

MATTER 3: KBEG HLA: Joint Note to Inspector

KBEG Response to Wycombe District Council Questions

1. This note sets out the Keep Bourne End Green (KBEG) response to the questions from Wycombe District Council (WDC) with regard to the KBEG HLA referenced during the Matter 3 hearing session as requested by the Inspector for the Wycombe District Local Plan on 18 July 2018.

Data Collection & Methodology

2. Answers to specific questions are provided below, though it should be useful to start with clarification that the data employed in both the KBEG HLA (November 2017) and KBEG HLA Update (June 2018) was wholly taken from WDC data sources:
 - a. The new Local Plan (Draft, Consultation, and Publication);
 - b. The adopted Delivery & Site Allocations Plan (July 2013);
 - c. HELAA (Draft and Publication);
 - d. Annual Monitoring Reports;
 - e. Wycombe District Council Strategic Housing Land Availability Assessment: Interim Report (February 2014);
 - f. WDC Five Year Housing Land Supply Position Statement (November 2015);
 - g. Freedom of Information requests to WDC;
 - h. Building Control records;
 - i. Data supplied by WDC to the Ministry of Housing Communities and Local Government, and;
 - j. Planning applications in the WDC planning system.
3. This response will refer to these data sources collectively as “WDC data sources”.
4. The KBEG HLA methodology for collating site data was informed by NPPG advice for housing assessments of land availability when preparing a local plan and NPPF policies, with particular note to paragraphs 47, 48 and 49. The KBEG HLA was also informed by the Buckinghamshire housing assessment methodology (as applied to the various HELAA) which embodied the Framework and planning practice guidance. On matters, such as student housing, supplementary guidance was found in the methodologies applied by various other local authorities.

5. In support of any audit of the KBEG HLA data it can be clarified that the database of sites was formed as follows:
6. The core data came from the wholesale examination of planning applications as existing in the WDC planning system from 1 April 2013 onwards. The planning data extracted from these planning applications became the foundation of the KBEG HLA database of sites, and to the best of our efforts we applied the following constraints upon the examined data:
 - i. Planning applications for residential developments resulting in a change to the net dwelling supply (positive or negative) were recorded in the KBEG HLA. Where the application clearly proposed no net change, such as a single dwelling demolished and replaced with a new single dwelling, the application was considered to maintain the *status quo* and was ignored;
 - ii. All superseded planning applications were identified, and their housing delivery was excluded from the supply;
 - iii. Planning applications which had been withdrawn, refused or appeal dismissed were noted and excluded from the supply. No further examination or planning judgment was made in the KBEG HLA to individual planning proposals over the matters giving rise to the refusal or the potential for these matters to be resolved in a subsequent planning application or likelihood of a resulting housing supply. One example of such an ignored site is Glory Mill in Wooburn Green which proposed re-development of PDL for 110 dwellings; while the initial application was dismissed at appeal a subsequent application has come forward that now sits in the appeal process.
 - iv. Reserve matters applications or non-material amendment applications were examined and included from time to time where the new application resulted in a change to the detail of the approved planning application, or were noted as a signpost that the approved proposal was still considered to be available despite the passage of time;
 - v. The net dwelling capacity forecast from developable sites listed in the HELAA (Publication) was applied verbatim into the KBEG HLA unless alternate up-to-date supply figures were available from a recent planning application for the site. One example which comes to mind is Abbey Barn South reserve site that had a forecast supply of 475 dwellings in the HELAA though the recent planning application proposes a minimum of 520 dwellings up to 550 dwellings. This planning application is currently being considered so is accounted in the KBEG HLA Update amongst the proposals pending decision but only in as much as the site is identified for the detailed Phase 1 supply of 131 dwellings. Should this site deliver 550 dwellings rather than the forecast 475 dwellings then a further windfall of 75 dwellings would result that are not counted in the KBEG HLA supply;

- vi. Planning applications for cumulative development proposals were identified and included where proposals at the same site address could be clearly established as being mutually exclusive to any other extant permitted scheme (and where the supply would result in a change to the net dwellings);
 - vii. The proposed HMO developments were counted as 1 net dwelling, though for clarity the proposals for change of use from an existing Class C3 dwelling to Class C4 HMO was deemed to result in 0 net additional dwellings;
 - viii. Time extension applications (as existed) were included and noted to indicate the proposed development was still considered available;
 - ix. Where a proposal involved re-development of derelict or vacant long-term empty housing (ten years or more) no discount was made for demolition or losses because at this condition or age it was reasonably considered lost;
 - x. Proposals for student accommodation were identified and bed spaces counted. These developments were excluded from the net dwelling supply though an allowance of 4 student bed spaces to 1 dwelling was made for housing released by these purpose-built accommodations. The principal for this approach is supported in national guidance "*How should local planning authorities deal with student housing?*" (NPPG Reference ID: 3-038-20140306) and further practice guidance for calculating the amount of housing released was gained by examining the methodologies applied by other planning authorities;
 - xi. Sites identifying Class C2 use assisted living or care home bed spaces were identified and excluded from the net dwelling supply;
 - xii. The assessment excludes supply from empty homes. NPPG advises in "*How should local planning authorities deal with empty housing and buildings?*" (NPPG Reference ID: 3-039-20140306) and is similarly expressed in the NPPF in paragraph 51. Both promote bringing empty homes back into use and while it is feasible to broadly determine the amount of empty homes in the district, it was considered there was no recognised approach and insufficient evidence to inform potential delivery rates during the plan period or whether existing empty housing stock could qualify as net additional supply.
7. Information for site completions and sites under-construction was extracted from WDC data sources and cross-referenced against the core planning application data. This resulted in additional planning applications being examined for sites that were granted planning consent prior to 1 April 2013 and which were identified in WDC data sources as completed, under-construction, or not yet started within the plan period;
 8. All planning application data was necessarily cross-referenced against the WDC data sources. This ensured existing identified sites were not double-counted (including large windfall sites which unexpectedly entered the planning system between HELAA (Draft) and HELAA (Publication) that were absorbed as existing supply);

9. Developable sites were inherited verbatim from the HELAA (Publication), and from proposed housing allocations in new Local Plan (Publication) or housing allocations in the adopted DSA;
10. No HELAA rejected or other omission sites were included in the KBEG HLA database unless they had entered the planning system against a valid planning application since the HELAA assessment. There are examples of such HELAA rejected sites coming forward and successfully gaining planning approval, or where a site had been HELAA rejected but survived as an allocation site. An example of an HELAA rejected site with planning permission is Wharf Business Centre, Wharf Lane, Bourne End for 21 units (planning reference 17/05241/FUL) that was rejected as being in ongoing employment use, though has since been granted permission for residential development and development of this site has recently commenced. An example of an HELAA rejected site having a housing allocation is Policy RUR3 being Sidney House (and land adjacent to Sidney House), Denham Road, Lane End which has also been granted planning permission for 19 units on the previously developed part of the site (planning reference 17/06891/FUL) which had been long-term vacant since 2004;
11. No new or otherwise unidentified sites were included in the KBEG HLA that were not already identified in the WDC data sources (including planning applications) or that would necessarily require some degree of planning judgment over the availability, suitability, or deliverability of the site.

KBEG HLA Data Analysis

12. The KBEG HLA did not undertake detailed assessment of individual sites beyond examination of the information held in the planning application or WDC data sources. The objective was not to re-do the HELAA but rather to meet the two purposes set out for the KBEG HLA that were:
 - a. to establish the status of the housing supply in Bourne End and the wider supply across Wycombe District to determine whether alternate sources of housing supply are generally available to contribute to the unmet housing supply, and;
 - b. to establish whether the release of Green Belt land at BE2 Hollands Farm is entirely necessary to fulfil the unmet need.
13. Against this context the process for considering site availability was comparable to that for establishing a 5-year supply. The KBEG HLA assessment gave weight to land available for development and less weight to surmountable matters which could be resolved by, *inter alia*, commercial arrangements or engineered solutions. It was considered, for example, that a site which had been granted planning permission for residential development met the core criteria of being a potential source for housing supply. This approach was supported by the NPPG advice on “*What constitutes a ‘deliverable site’ in the context of housing policy?*” (NPPF Reference ID: 3-031-20140306) that considered deliverable sites to include those that are allocated for housing in the development plan

and sites with planning permission unless there is clear evidence that schemes will not be implemented within 5 years.

14. The Court of Appeal judgment¹ in the *St Modwen Development* case distinguished between the concept of ‘deliverability’ and ‘expected rate of delivery’. The judgment states:

“35 ... These two concepts are not synonymous, or incompatible. Deliverability is not the same thing as delivery. The fact that a particular site is capable of being delivered within five years does not mean that it necessarily will be. For various financial and commercial reasons, the landowner or housebuilder may choose to hold the site back. Local planning authorities do not control the housing market. NPPF policy recognizes that.”

“36. Where the policies in paragraphs 47 and 49 of the NPPF are concerned with the composition of the five-year supply of housing land, they are consistently worded to refer to a supply of housing sites that can be regarded as “deliverable”, not sites that are regarded as certain to be delivered. ...”

15. The government White Paper “Fixing our Broken Housing Market” (February 2017) included several proposed amendments to national planning policy. The proposed changes included attaching great weight to PDL in settlements (para. A42) and great weight to using small undeveloped sites in settlements (para. A52). While the KBEG HLA was prepared against the existing NPPF (2012) policies and national guidance, it is considered the proposed changes to NPPF reinforce a strong preference to use sites within settlement areas which naturally will count those sites already deemed suitable by grant of planning permission.
16. The White Paper also identified that the burden fell on authorities to demonstrate that before turning to release Green Belt land they should have fully examined all other reasonable options to meet the identified development requirements, including effective use of PDL and the potential offered by land which is currently underused (para. A61). It was considered that these tests favour sites which have been granted planning permission but remain undeveloped.
17. It is noted that the revised NPPF (July 2018) has now been published with the above changes incorporated as government policy.
18. The first purpose of the KBEG HLA was to determine whether alternate sources of housing supply are generally available. Against this aim it was found that up-to-date planning data established there is sufficient alternate supply of housing sites, boosted by unexpected windfall and ‘prior approval’ office-to-residential development, which contributes to an identified housing supply that is capable of exceeding the 10,925 dwellings target without releasing any green belt land.
19. The over-supply is before considering any further ‘prior approval’ windfall anticipated during the remaining 15-years of the plan period, which includes buildings in Class A1 (shops), A2 (finance and professional services), B1(a) (office) and B1(c) (light industry)

¹ *St Modwen v SSCLG & ERYC* [2017] EWCA Civ 1643

[temporary to 30/09/2020], B8 (storage and distribution) [temporary to 10/06/2019], C4 (HMO), Sui Generis (betting office, pay day loan shop, laundrette), or agricultural buildings. The over-supply also excludes any contribution for development arising from residential intensification sites (excluded from the five-year housing delivery supply) which together could account for between 1,400 and 1,600 additional dwellings (figures rounded down).

20. Potential supply from large windfall sites, together with 'prior approval' sites, currently pending consideration in the planning system have further capacity for 942 dwellings (and includes a 68 dwelling site submitted by Wycombe District Council Major Projects & Estates not listed in the HELAA).
21. Some regard must also be given to the Core Strategy housing target in the current adopted plan. Policy CS12 (Housing Provision) identified a housing target of 8,050 dwellings at 402.5 dwellings per year for the 2006-2026 period. The WDC housing supply data submitted in government Housing Flows Reconciliation forms demonstrate in the period 2006-2013 (being the date when the new local plan transects the current plan) there was a cumulative over delivery of 942 dwellings beyond the annualised target. The NPPG deals with past over-supply in the guidance "*Can previous over-supply of housing be considered when determining the objectively assessed need for housing?*" (NPPG Reference ID: 3-036-20140306) which states "... consideration can be given to evidence that the council has delivered over and above its housing need in previous years". The KBEG HLA adopted a cautious approach which noted the amount of previous over-supply but excluded it from the identified housing supply.
22. Against the second purpose for the KBEG HLA, the proposed supply of 467 dwellings at BE2 Hollands Farm is unnecessary to fulfil the housing target of 10,925 dwellings given the first purpose of the KBEG HLA Update (June 2018) identified an over-supply of 1,600 dwellings (before consideration for future windfall, residential intensification, or other contribution to the housing supply).
23. The second KBEG HLA purpose can be ratified with a simple proof by considering the housing capacity from unexpected windfall from large sites (689 dwellings) which have been granted planning permission in the period 1 April 2016 to 25 June 2018 – this is the period between the HELAA (Publication) base date and the KBEG HLA Update (June 2018) base date. A further capacity of 289 net dwellings were permissioned on small sites over the same period which contrasts with the (revised) forecast allocation of 48 dwellings per annum from small windfall sites.
24. The exceptional circumstances test for Green Belt fundamentally starts with the question "*are there alternate sites or sources of housing supply*" to which the KBEG HLA can confidently demonstrate and justify the answer to be 'Yes'.

Questions from Wycombe District Council

Q1. Have you removed expired permissions from the supply?

25. The context for the KBEG HLA is already mentioned above which set out to determine whether alternate sources of housing supply were generally available rather than to establish a 5-year supply or re-do the HELAA. For the main part, the KBEG HLA does not contest the HELAA but rather builds upon the site database to bring it up-to-date for the Examination by identifying all current sources of housing supply.
26. With regard to the deliverability of a site, the NPPF (2012) para 47 does not demand probability or certainty of delivery before a site can be counted as being deliverable, but that it has a “*realistic prospect*” of delivery (NPPF, Footnote 11). Indeed, national guidance does not require planning permission as a pre-requisite for a site to be considered deliverable (NPPG Reference ID: 3-031-20140306).
27. The *St Modwen Development* judgment reinforces that, to be deliverable, a site has to be capable of being delivered within five years, but it does not need to be certain or probable that the site actually will be delivered within five years. The Court of Appeal judgment² drew distinction between the identification of deliverable sites for the purpose of showing a “supply” sufficient to provide five-years worth of housing, and the expected “delivery” rate reflected in the housing trajectory. In that regard, the assessment of supply is distinct from that for delivery.
28. The grant of planning permission establishes a site has the necessary merit for development, and in the case of residential scheme that it is therefore considered suitable for contributing to the housing supply. A planning application approaching expiry (or that is lapsed) which is still ‘active’ in the planning system (i.e. where subsequent later applications have been made to discharge planning conditions, or non-material amendment application submitted, reserve matter details, or amendments to S106 agreements) continues to support the site is available and capable to form part of the housing supply.
29. The majority of sites with planning permission were found to fall on PDL and on small sites in settlements which characteristics are well aligned with the proposed changes to the NPPF described in the government White Paper (paras. A42, A52, A61). It follows that a site with a lapsed planning application has already demonstrated that it holds character for development, albeit it was not started within the prescribed three-year period, though permission could be renewed with a further planning application especially in light of the proposed NPPF changes. It was also considered a factor that the various mechanisms for reporting site progress are, at times, less robust by comparison to a planning decision notice. This facilitates the possibility that what might appear on paper to be a lapsed permission is in reality a commenced development.

² *St Modwen v SSCLG & ERYC* [2017] EWCA Civ 1643

30. National planning guidance states as advice for “What constitutes a ‘deliverable site’ in the context of housing policy?”:

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) **unless there is clear evidence that schemes will not be implemented within 5 years.***

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply.”

See related policy: footnote 1.

Paragraph: 031 Reference ID: 3-031-20140306

31. The related footnote 1 states:

*“1. **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 5 years** and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until 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.”*

32. It was considered while forming the KBEG HLA methodology that national guidance supported undeveloped sites with planning permission should be considered a part of the housing supply unless clear evidence exists to the contrary. A site could be excluded as “deliverable” but it was necessary to show that there was no realistic prospect of the site being developed, and in that regard the WDC data sources contained site-specific assessments found in HELAA Appendix 3 (Rejected Sites) and Appendix 4 (Site Assessments).

33. The KBEG HLA incorporated the HELAA excluded list of sites, unless:

- i. The site had a housing policy allocation which provides a reasonable prospect that it could come forward for development - for example, Policy HW15 allocates land to the rear of Hughenden Road, High Wycombe for housing while the same site was discounted from the HELAA (Publication) Appendix 4 due to lack of information over availability, or;

- ii. The site was granted planning permission at a date subsequent to the HELAA assessment which may supersede the reasons for the earlier exclusion - examples of this scenario are provided in this response, though for the main part such sites were previously rejected from the HELAA due to forecast net dwelling supply falling below the minimum 5-unit threshold.
34. The examination of WDC data sources found examples of approved planning applications, predominately for large sites, that were superseded with reserve matters applications, non-material amendments, or variations to planning conditions sometime after the permission date which each provide evidence that these sites continue to be available and promoted for development. One example is provided at West Yard Industrial Estate, Slough Lane, Saunderton for 42 dwellings which gained planning consent on 18 March 2014 (14/05870/FUL) and is recorded in the latest Wycombe Monitoring Report (2015-2017) as not yet started, though has been followed by non-material amendment applications in 2015 (15/08454/MINAMD) and 2017 (17/05560/MINAMD) and recently a change to S106 was approved on 6 October 2017 in (17/06674/MDS106). Another example is found in The Gordon Arms, Gordon Road, High Wycombe, Buckinghamshire for the conversion to 11 dwellings which was approved on 11 November 2015 (14/07956/FUL) and currently has an application pending decision for modification of the S106 plus design amendments (18/06058/MDS106).
35. It was also considered that sites identified in the WDC data sources, including the HELAA (Publication), that have lapsed planning permission on paper are reasonably considered capable to contribute to the housing supply since these sites are without clear evidence that they will not be developed and have been assessed by WDC in the evidence submitted to Examination. One such example is found for the small site at Willow Reach, Barleyfields, Wooburn Moor, Buckinghamshire with planning application reference 06/07623/FUL. This site is listed in both the HELAA (Publication) Appendix 8 "Housing Monitoring" and again in the recent Wycombe Monitoring Report (2015-2017) Technical Appendices as not yet started, though the planning application has plainly lapsed.
36. The KBEG HLA focused on the identification of deliverable housing supply rather than deliverability within the five-year period. For this reason no expired permissions were removed, though for purposes of audit clarification, it is confirmed that the KBEG HLA Update (June 2018) database includes a housing supply of 159 net additional dwellings on sites with lapsed planning permissions granted in 13/14 or 14/15 that are not recorded as completed or under construction and have not been more recently superseded by alternate schemes, reserve matter applications, non-material amendments, or variation of planning conditions to indicate the site is still currently available and promoted. That noted, it can equally be stated that no clear evidence was established that these sites did not have a realistic prospect of being developed during the plan period, including lapsed permitted development office to residential schemes.

Q2. Have any sites been removed from supply due to availability or deliverability issues (i.e. permissions which cannot be delivered)?

37. Much of this answer is already provided to Q1 above.
38. The KBEG HLA did not undertake detailed assessments of individual sites beyond examination of the planning application and WDC data sources. It did not include any rejected housing sites identified in the HELAA unless an approved planning application had superseded the HELAA assessment.
39. It is already mentioned that the purpose of the KBEG HLA was to establish whether alternate sources of supply generally exist in the district which have potential to deliver some, or all, of the unmet housing need before turning to Green Belt land. Against that context, and with consideration for the national guidance and policy, and proposed changes to NPPF, we were satisfied that matters of site availability and deliverability were, on balance, embodied in an approved planning application provided no clear evidence contradicted availability of the site.
40. We considered a scenario where a site owner might gain development permission for strategic purposes and whether this might limit the availability or deliverability of the site. It was broadly concluded that while such a scenario might result in a delay to the deliverability of a site, it was likely that an undeveloped PDL site with recent planning permission for residential development held a reasonable prospect of being developed within the plan period; this premise was in part underpinned by the *St Modwen Development* judgment already referenced, the proposed changes to NPPF in regard to the weight given to such sites and the demand for small/medium sites in the district, and having regard to the commercial advantages arising from residential development. We considered this especially applicable to office-to-residential developments which circumvent affordable housing contributions and CIL payments.

Q3. Can you confirm that applications involving a net loss of dwellings have been included?

41. All applications that involved a net change in dwellings (either positive or negative) were examined and entered to the database of KBEG HLA sites. To reduce the burden on the assessment process, proposed developments with zero net gain were generally ignored i.e. where one existing house was proposed to be replaced by another.
42. There are several examples in the KBEG HLA appendices that show sites having a net loss of dwellings.

Q4. Can you confirm that numbers are net of demolitions/losses?

43. The KBEG HLA deducted all existing housing losses as consequence of a development from the gross number of dwellings to be built. This data was initially taken from

completed Application Forms and verified as necessary in the planning application's Location Plan, Site Plan, and various scheme Drawings, and Decision Notice.

44. There are many examples in the KBEG HLA appendices that show sites with net completions/remaining being less than gross total dwellings.

Q5. Please can you confirm that sites with multiple permissions have had these duplicates removed?

45. Sites with multiple planning applications were identified. Only the most recent permitted planning application was counted in the KBEG HLA, even if that scheme did not yield the greatest number of net dwellings. All superseded site proposals were identified and excluded from the supply. A reference example is Axis 40, Oxford Road, Stokenchurch, Buckinghamshire that holds two permitted development approvals 17/07762/PNP30 for 42 units which was superseded by 18/05687/PNP30 for 37 units. The KBEG HLA refers to the latter for 37 units in Appendix 2 "Deliverable Housing", Appendix 5 "Windfall Sites", and Appendix 6 "'Prior Approval' Office to Residential".
46. The applied methodology identified a proposal to be an alternate scheme to an earlier planning application from the planning application description which almost invariably included text such as "alternate scheme to". However, as this notation was not always employed other process steps were necessarily supplemented that used data de-duping techniques including to normalise addresses in order to identify duplicate listings for the same address.

Q6. Can you confirm that reserve matter applications have superseded their outline counter parts and that details have been correspondingly updated as these often change between the outline and reserve matter stages?

47. Reserve matter applications were examined. The approach was not entirely consistent throughout the assessment – on occasions REM applications were added as new planning application entries in the database superseding the original planning application regardless of a change in detail, and in other cases the original application was updated, or the REM ignored if it resulted in no change to the net dwelling supply.
48. It is worth noting that the methodology also included checks to the integrity of net dwelling supply from detailed FUL applications; the application description, which almost invariably detailed the proposed supply, was examined against with the Application Form, Drawings and the Decision Notice. On occasions these checks found inconsistencies where the amount of development had changed in the Decision Notice from the original application submission which resulted in the net dwelling numbers being adjusted accordingly.

Q7. What period does the Table 2 prior approvals table relate to? 1st March 2013 to June 2018?

49. The KBEG HLA Update (June 2018) shows the breakdown of ‘prior approval’ office to residential developments in Table 2 (page 8). The data relates to permitted planning applications falling in the period between 1 April 2013 to 25 June 2018.
50. It is noted that Table 2 is entitled ‘prior approval’ office-to-residential, though the underlying data references all planning applications dating from the temporary change to permitted development in May 2013 that was extended in April 2014 to include shops or financial and professional services, and agricultural buildings. In April 2015 the permitted development scope was further extended to include homes created from warehouse and some sui generis buildings. In April 2016 the temporary changes to office to residential permitted development were made permanent, albeit a new process was introduced requiring the ‘prior approval’ subject to noise tests and completion targets. Some permitted development operations remain subject to a temporary period, such as B1(c) light industry conversions to C3 residential.
51. The KBEG HLA Update (June 2018) Appendix 6 “Prior Approval Office to Residential” details all sites listed in Table 2 including the amount of office-to-residential completed, under-construction, or with permission but not yet started, or superseded during the plan period.
52. For clarification, sites identified as ‘Superseded’ in Appendix 6 indicate the prior approval application was superseded with a full planning application but is nevertheless included in the context of the Appendix 6 analysis in order to determine the amount of activity in the permitted development cum ‘prior approval’ supply sector. Appendix 7 details non-residential sites which have been granted permission for residential developments (either as converted buildings or demolition and site redevelopment).
53. The data listed in Appendix 6 and 7 is provided for analysis and does not form part of the housing delivery supply that is detailed separately in Appendix 1, 2, and 3 and includes ‘prior approval’ developments in the relevant part.
54. It is anecdotally noted that the capacity for supply from office-to-residential encountered in Wycombe is not uncommon. In Stevenage, for example, it is reported that 73% of new homes fell under this category, while 64% of homes in Three Rivers and 61% in Sutton were converted from offices during 2016/17.

Q8. Do the site lists include permissions which have subsequently gained permission for a use other than C3?

55. Planning applications that approved a change of use from an existing C3 to another use that would result in a net loss of dwellings were included in the KBEG HLA.

56. Some examples include:

- 3 Institute Road Marlow Buckinghamshire SL7 1BL where planning application 17/05925/FUL was approved for a change of use to C1 (Guest House) resulting in -1 net dwellings;
- 53-55 Hughenden Road High Wycombe Buckinghamshire HP13 5HS where planning application 16/08162/FUL was approved for a change of use to C2 (HMO) resulting in -2 net dwellings. [5 flats existing to 2 flats retained and 1 HMO]
- 94 Little Marlow Road Marlow Buckinghamshire SL7 1HG where planning application 18/05337/FUL was approved for a change of use to B1 (Office) resulting in -1 net dwellings.

Q9. Have you applied a discount of 10% to small sites (4 units and under) permissions which are not yet started?

57. Yes, but only in as much as the 10% discount applies to small sites (less than 5 net dwellings) with planning permission but not yet started. Completed or under construction sites are counted in full.

58. The KBEG HLA Update (June 2018) Appendix 2 “Deliverable Housing” details small sites in Table 2. This calculates a supply of 479 dwellings that is shown to be discounted by 10% to 432 dwellings. Table 1 “Housing Supply Summary” in the main body of the KBEG HLA reflects the discounted 432 dwellings from small sites.

Q10. How many years of small site windfall have you counted/which year do you count this from?

59. The approach to small sites windfall (less than 5 net dwellings) in the KBEG HLA and KBEG HLA Update was inherited from the Buckinghamshire methodology as applied in the HELAA (Publication).

60. Future small site windfall was counted in the KBEG HLA at 43 dwellings per year (as per HELAA windfall figure) for the period 2020-2033 (13 years inclusive). This calculated to 559 dwellings which is reflected in Table 1 “Housing Supply Summary” in the main body of the KBEG HLA.

61. Future small site windfall is counted in the KBEG HLA Update at 48 dwellings per year (as per the Wycombe Monitoring Report 2015-2017) for the period 2021-2033 (12 years inclusive). This calculates 576 dwellings which is reflected in Table 1 “Housing Supply Summary” in the main body of the KBEG HLA Update.

62. For clarity the small site windfall does not include the anticipated windfall supply resulting from residential intensification (for which there is 10-year trend analysis) which is expected to add around 600 homes over the remaining period.

Q11. Have you removed expired PAJs?

63. The question relates to answers already provided in Q1 and Q2 above.

Q12. In Table B Appendix 5

64. This question was withdrawn as per e-mail confirmation from Lyndsay Knott on 25 July 2018.

Q13. For sites of 5 net and above - have applications yet to be determined been assessed in terms of suitability, availability and achievability?

65. The potential capacity for some supply to result from applications pending decision is noted in the KBEG HLA, but these applications are not counted as housing supply or given any weight beyond noting they exist in the planning system with anything beyond a potential capacity for supply pending grant of planning permission. For this reason, all applications in the planning system pending decision have not been assessed beyond the fact they exist and are pending decision.

66. The KBEG HLA Update (June 2018) Appendix 8 “Planning Applications Pending Decision” provided a snapshot view of HELAA sites, and other large sites and small sites which were progressing through the planning system at that time. It would be remarkable for all applications yet to be determined to be granted permission, though equally it would be striking for all applications yet to be determined to be refused. The reality will be somewhere between the two and as consequence some additional supply will undoubtedly result.

67. The revised NPPF (July 2018) attaches great weight to PDL sites and small sites in settlements which might now result in a few more of the pending applications being granted permission.

68. The purpose for the KBEG HLA data to list applications pending decision is limited to provide a broad view on the amount of potential windfall capacity in the pipeline. A small capacity for supply from few sites might provide indication that the windfall supply is exhausted, while a high number of windfall sites in the planning system may indicate that the supply is buoyant with alternate sites generally available.

Q14. Appendix 4 – please can you confirm that these are all permitted?

69. Yes, all planning applications listed are permitted.

Q15. What is the evidence for the conversion rate of student accommodation to ‘release’ of dwellings, e.g. the 4 bed spaces equates to 1 dwelling?

70. The KBEG HLA followed NPPG advice which recognises that specialist accommodation for students can alleviate pressure on housing stock. NPPG states advice in “*How should local planning authorities deal with student housing?*”:

“All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market. Notwithstanding, local authorities should take steps to avoid double-counting.”

Paragraph: 038 Reference ID: 3-038-20140306

71. As you will be aware there is no national guidance on how to calculate the amount of housing released by specific student accommodation. WDC provides no formal guidance. We looked for guidance by examining the approach taken by other authorities with plans at a similar advanced stage and comments made by Inspectors which selected references are provided below.

Reading Borough

72. The nearby authority at Reading Borough specifically addresses the issue in their HELAA (November 2017) for their Plan (currently in examination). Paragraph 7.3 ‘Student Accommodation’ states:

*“There is no specific guidance on how much housing equates to a unit of student accommodation. Where there is a cluster of bedrooms with shared kitchen and living room facilities, this can clearly equate to a single unit, as can a wholly self-contained student unit with its own kitchen, bathroom and living facilities. In the case of simple study bedrooms, some assumptions need to be made. Where students occupy traditional housing, it tends to be terraced housing close to the University for 3-5 people. The HELAA therefore assumes that **four study bedrooms free up one dwelling.**”*

Reading Borough Local Plan Examination Library
<http://www.reading.gov.uk/localplanexamination>

HELAA (November 2017)
http://www.reading.gov.uk/media/8052/HELAA-November-2017-Volume-1/pdf/HELAA_November_2017_Volume_1.pdf

Plymouth and South West Devon

73. The Plymouth and South West Devon SHLAA (February 2017) also addresses the issue of student accommodation housing release which forms part of the strategic housing supply for their Plan (recently examined). A detailed approach was taken to establish the ratio **3.79 bed spaces per one dwelling**.

Reference Urls

Plymouth and South West Devon Local Plan Examination Library:

<https://www.plymouth.gov.uk/plymouthandsouthwestdevonjointlocalplanexamination>

SHLAA (February 2017):

<https://www.plymouth.gov.uk/sites/default/files/PlymouthStrategicHousingLandAvailabilityAssessmentMainReport.pdf>

SHLAA (February 2017) Appendix 9:

<https://www.plymouth.gov.uk/sites/default/files/PlymouthStrategicHousingLandAvailabilityAssessmentAppendix9.pdf>

Appeal Decision

74. In the Planning Appeal (APP/W2465/W/15/3141406) by CODE Student Accommodation against the refusal decision of Leicester City Council for development of various blocks of student accommodation the Inspector stated in the Decision:

“The PPG enables student accommodation to be included towards the supply of housing, based on the amount of shared student housing that would be released to the general market. Based on a ratio of about 3 students to a house, the appeal proposal for 279 bed spaces could result in the release of up to 93 houses.”

75. We considered the adopted approach for 4 student bed spaces to release 1 dwelling to be a fair estimate that is typical of the accommodation provided by terrace houses in the streets around Bucks New University. We should note that some authorities, like Vale of White Horse District Council, have taken a different approach to the assessment and applied a significantly greater ratio of 2 student bed spaces to 1 dwelling released in the latest 5-year deliverable supply.

I confirm that I believe the facts stated in this response are true and that the opinions I express here are my true opinions based on the facts as I have found them.



Simon Carter

On behalf of Keep Bourne End Green (KBEG)