



**LONDON BOROUGH OF LAMBETH**

**Planning, Transport and Development**

**Sustainable Growth and Opportunity**

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**Rebuttal Statement**

**of Ms Dominique Barnett MPLAN MRTPI**

**Town and Country Planning (Inquiries Procedure) (England) Rules 2000**

**Appeal by: Anthology Kennington Stage**

**Appeal site: Woodlands Nursing Home, 1 Dugard Way, LONDON SE11**

**4TH**

**Reference: APP/N5660/W/20/3248960**

**LB Lambeth Reference: 19/02696/FUL**

**6 November 2020**

- 1.1. This rebuttal statement is prepared in response to the evidence prepared by Mr Nick Ireland. It deals with his evidence on the methodology used to undertake the Lambeth Strategic Housing Market Assessment 2017 (SHMA).
- 1.2. It is important to recognise that neither the Lambeth SHMA 2017 nor its methodology have been challenged during the Local Plan examination, including by the Appellant. The Local Plan Inspector has raised no questions with it thus far and it was not raised as a matter during the Local Plan examination hearing session on affordable housing.
- 1.3. The Lambeth SHMA has been prepared in accordance with Planning Practice Guidance (PPG). Although some aspects of the PPG relating to housing need were updated in 2019, the Lambeth SHMA 2017 remains consistent with national guidance. The Lambeth SHMA 2017 does not provide an objective assessment of overall housing need but is an assessment of affordable housing need and of the need for different types of housing.
- 1.4. In paragraph 3.12 and table 3.2 of Mr Ireland's evidence he comments on Lambeth's Housing Delivery between 2009 – 2019 as set out in the Lambeth Annual Position Statement 2019. The Annual Position Statement demonstrates Lambeth has a good record of delivery against its housing target over the last ten years, with total housing delivery outperforming the London Plan targets by a total of 2,543 units since 2009/10. The Housing Delivery Test can be used as an indication of Lambeth's housing delivery in comparison to other London Boroughs. The Housing Delivery Test is an annual measurement of housing delivery and the latest measurement published by MHCLG is for 2019. This latest measurement shows that of the 33 boroughs:
- Two London Boroughs are required to apply the presumption in favour of sustainable development
  - Five London Boroughs are required to publish an Action Plan
  - Nine London Boroughs are required to apply a 20% buffer to their 5-year housing land supply and
  - 17 London Boroughs, including Lambeth, are not required to take any action based on their housing delivery performance
- 1.5. In paragraphs 3.13 – 3.15 of Mr Ireland's evidence he comments on Lambeth's housing target. It should be noted that it is a key principle in London that housing need is

established through the strategic spatial strategy at London-wide level, based on evidence in the London-wide SHMA. Lambeth's housing target is therefore set by the London Plan which has been tested during the examination of the Draft London Plan. The London Plan Panel's Report (CD5/11) reduced the ten year small site housing target for boroughs which as a consequence reduced the overall housing target for boroughs to give a total of 522, 850 (rather than 649, 350).<sup>1</sup> This resulted in Lambeth's housing target of 1,335 homes per annum.

1.6. In paragraph 3.22 Mr Ireland states that the Lambeth SHMA 2017 pre-dates revisions to the NPPF and Planning Practice Guidance in 2019 which widened the definition of affordable housing need to include households who aspire to own a home but require support to do so, through a subsidised route to home ownership. He states that in practical terms this includes households who might be able to rent privately without financial support but cannot afford to buy a home on the open market. Mr Ireland asserts that such households are included as having an affordable housing need within the PPG but are excluded through the narrower definition of need adopted in the Council's evidence which thus underplays demand for affordable home ownership products such as shared ownership homes.

1.7. As I set out in paragraph 1.3 of this rebuttal, the SHMA has been prepared in accordance with the PPG. Section 3 of the SHMA considers the level of affordable housing in need with Lambeth in line with the PPG which states that households considered to be in affordable housing need are 'all households whose needs are not met by the market can be considered in affordable housing need. The definition of affordable housing for planning purposes is set out in Annex 2 of the National Planning Policy Framework' and that when calculating affordable housing need 'strategic policy-making authorities will need to estimate the current number of households and projected number of households who lack their own housing or who cannot afford to meet their housing needs in the market.' The methodology followed in paragraphs 3.1 – 3.20 of the Lambeth SHMA 2017 to calculate affordable housing need is consistent with this and therefore does not apply a narrower definition of affordable housing need. Paragraphs

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<sup>1</sup> See the passage of the Panel's report culminating at para. 178. The overall housing target for London was determined by considering how best to balance the need for growth against countervailing considerations such as environmental damage: this is evidenced in e.g. the *Integrated Impact Assessment* for the London Plan (November 2017); see in particular the appraisal of options in relation to "GG2 Making the best use of land" (pp. 43-52) (CD5/12).

3.21 – 3.35 of the Lambeth SHMA 2017 considers different types of affordable housing product, including shared ownership, having regard to local incomes.

1.8. In paragraphs 4.48 – 4.49 of his evidence, Mr Ireland sets out that he has interrogated the detailed modelling within the SHMA and has found:

- The modelling undertaken assumes that the needs of those with an affordable housing need now and the needs of households living in the social rented sector who are overcrowded are assumed to be met over a 20 year period
- The modelling assumes that affordable homes in the development pipeline, on sites under construction or with planning consent will equally be built over a 20 year period
- There is a numerical error in the application of the overcrowding adjustment, with the number of homes required by overcrowded households not equalling the properties freed by a move.

1.9. Given that Mr Ireland acknowledges in paragraph 4.49 of his evidence that an approach which models the backlog need being met over the long-term is a justified approach, it is not clear why he has sought to run a sensitivity analysis over a 5 year period (as set out in paragraph 4.50 and Table 4.9 of his evidence) other than to demonstrate an alternative need. It is not clear what the justification for this approach is in the context of the PPG and the deliverability of affordable housing need being met over a five year period.

1.10. In footnote 3 Mr Ireland identifies that the total figure in Table 31 of the Lambeth SHMA 2017 is incorrect and should be 1,396 rather than 1,294. It is my understanding from officers in Housing Policy and Information that there has been a minor numerical error in the calculation in the number of units freed up which should be 1,396. They have advised me that the effect of taking into account 'chain lettings' on the findings for housing mix in the SHMA is limited, as shown in tables 28, 29 and 32 and 33 of the Lambeth SHMA 2017.

1.11. In paragraph 4.62 of his evidence, Mr Ireland states that in contrast to previous housing studies in Lambeth, the 2017 SHMA has not considered the implications of what affordable housing is likely to be delivered and how it might target delivery of different sizes of affordable housing in response. He concludes this is an important omission and

significantly affects the conclusions which can be drawn from it. As I set out in paragraph 1.3 of this rebuttal, the SHMA has been prepared in accordance with the PPG and does not take a different approach to previous housing studies. The Lambeth SHMA 2017 includes an assessment of the annualised housing supply (as set out in paragraphs 3.18 – 3.19 and tables 18, 19 and 20). This is consistent with paragraph: 022 Reference ID: 2a-022-20190220 of the PPG, which states: assessing the total affordable housing supply requires identifying the number of affordable dwellings that are going to be vacated by current occupiers that are fit for use by other households in need; suitable surplus stock (vacant properties); and the committed supply of new net affordable homes at the point of assessment (number and size). Section 4 of the Lambeth SHMA 2017 (paragraphs 4.1 – 4.2 and table 27) also considers the annualised supply of affordable housing and the implications for dwelling mix. As set out in my proof evidence the SHMA 2017 provides the evidence for affordable housing need but does not set the policy response to how this need may be addressed.

1.12. In paragraphs 5.30 – 5.31 of his evidence, Mr Ireland states that the SHMA's assessment of need for market housing and the conclusions drawn from it are fundamentally flawed and are of very limited use in considering the mix of market housing needed in Lambeth or specific sites within the Borough. He argues that the exercise undertaken, and thus the conclusions drawn from it, are fundamentally flawed on a range of levels. In particular:

- There is no evidence of market analysis having been undertaken to inform the SHMA, such as engagement with local estate and letting agents; or analysis of housing cost differentials;
- No consideration is given to the occupancy of the market housing stock, including levels of under-occupancy or overcrowding, despite the SHMA identifying that there is significant under-occupancy in the market housing sector (CD1/18 Paras 2.33 and 5.21);
- Nor was any consideration given to how the need or demand for market housing might vary within the Borough.

1.13. As I set out in paragraph 1.3 of this rebuttal, the SHMA has been prepared in accordance with the PPG. The PPG does not state that the factors set out in paragraphs 5.30 – 5.31 are something that have to be undertaken as part of the SHMA. It also should be noted that paragraph 4.8 of the SHMA does consider under occupation in

market housing and concludes that it is reasonable to assume that a degree of under occupation will continue in market housing and that the figures in table 36 of the Lambeth SHMA 2017 overstate the need for small accommodation.