

**AGENDA ITEM**

**REPORT TO CABINET**

**21st July 2008**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**CABINET DECISION**

**Portfolio - Regeneration and Transport – Lead Cabinet Member – Bob Cooke**

**STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT  
LOCAL DEVELOPMENT FRAMEWORK**

1. Summary

The SHLAA is a technical exercise to support the development of housing policies in the Local Development Framework (LDF). In particular, it informs the Core Strategy Development Plan Document (DPD) and the Regeneration DPD. To support the new policy approach to housing, the PPS3 “daughter document” *Strategic Housing Land Availability Assessments: Practice Guidance* requires a new approach to assessing housing land availability. The fundamental aim of a Strategic Housing Land Availability Assessment (SHLAA) is to identify the capacity of a district to accommodate new housing development over the plan period.

The SHLAA exercise has involved the production of report setting out the methodology and the assessment findings together with associated appendices. It is important to consult publicly on this document and it is considered that there are exceptional circumstances that warrant authorization to do so being conferred by Cabinet. Public consultation is proposed the three-week period Monday 28<sup>th</sup> July to Friday 15<sup>th</sup> August 2008.

2. Recommendations

Members are recommended to:

- i) Note the contents of this report.
- ii) Endorse the draft Strategic Housing Land Availability Assessment **(to follow)** for public consultation for the three-week period Monday 28<sup>th</sup> July to Friday 15<sup>th</sup> August 2008
- iii) To delegate to officers the making of minor changes to the report of an editorial nature.
- iv) Endorse the proposal of the Corporate Director, Development and Neighbourhood Services, to take a decision to approve the draft SHLAA for public consultation for the three-week period Monday 28<sup>th</sup> July to Friday 15<sup>th</sup> August 2008
- v) To delegate to officers the making of any changes to the report that may be considered necessary in the light of the public consultation

3. Reasons for the Recommendations/Decision(s)

The national guidance for the production of a SHLAA emphasises the need for a partnership approach. A Steering Group has guided the Stockton SHLAA. Membership has

included representatives from the Home Builders Federation, Registered Social Landlords and a local estate agent. The draft final summary document has now been produced with the draft schedule of sites without planning permission (showing tables with the criteria based assessment) appended to it. It is considered that, in order to ensure the approach to production of the SHLAA is robust, it is essential that the document is the subject of public consultation. It is proposed, therefore, to make the document available on the Council's website for a period of three weeks, with comments invited, and to distribute copies of the document to public libraries also with an invitation to comment.

The timing of this consultation period is very important. The draft Core Strategy submission document is due to be published for public consultation in September 2008 and formal comments invited. It is important that the public consultation on the draft SHLAA Report precedes this for three reasons. Firstly, to avoid the public confusion that could be caused by overlapping the consultation exercises. Secondly, to finalise the SHLAA before the Core Strategy is consulted on. Thirdly, to avoid delaying production of the final SHLAA report. It is recognized that normal procedure is for Full Council to authorize public consultation on documents associated with the Local Development Framework. However, the next meeting of Full Council is not scheduled until 3<sup>rd</sup> September 2008. In view of this, and given the reasons provided above, the Corporate Director of Development and Neighbourhood Services, in the interests of the Council and the public, proposes to take a decision under urgency provisions, in consultation with the Mayor to approve the draft SHLAA for public consultation for the period 28<sup>th</sup> July to 15<sup>th</sup> August.

#### 4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any**

**other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

**NOT FOR PUBLICATION BY VIRTUE OF  
PARAGRAPH(S) ? OF SCHEDULE 12A  
LOCAL GOVERNMENT ACT 1972**

**AGENDA ITEM**

**REPORT TO CABINET**

**21<sup>st</sup> July 2008**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**CABINET DECISION**

**LOCAL DEVELOPMENT FRAMEWORK:  
STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT**

**SUMMARY**

1. To support the new policy approach to housing, the PPS3 “daughter document” *Strategic Housing Land Availability Assessments: Practice Guidance* requires a new approach to assessing housing land availability. The fundamental aim of a Strategic Housing Land Availability Assessment (SHLAA) is to identify the capacity of a district to accommodate new housing development over the plan period. The SHLAA is a background paper. It informs the Local Development Framework process. In particular, it informs the Core Strategy Development Plan Document (DPD) and the Regeneration DPD.
2. The results of the SHLAA exercise include a summary report with a schedule of sites with planning permission and a schedule of sites without planning permission appended to it. It is important to consult publicly on this document and it is considered that there are exceptional circumstances that warrant authorization to do so being conferred by the Cabinet. Public consultation is proposed the three-week period Monday 28<sup>th</sup> July to Friday 15<sup>th</sup> August 2008.

**RECOMMENDATIONS**

3. Members are recommended to:
  - i) Note the contents of this report.
  - ii) Endorse the draft Strategic Housing Land Availability Assessment **(to follow)** for public consultation for the three-week period Monday 28<sup>th</sup> July to Friday 15<sup>th</sup> August 2008
  - iii) To delegate to officers the making of minor changes to the report of an editorial nature.
  - iv) Endorse the proposal of the Corporate Director, Development and Neighbourhood Services, to take a decision to approve the draft SHLAA for public consultation for the three-week period Monday 28<sup>th</sup> July to Friday 15<sup>th</sup> August 2008
  - v) To delegate to officers the making of any changes to the report that may be considered necessary in the light of the public consultation

**DETAIL**

4. Planning Policy Statement 3: Housing requires the maintenance of a “rolling” 5-year supply of housing land and to plan for housing for 15 years from the date of adoption of the relevant Local Development Document. The relevant Local Development Document in Stockton

Borough is the Core Strategy, which is scheduled for adoption in 2009. This means that the timeline for assessing housing requirements is extended to 2024.

5. To support the new policy approach to housing, the PPS3 “daughter document” *Strategic Housing Land Availability Assessments: Practice Guidance* requires a new approach to assessing housing land availability. The fundamental aim of a Strategic Housing Land Availability Assessment (SHLAA) is to identify the capacity of a district to accommodate new housing development over the plan period.
6. It is important to note the distinction between the Strategic Housing Land Availability Assessment (SHLAA) and the documents it informs. The SHLAA is a background paper that will inform the Core Strategy and Regeneration Development Plan Documents (DPDs). The SHLAA does not determine the overall distribution and phasing of housing. That is the role of the Core Strategy DPD. The SHLAA does not allocate any sites for housing development. That is the role of the Regeneration DPD. The role of the SHLAA is to provide part of the evidence base for the preparation of these two documents.
7. A number of resources were considered by the study team in identifying sites to be included in the assessment. In addition to sites identified by the study team, a number of sites have been promoted externally i.e. put forward for consideration by consultants or agents acting on behalf of site owners. No sites have been excluded or removed from the assessment unless Government policy or law designates them as inappropriate for development (for example, a Site of Special Scientific Interest) or which fall below the minimum site size threshold (0.4 ha).
8. In order to project housing supply for 15 years the SHLAA exercise requires that all identified sites be assessed to determine whether they are deliverable, developable or non-developable. This is so that supply can be divided into time bands (deliverable = years 1 to 5 and developable years 6 to 10 and 11 to 15). To be deliverable a site must be in a suitable location for housing, available now and achievable (essentially a judgement about the viability of the site). To be developable a site must be in a suitable location for housing and there must be a reasonable prospect of housing being achieved on the site.
9. In making the assessment of the supply of housing land a distinction has been drawn between sites in locations that are suitable for housing (within the context of current policy frameworks) and sites that are not acceptable within the current development plan context such as those located on the edge of the settlements or on land designated as Green Wedge. The distinction allows an assessment to be made that is valid at the time of the assessment without seeking to pre-empt the Local Development Framework process. However, if settlement boundaries or Green Wedge boundaries are altered, they may be suitable for development. It will be for the Local Development Framework process to determine this.
10. The results of the SHLAA exercise include a summary report with schedules of sites with planning permission and without planning permission appended to it. Both schedules include location maps. The reason why a schedule of sites with planning permission is included is so that the distribution of existing commitments can be shown. These are regarded as suitable locations for housing by virtue of their having planning permission but an assessment has been made of their achievability by contacting developers and requesting information about their projected development timeframes. The schedule of sites without planning permission shows tables with an assessment of suitability, availability and achievability for each site.
11. The assessment has shown that Stockton Borough has a “rolling” 5-year supply of housing land based on sites with planning permission that have been assessed as deliverable and that this is maintainable until 2016. However, in terms of the Regional Spatial Strategy the maintenance of a “rolling” 5-year supply of housing land will require new housing provision to be made for the periods 2016 to 2021 and 2021 to 2024.

12. The national guidance for the production of a SHLAA emphasises the need for a partnership approach. A Steering Group has guided the Stockton SHLAA. Membership has included representatives from the Home Builders Federation, Registered Social Landlords and a local estate agent. The draft summary document has now been produced with the assessment of sites appended to it. It is considered that, in order to ensure the approach to production of the SHLAA is robust, the document is the subject of public consultation. It is proposed, therefore, to make the document available on the Council's website for a period of three weeks and to distribute copies of the document to public libraries with an invitation to comment.
13. The timing of this consultation period is very important. The draft Core Strategy submission document is due to be published for public consultation in September 2008 and formal comments invited. It is important that the public consultation on the draft SHLAA Report precedes this for three reasons. Firstly, to avoid the public confusion that could be caused by overlapping the consultation exercises. Secondly, to finalise the SHLAA before the Core Strategy is consulted on. Thirdly, to avoid delaying production of the final SHLAA report. It is recognized that normal procedure is for Full Council to authorize public consultation on documents associated with the Local Development Framework. However, the next meeting of Full Council is not scheduled until 3<sup>rd</sup> September 2008. In view of this, and given the reasons provided above, the Corporate Director of Development and Neighbourhood Services, in the interests of the Council and the public, proposes to take a decision under urgency provisions, in consultation with the Mayor to approve the draft SHLAA for public consultation for the period 28<sup>th</sup> July to 15<sup>th</sup> August.
14. The draft SHLAA Report was discussed at the 2<sup>nd</sup> July Planning Committee. Members took the view that it was "insensitive" to identify Building Schools for the Future (BSF) sites and North Tees Hospital as potential housing land. Local residents could, they argued, wish to see a use other than residential for North Tees Hospital. With regards to the BSF sites they argued that identifying them as potential housing land compromises the integrity of the BSF Programme.
15. It was requested that the BSF sites be removed from the consultation draft before it goes to public consultation. The argument was made that if the SHLAA is updated annually then the final outcome of the BSF consultation process should be taken into account in a future update.
16. Officers responded by pointing out that the SHLAA is an essential part of the evidence base and that it has to be robust. The evidence base for the Core Strategy DPD needs to be in place before it is submitted to the Secretary of State. Therefore, it would be to the detriment of the robustness of the Core Strategy DPD to defer consideration of the BSF sites, or of North Tees Hospital, to a future update.
17. Members also argued that the consultation period is not long enough and its timing is very inconvenient in terms of the meeting cycle for Parish Councils. Parish Councils may not, therefore, it was argued be able to respond formally.
18. Officers also explained that to extend the consultation period for the SHLAA would be to the detriment of the LDF process. The outcomes of the consultation process are needed by mid-August at the very latest in order to allow time for the study team to consider responses and make amendments to the document, if necessary. In addition, individual members of the Parish Council could respond in that timescale. This would carry the same weight as a formal response.
19. Councillor Beaumont requested that an officer attend a village meeting in order to explain about the purpose of the SHLAA exercise. This was agreed.

## **FINANCIAL IMPLICATIONS – N/A**

## **LEGAL IMPLICATIONS – N/A**

## **RISK ASSESSMENT**

**This (subject matter of report) is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.**

## **SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS**

The following Community Strategy themes are relevant to the content of this report:

**Economic Regeneration and Transport** – The RSS sets strategic guidance for the North East Region, forms part of the Development Plan of the Borough, informs the Local Development Framework, and planning decisions in the borough. It therefore has an important role in Regeneration of the Borough and Transport issues.

The community safety implications of the report are that the documents that the Strategic Housing Land Availability Assessment informs (the Core Strategy and Regeneration DPDs) will lead to improvements in quality of the built environment

## **EQUALITIES IMPACT ASSESSMENT**

- This report is not subject to an Equality Impact Assessment because the Strategic Housing Land Availability Assessment is a technical background paper.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

All ward councillors will be e-mailed to explain to them about the SHLAA with a hyperlink to the main report and invited to attend a drop-in session at which officers involved in producing the report will be available to discuss any concerns that ward councillors may have.

### **Name of Contact Officer:**

Matthew Clifford

Post Title: Principal Planning Officer

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### **Background Papers**

Planning Policy Statement No 3: Housing

Strategic Housing Land Availability Assessment Practice Guidance

### **Ward(s) and Ward Councillors:**

All ward councillors

### **Property**

The report does not impact on the Capital Programme and Asset Management Plan.