

**Report of the Director of City Development**

**Report to Scrutiny Board (Regeneration)**

**Date: 19 December 2011**

**Subject: Review of SHLAA Partnership**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**1 Purpose of this report**

- 1.1 To respond to recommendation 6 of the Housing Growth Scrutiny Inquiry Report of October 2011.

**2 Background information**

- 2.1 During August – September this year, Scrutiny Regeneration conducted an inquiry into Housing Growth. One of the sessions examined Leeds' Strategic Housing Land Availability Assessment (SHLAA) which was originally completed to a 2009 base date.

- 2.2 Recommendation 6 of the Housing Growth Report of October 2011 states:

**That the Director of City Development undertake a fundamental review of the SHLAA partnership by 31 December 2011 and before the preparation of the site allocation plan and that a report be submitted to Scrutiny Board (Regeneration) on the outcome.**

- 2.3 This report provides a fundamental review of the partnership.

### **3 Main issues**

#### **Scope and focus of the Review**

- 3.1 Recommendation 6 of the Housing Growth Scrutiny report calls for a “fundamental” review of the SHLAA Partnership. This report examines the background to the SHLAA Partnership and the arrangements that are in place in other Yorkshire Districts, the other core cities and in Tunbridge Wells.

#### **SHLAA Terms of Reference**

- 3.2 The SHLAA Terms of Reference were agreed at the 1<sup>st</sup> meeting of the SHLAA Partnership, and are reproduced in Appendix 2 for information. Three important points are clear from the Terms of Reference. Firstly that the balance of representation was agreed, including 3 housebuilder representatives out of a total group of twelve. Secondly that the role would be to agree the methodology, to assess the Council’s conclusions on market deliverability of sites and to be involved in annual review. Thirdly the means of arriving at conclusions was clarified; the partnership would aim for consensus but record diverging views where consensus was not possible.
- 3.3 The modus operandi of the SHLAA Partnership was structured to be balanced without giving housebuilders undue influence. Compared with other local authorities surveyed (see Appendix 3), Leeds’ SHLAA Partnership has a lower proportion of housebuilders represented than most authorities. The majority of decisions reached by Leeds’ SHLAA Partnership have been by consensus. As far as possible, officers provided evidence to back up the reason for the SHLAA methodology and to back up individual site conclusions. Where matters of judgement were involved, for example on future deliverability of dwellings on brownfield sites which are not yet subject to formal development interest, discussions were robust from both housebuilders and city council/aligned representatives, but consensus was usually reached involving compromises on both sides. It is important to recognise that the views of the SHLAA Partnership do not represent a decision to identify a particular site for development. These are matters for the Core Strategy, the Site Allocations document and the Neighbourhood Planning Process.

#### **Political Chairperson**

- 3.4 Leeds took the decision to have its SHLAA Partnership Meetings chaired by a City Councillor. Originally, this was Cllr Barry Anderson who was superseded by Cllr Neil Taggart. Cllr Clive Fox also sat on the SHLAA Partnership to represent the Development Plans Panel. The presence of local politicians on the Partnership has helped to marshal the interests of the City Council in SHLAA discussions. It has also helped maintain a political overview of what would otherwise be an esoteric officer led process.

#### **SHLAA national practice guidance**

- 3.5 The first reference point for considering whether it would be better to do without a SHLAA Partnership altogether is national guidance. It is important that evidence used to underpin LDF policy documents is considered “sound”. That means that the

planning inspector charged with assessing an LDF document needs to be convinced that its evidence base – including the SHLAA – is robust and has been prepared in accordance with national guidance.

- 3.6 An extract of the SHLAA national practice guidance concerning *Partnership* is provided in Appendix 4. Of particular relevance, paragraph 12 of the guidance expects involvement of key interests, including housebuilders in shaping the methodology of a SHLAA and contributing to conclusions about deliverability of particular sites. This involvement is expected to continue into subsequent SHLAA updates:

12. Key stakeholders should be involved at the outset of the Assessment, so that they can help shape the approach to be taken. In particular, house builders and local property agents should provide expertise and knowledge to help the partnership to take a view on the deliverability and developability of sites, and how market conditions may affect economic viability. Key stakeholders should also be involved in updating the Assessment from time to time.

- 3.7 The guidance is unequivocal; housebuilders are expected to be involved, and in particular to give opinion on the deliverability of sites, taking account of market conditions and viability.

#### **Practice in other local authorities**

- 3.8 A survey of other planning authorities was undertaken to ascertain their approach to involving housebuilders in their SHLAA Partnerships. This included all the core cities (Manchester, Liverpool, Sheffield, Newcastle, Birmingham, Nottingham and Bristol) and neighbouring authorities to Leeds (Harrogate, York, Selby, Wakefield, Barnsley, Kirklees, Calderdale, Bradford and Craven). The questionnaire and the results of those that responded are provided in Appendix 3.
- 3.9 Most authorities, like Leeds, have a SHLAA partnership with housebuilders involved that are involved with setting the methodology for the SHLAA and provide opinion on the site conclusions reached initially by council officers. However, it is worth focussing on the authorities that do not operate this way: Liverpool, Bristol and York.
- 3.10 Liverpool started with a SHLAA partnership/steering group involving housebuilders but opted to have individual sites assessed by a planning consultant recruited for the purpose. In assessing deliverability of individual sites, the consultant was referred on to the housebuilder steering group members for input on market conditions. In this way, Liverpool's approach achieves the requirement of national guidance in ensuring that housebuilders are able to have their opinions on deliverability of individual sites taken into account.
- 3.11 Bristol's SHLAA fed into a West of England Housing Partnership which considered the methodology but not individual sites. To ascertain the deliverability of sites, Bristol contacts agents and developers connected with individual sites on an annual basis requesting information about anticipated future dwelling delivery.
- 3.12 York's SHLAA is on an altogether different scale to that of Leeds. York's SHLAA concludes 5900 dwellings are deliverable on 43 sites. This has enabled contact with

agents and owners of individual sites about deliverability and detailed viability assessment. Speculative sites (ie those not in the development process) are not included in York's SHLAA.

3.13 A further authority of interest brought to the attention of Leeds' planning officers is Tunbridge Wells. It set out to involve housebuilders in a Panel in 2008 as documented in its SHLAA methodology (Appendix 5). However, as stated in its SHLAA Report, the Panel was never set up. According to a planning officer at Tunbridge Wells, this was because the housebuilders were unable to commit to join the Panel because of other work pressures.

3.14 Whatever the reason for not undertaking its SHLAA with housebuilder involvement, this choice of Tunbridge Wells did not fare well at the Examination into Tunbridge Wells' Core Strategy. The Inspector noted the absence of market testing of the deliverability of its housing sites. He concludes that too many favourable assumptions were made about deliverability of sites. He takes note of Tunbridge Wells' use of a regeneration company to provide delivery information for certain areas, but he says:

“... it does not alter my overall conclusion about the undue optimism portrayed in the CS about the timeframe for developing so many of the identified PDL sites.”

3.15 Tunbridge Wells' Inspector goes on to surmise that it is fortuitous that enough greenfield sites had been identified in the plan so that the uncertainty in PDL delivery would not undermine Tunbridge's ability to meet its housing requirement.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 Not applicable.

### **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 Not applicable

### **4.3 Council Policies and City Priorities**

4.3.1 Not applicable

### **4.4 Resources and Value for Money**

4.4.1 Not applicable

### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 Not applicable

### **4.6 Risk Management**

4.6.1 Not applicable

## **5 Conclusions**

- 5.1 Compared with other authorities, it would not appear that Leeds' SHLAA Partnership has been structured to give undue influence to housebuilders. It is also apparent that the majority of other authorities surveyed have set up a very similar partnership approach to Leeds which involves housebuilders in the consideration of deliverability of sites.
- 5.2 In terms of the exceptions, it is clear that authorities are not able to avoid housebuilder involvement; otherwise they face the consequences of being found "unsound" at public examination. The approach of Liverpool, to appoint a consultant to undertake site assessment is not considered appropriate for Leeds because it would be expensive and may well offer housebuilders more influence than the existing partnership arrangement. Similarly, the approaches of Bristol and York would not be appropriate for Leeds because a large number of Leeds' SHLAA sites do not have any developer interest expressed yet. In other words, there would be no agent or developer to contact to ask about deliverability of a large number of Leeds sites.
- 5.3 Neither should the advantages of Leeds SHLAA Partnership be underestimated. By having a Partnership with housebuilders accounting for only 25% of total membership and having a City Councillor as the chairperson, the City Council has been able to exert its own influence over conclusions. If this approach were replaced by one relying upon exchange of written comments and officer led desk-top assessment, the process would become less transparent and more open to challenge at other stages of the Planning Process.
- 5.4 In the case of Tunbridge Wells, their lack of a SHLAA Partnership was identified as an inadequacy by the Core Strategy Inspector. It meant that he considered Tunbridge's brownfield land supply unreliable because it had not been market tested. Fortunately, Tunbridge had enough land identified overall, that the SHLAA weakness did not render the Plan unsound. The experience is illustrative for Leeds that abandonment of the SHLAA Partnership would be a high risk strategy.

## **6 Recommendations**

- 6.1 To retain the existing Leeds' SHLAA Partnership arrangements

## **7 Background documents**

- 7.1 See appendices below.

## **Appendix 1: Extract of Scrutiny Report into Housing Growth, October 2011 (nb sub-headings have been added to aid navigation)**

### **Strategic Housing Land Availability Assessment (SHLAA)**

51. We spent a considerable amount of time examining the development and preparation of SHLAA which was based on National Practice Guidance and aimed to be robust enough to be used as evidence in planning appeals on development proposals and examinations of Local Development Framework documents. We considered a range of documents which had been provided to us to give us some understanding of the nature of the exercise, the methodology and the way the SHLAA Partnership was being expected to operate.

52. We received a briefing paper on the reporting mechanisms that monitor housing development and steps to identify future housing land supply. It was noted that PPS3 requires the Council to look forward and identify where future housing units are to be delivered and this is done by developing a 5 year supply (FYS).

53. We noted that in order for a housing unit to contribute to FYS there must be reasonable certainty that the unit will be completed in the FYS. A housing unit cannot be included in the 5 year FYS solely because it's got planning permission. Therefore an assessment of sites/units beyond planning permission alone is required and this is done through the Strategic Housing Land Availability Assessment.

#### **Rigor of assessment of housing delivery**

54. We had concerns as to whether members of the SHLAA Partnership applied rigor to the process and challenged developers when agreeing the sites to be developed and the number of affordable homes to be included. We suggested that SHLAA accepts whatever the developers tell us. We were told this was not the case and that there was an agreed process and methodology in the approach which is based on trends as to what has been achieved in Leeds to date. Members suggested that it was all about what can be achieved in 5 years time and on past performance only delivering half of what is required. The housing target of 4,300 units per annum has never been met.

55. We asked who the onus was on to complete these planning consents. It was confirmed to us that it was up to the developer to complete the permissions. However in determining the expected number of housing units that will complete in five years, it is supposed to be collaborative between the Council and developers through the SHLAA. It was pointed out that at the recent planning appeals developers were saying that they could not deliver on many of these sites (with planning permission) because of the current economic climate. We suggested the Council should be taking a more robust approach with developers to start on sites where planning approvals already exist. However, we accept that the situation is a challenging one. The Council is very much dependent upon house builders delivering the homes which are needed. It will require the house building industry to work proactively and responsibly in partnership with the Council and other agencies to achieve the targets which are set.

### **Methodology up-to-date**

56. Reference was made to the fact that the methodology used in developing the SHLAA partnership was agreed in 2008 at a time before the housing crunch and developers and mortgage lenders had now become much more risk averse. The 2011 update to the SHLAA should address some of these issues

### **Mortgage availability**

57. We referred to the inquiry at Churchfield Boston Spa where Taylor Wimpey were on record as saying that mortgage lending was not a problem but clearly the Homes and Community Agency (HCA) on the evidence presented to us think this is a significant problem. We asked what evidence was available on this issue? It was suggested that it was first time buyers who were struggling to secure mortgages and as a consequence developers want to build high value properties aimed at those who already have equity in a property and can meet the deposit required by a lender.

### **Progress building on UDP Phase II & III allocated sites**

58. We asked how many sites that went to appeal have now started. Officers stated to us that in a number of cases detailed plans have come forward, so progress is being made, but no onsite building has begun on any of the sites appealed against. Developers later in this report put their case forward as to why this is a slow process (see paragraph 86 onwards).

### **Questions on SHLAA totals**

59. We asked what is the total number of sites identified in the SHLAA which fall into the category of "Ldf to determine" and what is the total number of dwellings within this category? We also asked which sites have policy constraints or sustainability issues. The details of the officers responses are set out in Appendix 5.

60. We were informed that SHLAA has now included smaller sites in its deliberations but developers seem to be opposed to this change.

### **Efficacy of the SHLAA Process**

61. We heard that since adjustments had been made to the process members of the SHLAA Partnership consider that the process is working as well as it can but the partnership can only take it so far and cannot deliver irrespective of market conditions.

### **Inspectors opinion of the SHLAA**

62. We noted that inspectors have accepted the robustness of the SHLAA process.

### **Conclusion that builders choosing not to build**

63. We were concerned that developers are telling the Homes and Community Agency (HCA) that they are not building houses because they cannot sell them. Yet they told inspectors at all the recent housing appeals that it was the lack of land supply that was holding things up and they could sell everything they built. The fact is house builders have potential to build 21,000 dwellings tied up in outstanding planning permissions, which would be almost equivalent to a five year housing supply. We took the view that developers have no intention of building on many of the available sites with planning approval in the short and medium term.

### **NPPF and subsidising building**

64. We recognised that the new Planning Framework and the Government's desire to build new homes will make things more difficult for the local authority. It will be difficult to develop some sites unless incentives by way of subsidy can be offered to developers. It is particularly challenging for the Council to deliver many of its objectives for the regeneration of sites and employment when it does not build its own houses

### **Opinion of mistrust between LCC & developers**

65. We feel that there is considerable mistrust between the Council and developers and question whether SHLAA is robust enough to press developers to deliver on sites where planning approvals are already in place.

### **Recommendation 6**

**That the Director of City Development undertake a fundamental review of the SHLAA partnership by 31 December 2011 and before the preparation of the site allocation plan and that a report be submitted to Scrutiny Board (Regeneration) on the outcome.**



## Appendix 2

### LEEDS STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT DRAFT TERMS OF REFERENCE FOR THE PARTNERSHIP GROUP

#### Governance Arrangements

- Membership –
  - o Membership to include those listed on membership of Partnership list (attached). Continuity is important; members should endeavour to attend all meetings and are discouraged from sending substitutes.
  - o Membership means the representative will be actively involved in the role and functions of the Partnership as listed below.
  - o Members can call on additional people to assist them in Partnership work outside of meetings, eg checking site information etc
  - o Observers at the meetings will not be allowed
- Validation of conclusions – Conclusions on sites listed in the SHLAA will be established via an order of preference which is:
  - o Consensus – agreement of all members of the Partnership on conclusions relating to a particular site is preferred.
  - o Clear majority (allowing for possible weighting to minority views?)
  - o Where there is no clear majority conclusion on a site, the Council will list the varying views and conclude on its preferred approach.
- Servicing the meetings –
  - o note taking – minutes to be taken by admin staff of LCC
  - o all papers to be sent to members in advance of meetings. Where views on sites are sought sufficient time has to be allowed for adequate consideration of information supplied
  - o Members to correspond and submit information electronically where possible to SHLAA@leeds.gov.uk.

#### Role and Functions of the Partnership

- to agree and endorse the methodology for the work needed to undertake a SHLAA in Leeds
- to agree a work programme and timetable for production of the SHLAA
- to provide expertise and knowledge to come to a view on the deliverability and developability of sites, and how market viability may be affected by market conditions
- to agree an annual review process and be involved in the reviews

Membership of Leeds SHLAA Partnership group list.

Councillor Barry Anderson (Chair)

Steve Speak (Chief Policy & Strategy Officer, LCC)

David Feeney (Planning & Economic Policy Manager, LCC)

Robin Coghlan, (Policy Team Leader, LCC)

Tim Pegg, HBF nominee – [tim.pegg@persimmon.com](mailto:tim.pegg@persimmon.com)

Rebecca Wasse, HBF nominee – [Rebecca.j.wasse@barratthomes.co.uk](mailto:Rebecca.j.wasse@barratthomes.co.uk)

Vicky Cole, HBF nominee – [Victoria.cole@miller.co.uk](mailto:Victoria.cole@miller.co.uk)

David Cooke, CPRE – [cookedl@tiscali.co.uk](mailto:cookedl@tiscali.co.uk)

Steve Williamson or Huw Jones, Social Housing Sector nominee

Stephen Fielding, nominee of the Property Forum – [sfielding@shulmans.co.uk](mailto:sfielding@shulmans.co.uk)

Harriet Fisher, Yorkshire & Humber Assembly – (first meeting only with no site specific input) – [harriet.fisher@yhassembly.gov.uk](mailto:harriet.fisher@yhassembly.gov.uk)

Rob Pearson, English Partnerships. [robpearson@englishpartnerships.co.uk](mailto:robpearson@englishpartnerships.co.uk)

Appendix 3:

Local Authority	Partnership	House-builders	Percent	Market Deliverability by Other Means	Further explanations
Birmingham	Y	2	20	n/a	Our SHLAA Panel comprises: 3 City Council Planners, 1 City Council Housing Officer, 2 Housebuilders (Miller Homes & Cala Homes), 1 Agent (RPS), The chair of the City Housing Partnership (representing the social sector), The Homes and Communities Agency, An estate agent. We approached the HBF at the beginning of the process and asked them to nominate the house builders.
Sheffield	Y	4	75	n/a	three representatives from the House Builders Federation, as well as one planning agent. The other active rep is from CPRE, and then we have less active reps from adjoining local planning authorities
Bradford	Y	4	66	n/a	12 members (2 Bradford Planning reps, 2 Bradford Housing Service reps / 4 market house builders / 2 RSL's / 1 Neighbouring Authority Planning rep / 1 Planning & Estate Agent)
Bristol	N	n/a	n/a	Our 5-year deliverable housing supply comprises of sites with planning permission or agreed subject to s106. To ascertain the deliverability of these sites we send out an annual questionnaire to applicants and agents of sites of 10 or more dwellings seeking feedback on the likely delivery dates of their sites. Further details can be found here: <a href="http://www.bristol.gov.uk/page/land-use-development-and-planning-policy-research">http://www.bristol.gov.uk/page/land-use-development-and-planning-policy-research</a>	We have a West of England Housing Market Partnership who ratify the approach to SHLAAs in the West of England. It does not tend to look at individual sites. The HBF are invited to the Partnership but do not usually attend.
Harrogate	Y	2	20	n/a	Two housebuilders out of a group of 10

Liverpool	N	n/a	n/a	Commissioned consultants (Roger Tym & Partners) whose primary task was to appraise deliverability, but referred the consultants to those Steering Group members for input about wider market conditions. We are currently undertaking an Update of our SHLAA. We are proposing to carry out the Update on the same basis.	We did have a Steering Group for the SHLAA (since re-badged as a Housing Market Partnership) which included housebuilders and RSLs, and we did consider the possibility of using them to assist in the deliverability assessment side. However, we went down the route of commissioning consultants, as indicated
Wakefield	Y	2	10	n/a	Working Group established drawn from Housing Market Partnership – includes registered social landlords; adjoining local authorities; Home Builders federation agents (Planning Consultants); house builders (Miller Homes & Redrow)
Selby	Y	Y	80	n/a	The SHLAA working group includes land agents, planning agents and house builders. The SWG agrees the method. Officers undertake the analysis of the sites. SWG members review the site summaries/conclusions and results. So they do get input into the sites but we do all the work. We don't individually assess the market deliverability of each site. As agreed with the SWG we assume 'normal' market conditions and that because there are insufficient variances overall across the District, that they are all treated the same.
Manchester	Y	Y	30	n/a	We set up a SHLAA partnership when we produced our first SHLAA in 2009. The panel comprised developers, Registered Providers, Housing Associations, landlords, letting agents and utilities providers and we received advice from the Home Builder's Federation on membership of the partnership. In addition consultants carried out a viability assessment of SHLAA sites.
Kirklees	Y	Y	45	n/a	Housebuilders = 5 members (45% approx), Agents = 3 members (27% approx), Housing Trust = 1 member (9% approx), Environment Groups = 2 members (18% approx). The SHLAA working group included house builders, planning agents, housing trust and environment groups (although the latter withdrew in October 2011).

Calderdale	Y	Y	40	n/a	<p>Averaged around 25% but 2 more joined for 2011 review pushing it up to 40%. However, this needs putting in context - group relatively small with a total of 8 Members (recently gone to 10) if include 2 from Spatial Planning Team. housebuilders come and gone over course of original SHLAA and first review but generally averaged 2 representatives. Other members include Calderdale MBC Housing Services, an RSL, an adjacent LA and CPRE. Some difficulties in obtaining members were encountered when the first SHLAA was undertaken with no estate agents eg willing to participate.</p>
York	N	n/a	n/a	<p>SHLAA site deliverability conclusions are achieved through consultation with SHLAA stakeholders (including site submitters) who are asked to complete questionnaires on availability and deliverability. Site viability is tested through a standard methodology. The draft SHLAA report is subject to further consultation with stakeholders and the public.</p>	<p>Housebuilders are only involved in terms of sites that they are promoting. Sites outside of the development process – ie without agents/developers – are not included in York's SHLAA.</p> <p>Viability assessment assumes normal market conditions. It cannot therefore be used to predict <i>when</i> sites will be achievable.</p>
Craven	N	n/a	n/a		<p>Not to date but the intention is to do so following publication of updated information on all sites in the Council's land bank database (including all sites included in a previous 2008 SHELAA). Involvement of housebuilders is to be determined but expect to involve them and to contact individual housebuilders identified as having an interest in particular sites though a current land availability questionnaire survey (part of the Shelaar / land bank update process).</p>

### **The importance of a partnership approach**

11. This guidance advocates that regional planning bodies and local planning authorities work together, and with key stakeholders, to undertake assessments to ensure a joined-up and robust approach. Assessments should preferably be carried out at the sub-regional level, for separate housing market areas, by housing market partnerships (where established). Housing market partnerships should include key stakeholders such as house builders, social landlords, local property agents, local communities and other agencies, such as English Partnerships where they have a recognised interest in an area. For further information on these partnerships and their benefits, refer to the Department's Strategic Housing Market Assessments Practice Guidance.

12. Key stakeholders should be involved at the outset of the Assessment, so that they can help shape the approach to be taken. In particular, house builders and local property agents should provide expertise and knowledge to help the partnership to take a view on the deliverability and developability of sites, and how market conditions may affect economic viability. Key stakeholders should also be involved in updating the Assessment from time to time.

13. There may be particular reasons why an assessment cannot be prepared for the whole housing market area, for example, where a local planning authority needs to urgently update its five year supply of specific deliverable sites. Where this is the case the Assessment should be capable of aggregation at a housing market area level at a later date.

## **Appendix 5: Extracts from Tunbridge Wells' SHLAA Methodology, SHLAA Report and Core Strategy Inspector's report**

Tunbridge Wells SHLAA Methodology April 2008

Para 2.5 final bullet point:

To progress the SHLAA, it is the intention to use a SHLAA Panel, which will include representatives from the Council and which may include house builders, social landlords, local property agents, local communities and other agencies. The Panel will provide expertise and local knowledge to inform the approach to assess the suitability, availability and deliverability of sites and how market conditions may affect economic viability.

SHLAA Report April 2009

Para 3.4 In the absence of a formal partnership approach to the SHLAA, a robust and coordinated approach has been undertaken by ensuring that infrastructure and service providers and key stakeholders have been involved with the development of the Methodology. For example, about 400 stakeholders were invited to the workshop to help inform the Borough Council's SHLAA Methodology.

Inspector's Report into the Tunbridge Wells Core Strategy April 2010

Para 3.50 I accept that TWBC undertook consultation on the methodology of the SHLAA. However, it was unclear that much consultation with landowners occurred at the stage of assessing and making judgements about the availability and achievability of individual sites (stage 7 of the SHLAA Practice Guidance, July 2007). In my view figure 3 presents an over-optimistic view of site deliverability/developability, founded on too many favourable assumptions and best-case-scenarios.

Para 3.51 ....It is therefore difficult to have confidence in the SHLAA's identification of so many car parks as an early source of housing development of this quantity, nor in its overall conclusion that development of the great majority of the sites identified in appendix 4g of the SHLAA will be able to commence by 2013, and the greater part of the remainder by 2018.

Para 3.52 I have taken account of the formation of the Tunbridge Wells Regeneration Company, a John Laing/TWBC joint venture working to promote development projects on 38 PDL sites in RTW/Southborough, Paddock Wood and Cranbrook. This may import greater property development experience into the process and generate increased impetus behind some of the sites in the SHLAA, but it does not alter my overall conclusion about the undue optimism portrayed in the CS about the timeframe for developing so many of the identified PDL sites.

Para 3.53 Despite the above, appendix 4g includes sites [all greenfield urban extensions] with a broad potential residual capacity of 6117 dwellings (7151 minus 1034 completions). This is comfortably greater than the required residual Borough total of 4966 (6000 minus 1034 completions). It is also noteworthy that the site-by-site housing yields of these sites, as quoted in the SHLAA, often assume modest densities well below the national indicative minimum despite the current absence of a locally-defined density policy in accordance with paragraphs 46-47 of PPS3. The above factors provide confidence that this body of sites, supplemented by any others identified during the preparation of the ADPD/TCAAP, will enable those DPDs to identify a sufficient supply of rigorously assessed housing land to

meet the Borough requirement. Consequently, the shortcomings of the SHLAA are not fatal to the soundness of the CS.

Para 3.54 On the other hand, I do not consider the SHLAA sufficiently robust and credible to validate the present detailed content of the submitted form of the housing trajectory at figure 3. In this form the trajectory would be potentially misleading in the degree of detail which it purports to show about the types and timing of PDL/non-PDL sites, and it would therefore provide an unsatisfactory information brief for the ADPD and TCAAP. It is therefore necessary to substitute the Council's redrawn trajectory. This is a simplified version containing considerably less detail. However, taken in conjunction with the new tables referred to above, these two sources of information provide an effective position statement for the guidance of future DPDs.