

# **Rebuttal Proof of Evidence - Housing Need**

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**Colchester Borough Council**

**Demolition of existing buildings on the site and redevelopment to provide 130 residential dwellings with access, link road to allow for potential future connections, associated parking, private amenity space and public open space.**

**LPA Ref: 190647**

**PINS Ref: APP/A1530/W/21/3278575**

**March 2022**

## **1. Scope of this Rebuttal**

- 1.1 This rebuttal proof addresses points raised primarily in Chapter 5 of the POE from Sam Hollingworth (SH) on Housing Need, Requirement and Supply.
- 1.2 The rebuttal proof of Cristina Howick on behalf of the Council addresses points raised in the remaining chapters of the POE from SH.
- 1.3 I address key points to assist the Inspector's consideration of the appeal proposal as follows:
  - Affordable Housing Need in Colchester
  - Affordable Housing Delivery in Colchester
  - Affordable Housing Monitoring
  - Affordable Housing Delivery in Tiptree

## **2. Affordable Housing Need in Colchester**

- 2.1 SH paragraph 5.2 states that the Council's affordable need as outlined in the Objectively Assessed Housing Need Study (OAHN) 2016 (CD 10.4) is 267 dpa. As identified in my POE paragraph 6.3 and supporting figure, the Strategic Housing Market Assessment (SHMA) (CD 10.5) identifies the overall affordable housing need is 278 dpa; consisting of 266 dpa of affordable rent/social rent and 12 dpa shared ownership. Paragraph 7.17 of the SHMA clarifies that the shared ownership requirement is only that required to meet affordable housing need and forms part of the affordable housing requirement.
- 2.2 Contrary to SH paragraphs 5.16 and 5.17, it is my view that Colchester Borough Homes (CBH) are not discouraging applicants to the housing register and suggesting residents should seek private renting instead. The [CBH website](#) is clearly explaining to residents the potentially long process of securing a property in Colchester, given the number of active applicants on the register; and provides information of alternative options. The website also identifies that an application will need to be supported by ID documentation and potentially other documents such as proof of income, which can be provided by taking a photo on a smart phone and sent via email or uploaded to the application. This is not to discourage applicants, but rather to provide as much information as possible so the applicant is fully aware of the process.

### 3. Affordable Housing Delivery in Colchester

- 3.1 CLP Section 2 Policy DM8 (as proposed to be modified) requires 30% of new dwellings on housing developments of 10 or more dwellings in urban areas and above 5 units in designated rural areas to be provided as affordable housing.
- 3.2 As outlined in my evidence paragraphs 6.8 to 6.11, new build affordable housing via S106 is not the only way affordable housing is provided in Colchester. The Council have invested £75m into 350 council affordable homes, delivery of 100% affordable housing schemes through redeveloping Council Land and Colchester Amphora Homes Developments will deliver market sales with 30% affordable housing. Table 1 below summarises affordable housing delivered across the Borough outside of Section 106, totaling 185 units between 2018 and 2021. There are a further 203 units in the pipeline for 2022 and 2023.

Table 1 – Non Section 106 Affordable Housing Delivery in Colchester 2018 to 2023

	Delivered				Pipeline	
	2018	2019	2020	2021	2022	2023
<b>Council Street Property Acquisitions</b>	8	35	59	61	54	50
<b>Affordable housing providers with grant support from the Council</b>	7	9	0	0	8	0
<b>Council led new affordable housing development</b>	0	0	0	6	20	71
<b>Total</b>	<b>15</b>	<b>44</b>	<b>59</b>	<b>67</b>	<b>82</b>	<b>121</b>

- 3.3 There is also the possibility that affordable housing can be provided via rural exception sites, although given their nature this cannot be quantified.
- 3.4 It is simply not the case that the only affordable housing to be provided over the next five years will be from sites in the housing trajectory above 10 dwellings as Mr Hollingworth infers (paragraph 5.8).

### 4. Affordable Housing Monitoring

- 4.1 I do not understand SH's view (paragraph 5.9) that there is no certainty all sites in the five year trajectory will deliver in full as projected. The Appellant has agreed that the Council can demonstrate a 5 year housing land supply (5YHLS), as confirmed in the Housing Supply SoCG.

4.2 SH paragraph 5.6 states that the housing trajectory included within the Housing Land Supply Annual Position Statement (CD 10.1), does not identify those dwellings which are affordable within the supply. The PPG for 'Housing Supply and Delivery' states at paragraph 14:

*Assessments will be expected to include: ...*

- *Total net completion from the plan base date by year (broken down into types of development e.g., affordable housing)*

There is therefore no requirement for reporting affordable housing completions on a site by site basis. Within the Housing Land Supply Annual Position Statement (CD 10.1), the Council clearly provide details of the total net completions for the monitoring year. It should be noted the PPG only 'expects' and does not 'require' the total net completions to be broken down into types of development.

4.3 Nevertheless, the Authority Monitoring Report (AMR) which is published annually in December, reports on the delivery of new build affordable housing across the borough via Housing Indicator 3 and delivery of new build affordable housing in rural areas via Housing Indicator 4 (see my evidence table 5).

4.4 In accordance with the Community Infrastructure Levy Regulations, the Council also publish annually an Infrastructure Funding Statement which details the contributions received through Section 106 planning obligations (2020/21 version available via the [Council's website](#)). This also reports on the number of affordable units delivered by Section 106 and provides details of specific sites. In 2020/21, this includes five schemes across the Borough (Chesterwell, Land North of Dyers Road, Severalls, Field House, Stanway and Hampton Park, Stanway).

4.5 Despite not being a requirement of annual position statements; it is considered that sufficient detail regarding affordable housing delivery is published in two other monitoring reports annually by the Council.

4.6 Contrary to SH paragraph 5.10, there is no requirement in the PPG or NPPF to specifically monitor delivery of affordable housing (outside of those in relation to Section 106 as noted above). There is also no requirement to identify if there is a shortfall and add this as an uplift on the identified annual need. Neither the 5YHLS nor Housing Delivery Test require adjustment for any shortfall in affordable housing. These only require consideration of overall net dwellings.

## **5. Affordable Housing Delivery in Tiptree**

### Adopted Local Plan

- 5.1 There are existing commitments from those sites allocated in Tiptree in the currently Adopted Local Plan. These sites (Factory Hill and Grange Road) have been granted planning permission and are currently delivering dwellings, with both sites due to complete by 2025/26. This is summarised in my evidence Table 3 and paragraphs 5.4 to 5.9.
- 5.2 As part of these developments, affordable housing is also being delivered as outlined in table 6 of my POE.
- 5.3 The Tiptree Jam Factory Plan (CD 8.7) allocates two sites for residential development with an indicative number of 250 dwellings. Currently only one of these sites has been brought forward and developed (Factory Hill 130245/191414 for 144 dwellings, see my POE Table 3). There is potential for a further 106 dwellings to be developed in Tiptree to enable the expansion of the Jam Factory. In principle this would provide a further 32 affordable units in Tiptree.

### Emerging Local Plan

- 5.4 The housing requirement figure for Tiptree as established in the CLP Section 2 Policies SG2 and SS14 is 600 dwellings (my evidence paragraph 5.10).
- 5.5 As set out in my evidence (paragraph 5.22), the Tiptree Neighbourhood Plan will identify allocations for a minimum of 400 dwellings and the Barbrook Lane site is identified as an existing commitment for 200 dwellings. The Rebuttal of James Ryan provides an update on the status of the Tiptree Neighbourhood Plan which has recently commenced Regulation 14 Consultation.
- 5.6 In accordance with CLP Section 2 Policy DM8, which requires 30% affordable housing, this would equate to 180 affordable homes in Tiptree (CD 9.1).
- 5.7 A reserved matters application has been approved in June 2021 for Barbrook Lane and the construction of 200 dwellings at this site commenced in August 2021 (my evidence para 5.25). Of these 200 dwellings, 60 are affordable homes (my evidence para 7.4).
- 5.8 The remaining 120 affordable dwellings will be delivered as part of the allocations for 400 dwellings in the Tiptree Neighbourhood Plan.

## **6. Summary and Conclusion**

6.1 This rebuttal proof confirms the following:

- the total affordable housing need across the Borough is 278 dpa, as identified in the SHMA Update 2015
- The Council is not solely reliant on Section 106 provision of affordable housing to meet the borough's needs
- The AMR and Infrastructure Funding Statement provide details of the delivery of affordable housing annually
- Housing and Affordable Housing will be provided in Tiptree through development identified in the Tiptree Neighbourhood Plan. Additional development could also be brought forward through the remaining undeveloped portion of Factory Hill, as allocated in the Tiptree Jam Factory Plan