

AGENDA ITEM 16

REPORT TO CABINET

17 December 2009

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION / CABINET DECISION / KEY DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Cooke

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

1. Summary

Members will recall that the Strategic Housing Land Availability Assessment (SHLAA) is in the process of being updated. The annual updating of SHLAA work is a requirement of the Government's guidance. The 2009 SHLAA is now complete. A copy of the document is available in the Member's Library.

2. Recommendations

Members are recommended to:

1. Note the contents of this report.
2. Approve the document for publication as the Stockton-on-Tees 2009 Strategic Housing Land Availability Assessment Report (included as Appendix 1 to this report).

3. Reasons for the Recommendations/Decision(s)

The national SHLAA Practice Guidance states that the Assessment, once completed, should be regularly kept up-to-date (at least annually). Therefore, the 2008 SHLAA has been reviewed and updated to produce the 2009 SHLAA.

The national Practice Guidance emphasises the importance of partnership working in the production of a SHLAA and this is reflected in both the regional and Tees Valley SHLAA implementation guides. Accordingly, a steering group comprising representatives of key stakeholders such as the Home Builders Federation, Registered Social Landlords and relevant SBC teams such as Development Services guided the production of the 2009 SHLAA.

The steering group met on 15 December 2008 to agree the process for producing the 2009 SHLAA. It was agreed that it would include a highways workshop, an internal stakeholder workshop and a key stakeholder event. It was also agreed that the key stakeholder event should form part of a consultation period in which LDF consultees would also be given the opportunity to comment on the internal stakeholder site assessments.

The consultation period ran from 8th May to 12th June. Both public and professional consultees had the opportunity to comment through e-mail or written comments. The key stakeholder event was run as a “drop-in” event and held on 1st June.

Following the close of the consultation period and the holding of the key stakeholder event the steering group met in order to come to a conclusion about any “contentious” sites. A site is regarded as contentious if comments are received through the consultation process that express a different view from the internal stakeholder assessment.

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.

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ASSESSMENT**

SUMMARY

Members will recall that the Strategic Housing Land Availability Assessment (SHLAA) is in the process of being updated. The annual updating of SHLAA work is a requirement of the Government's guidance. The 2009 SHLAA is now complete. A copy of the document is available in the Member's Library.

RECOMMENDATIONS

Members are recommended to:

1. Note the contents of this report.
2. Approve the document for publication as the Stockton-on-Tees 2009 Strategic Housing Land Availability Assessment Report (included as Appendix 1 to this report).

DETAIL

1. The SHLAA is an essential component of the evidence base for the Local development Framework. PPS3 makes clear the importance that the Government attaches to the SHLAA. It is an essential part of the evidence base for an LDF, so an authority bringing forward a DPD without meeting the core requirements set out in the national Practice Guidance is at high risk of its plan being found unsound for lack of robust evidence. It is important to note that it is a technical exercise and that an assessment of a site as deliverable or developable in no way infers that planning permission for housing development will be granted on the site or that the site will ever be allocated for housing. The purpose of the SHLAA is to determine potential housing sites. It is for the plan-making process to determine which sites are allocated.
2. The first Stockton-on-Tees SHLAA was published in October 2008. The national Practice Guidance states that the assessment, once completed should be regularly updated (at least annually) as part of the Annual Monitoring Report exercise, to support the updating of the housing trajectory and the five-year supply of specific deliverable sites.
3. The broad methodology for carrying out a SHLAA is set out in the national Practice Guidance. The national Practice Guidance sets out 10 steps needed to complete a SHLAA but it does not provide the detail for all of these. The Tees Valley authorities have, in collaboration with key stakeholders such as the Home Builders Federation (HBF) and Registered Social Landlords (RSLs), produced the Tees Valley SHLAA Implementation Guide to provide the detail (published in February 2008). This work also contributed to the development of the North East SHLAA Regional Implementation Guide (published in March 2008) ensuring that the two guides are closely aligned.

4. The national Practice Guidance requires that key stakeholders should be involved at the outset of the Assessment, so that they can help shape the approach to be taken. Therefore, as with the 2008 SHLAA, a steering group has been established with representatives from the HBF, RSLs, a land and property agent/surveyor and Tees Valley Wildlife Trust as well as from the Council's Spatial Planning, Development Services and Regeneration teams.
5. The steering group met on 15th December 2008 to agree the process for producing the 2009 SHLAA. It was agreed that it would include a highways workshop, an internal stakeholder workshop and a key stakeholder event. It was also agreed that the key stakeholder event should form part of a consultation period in which LDF consultees would also be given the opportunity to comment on the internal stakeholder site assessments. Appendix 2 of the SHLAA Report is the minutes of the steering group meeting of 15th December 2009.
6. The consultation period ran from 8th May to 12th June 2009. Both public and professional consultees had the opportunity to comment through e-mail or written comments. The key stakeholder event was run as a "drop-in" event and held on 1st June.
7. Following the close of the consultation period and the holding of the key stakeholder event the steering group met on 23rd June 2009 in order to come to a conclusion about any "contentious" sites. A site is regarded as contentious if comments are received through the consultation process that express a different view from the internal stakeholder assessment. Appendix 4 of the SHLAA report is the minutes of the steering group meeting of 23rd June 2009. Appendix 5 of the SHLAA Report is the schedule of comments received during the consultation period together with the steering group responses.

FINANCIAL IMPLICATIONS

8. The cost of the SHLAA study is being met from internal resources.

LEGAL IMPLICATIONS

9. Having an up-to-date SHLAA available assists and supports the LDF process.

RISK ASSESSMENT

10. 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

Economic Regeneration and Transport

11. The Core Strategy DPD promotes sustainable transport and regeneration by supporting sustainable, mixed communities. The Regeneration DPD will help deliver the Core Strategy. The SHLAA forms part of the evidence base for both the Core Strategy DPD and the Regeneration DPD.

Safer Communities

12. As an evidence base document for the LDF the SHLAA report will not specifically promote the creation of healthier communities and adults. However, any site identified as suitable for housing within the SHLAA should be capable of contributing to the creation of sustainable, mixed communities. Safer communities are a key principle of the Core Strategy and this will be replicated within other emerging policy documents as part of the LDF.

Children and Young People

13. The SHLAA report will not specifically mention children and young people.

Healthier Communities and Adults

14. As an evidence base document for the LDF the SHLAA report will not specifically promote the creation of healthier communities and adults. However, any site identified as suitable for housing within the SHLAA should be capable of contributing to the creation of sustainable, mixed communities. It is a key principle of the Core Strategy to create healthier communities and this will be replicated within other emerging policy documents as part of the LDF.

Liveability

15. As an evidence base document for the LDF the SHLAA report will not specifically promote liveability. However, any site identified as suitable for housing within the SHLAA should be capable of contributing to the creation of sustainable, mixed communities. It is a key principle of the Core Strategy to improve liveability and this will be replicated within other emerging policy documents as part of the LDF.

EQUALITIES IMPACT ASSESSMENT

16. 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

17. The report was taken to the Local Development Framework Member Steering Group of 23 November 2009 and the Planning Committee of 25 November 2009. All ward Councillors will be e-mailed a web-link to document, together with an explanation of the purpose of the document.

Name of Contact Officer:

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Background Papers

Planning Policy Statement No 3: Housing

Strategic Housing Land Availability Assessment Practice Guidance

Strategic Housing Land Availability Assessment and Development Plan Document Preparation

Ward(s) and Ward Councillors:

All ward councillors

Property

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