and it is noted that the Council has provided a revised housing trajectory within Local Plan Examination Topic Paper 2 (TP2).
- 1.6 As requested, we have sought to avoid repeating matters raised within our previous representations within this Hearing Statement.
- 1.7 The LPS2 is being examined in relation to the NPPF 2012, as per the NPPF 2019 transitional arrangements. As such, references to NPPF within this Hearing Statement are to the NPPF 2012, unless otherwise stated.

2. Main Matter 5

Question: Does BLP Section 2 and in particular Policy LPP 17 Housing Provision and Delivery demonstrate an adequate supply to meet Braintree's housing requirement as set out in BLP Section 1 (14320 new homes) and its timescale for delivery within the plan period 2013 - 2033?

Headroom above minimum requirements

- 2.1 Paragraph 14 of the NPPF not only requires Local Plan to meet the Local Planning Authority's development need, but for local plans to provide sufficient flexibility to adapt to rapid change.
- 2.2 Headroom above the minimum housing target is an approach often used in practice to help ensure the flexibility required (as stated above) and allow for changing circumstances such as allocated sites failing to come forward as anticipated or changes to housing needs for example.
- 2.3 There is no fixed percentage or number of dwellings in terms of the required headroom for housing figures and the approach of other Local Plans that have been found sound has varied.
- 2.4 However, it is important to note that, as acknowledged at paragraph 2.31 of TP2, what the housing supply LPS2 is now projected to deliver has been reduced compared with the submitted version of the Plan, i.e. fewer homes will be delivered than the version of the LPS2 that has been tested, appraised and consulted upon.
- 2.5 The submitted LPS2 reported it would deliver a supply of 15,366 dwellings 2017-2033, in addition to 1,405 completed 2013-2017 – a total of 16,771 dwellings. Against the minimum requirement of 14,320 dwellings, this equated to a headroom of 2,451 dwellings, or 17% of the minimum requirement.
- 2.6 However, TP2 reports that the LPS2 would now only deliver a total of 15,772 dwellings – a headroom of 1,452 dwellings / 10%. While guidance is not defined on the amount of headroom that should be provided, any potential for greater uncertainty and likelihood of changing circumstance should in our view provide a need for greater flexibility. Based on a number of recognised issues, as set out below, we consider that the housing supply headroom should in this instance provide for greater flexibility than 10%:
 - Persistent under delivery of housing within Braintree District;
 - Current local housing need versus planned delivery within the housing market area;
 - Potential changing patterns in housing demand as a result of the current pandemic;

- Concerns regarding the robustness of the latest housing trajectory
- Reliance on windfall in projected supply.

2.7 The above issues are addressed in turn below.

Persistent under delivery of housing in Braintree

2.8 Paragraph 47 of the NPPF confirms that where there has been a record of persistent under delivery of housing, local planning authorities should incorporate a greater buffer *“to provide a realistic prospect of achieving the planned supply and ensure choice and competition on the market for land”*.

2.9 Braintree’s 2020 Housing Delivery Test measurement was 85% and their 2019 measurement was only 67%. Only twice since 2013 has the annual number of net additional homes been delivered against the requirement of 716 dwellings per annum (dpa), averaging 520dpa between 2013 and 2021 (as noted in TP2).

2.10 The District’s delivery record suggests a need to provide significant headroom above the minimum requirement to ensure housing need requirements/delivery are met across the plan period given its record for under-delivery.

Current local housing need in the housing market area

2.11 Braintree’s housing market area includes Chelmsford, Colchester and Tendring. All three of these authorities have adopted Plans setting out housing requirements (and in the case of Chelmsford, how these will be delivered). However, for all three, housing requirements were established through NPPF 2012 Plans, as opposed to current national policy.

2.12 As such, whilst Braintree’s local housing need (as per the Standard Method) is less per annum than that in the adopted Development Plan (for 2021-2033, at least), for the housing market area as a whole significantly fewer homes than are now required, are planned for.

2.13 The adopted housing position versus projected supply in the adopted Development Plan (or adopted target, in the case of Colchester and Tendring, where elements of the Development Plan that will establish projected supply are still being examined) is set out below. It shows that, unless there is an uplift within the housing supplies of Braintree, Colchester and / or Tendring against their minimum adopted targets, there will be a significant shortfall for the housing market area as a whole in relation to current local housing needs.

LPA	Adopted Development Plan		Local housing need ¹ (dpa)	Adopted target / supply against local housing need (dpa)
	Housing Target (dpa)	Projected supply (dpa)		
Braintree	716	-	788	-72
Chelmsford	805	950	885	65
Colchester	920	-	1,061	-141
Tendring	550	-	861	-311
TOTAL	3,316		3,595	-459

Table 1 – Housing targets / projected supply versus local housing need

- 2.14 Notably, the headroom provided by the Chelmsford in their Local Plan above its minimum requirement at the time the Plan was prepared, has provided sufficient flexibility such that it still have the potential to meets it current housing need.

Potential changing patterns in housing demand as a result of current pandemic

- 2.15 The longer term impact of the Covid-19 pandemic on housing demand has yet to be fully realised. However, it is considered that in a post-pandemic world lifestyles and working patterns would have changed irrevocably, driven by desires for less urban living, more garden space and also flexibility for working from home. It is anticipated in many sectors the need for employees to be physically present will decrease significantly.
- 2.16 As a consequence of this many people will be prepared to live considerably further away from their normal place of work. In respect of Braintree, whilst London is accessible via railway services from certain parts of the district, the district is not as accessible or as strong when compared to more expensive areas in the County, meaning Braintree will likely be more appealing, particularly to individual who are London commuters post-pandemic.
- 2.17 Whilst the degree of this change is still unknown, ensuring provision of sufficient flexibility within the strategy for meeting housing needs can help address this uncertainty.

Concerns regarding the robustness of the latest housing trajectory

- 2.18 The latest housing trajectory, provided in TP2, suggests that LPS2 will deliver 14,367 dwellings. However, we have concerns over whether the dwellings will be delivered as quickly as the trajectory suggests, and whether the total number of dwellings projected will therefore be delivered within the Plan period.
- 2.19 It is clear in TP2 that average delivery rates are anticipated at above the national average in most of the site categories. For instance, an average delivery rate on sites between 50-

¹ Standard Method, average annual projected household increase 2021-2031, and use of 2020 affordability ratios (published 2021)

99 dwellings of 31 dwellings per annum somewhat exceeds the national average of 22 per annum (National average delivery rates from start to finish 2 (Lichfields) (2020).

- 2.20 Likewise, lead-in times as set out in TP2 are also considered to be optimistic. Should delivery times and lead-in times be longer than predicted, LPS2's approach may be at risk of under delivery and in certain cases, on larger sites, some numbers may not be delivered within the Plan period at all. As noted above, providing sufficient headroom to the housing figures would help to ensure housing requirements are met within the Plan period regardless of the potential for delay to the delivery projections.

Windfall

- 2.21 Windfall sites make up as substantial element total projected supply from 2023-2033. However, S78 appeals have cautioned against placing significant reliance on windfall contributions to meet housing needs².
- 2.22 By its very nature, the contribution from windfall sites is not certain and this should be taken into account when determining sufficient headroom in terms of the housing requirement across the district.

Overview

- 2.23 Concerns in respect of a robust housing supply and delivery were raised within our representations prepared for the Publication Draft Local Plan Section 2 in July 2017. Although the context surrounding District's housing position and the position itself has changed frequently in the last 4 years, we still consider there to be a lack of robust evidence that the LPS2 will meet housing needs in full.
- 2.24 In particular, the LPS2 lacks appropriate flexibility, as required under paragraph 14 of the NPPF, to adjust rapidly to changing circumstance and ensure development needs are met, primarily due to a lack of headroom above the minimum housing needs requirement.
- 2.25 Until this issue is addressed we do not consider that the housing supply and overarching LPS2 strategy can be considered appropriate or to accord with national policy, as the NPPF requires.
- 2.26 If the Inspector is minded to come to a similar conclusion regarding Braintree's housing position, and revisits sites previously put forward to the Local Plan process against a need to allocate further sites, our client's land at Church Road, Bradwell, remains suitable, available and achievable for development.

² See, for example, appeal reference APP/N2739/W/16/3144900 Land at Hodgson's Gate, East of Hodgson's Lane, Sherburn in Elmet, Selby. Decision date: 06 December 2016