

AGENDA ITEM

REPORT TO PLANNING COMMITTEE

8 APRIL 2009

**CORPORATE DIRECTOR OF
DEVELOPMENT AND
NEIGHBOURHOOD SERVICES**

LOCAL DEVELOPMENT FRAMEWORK: STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT

SUMMARY

1. Members will recall that the first Strategic Housing Land Availability Assessment (SHLAA) was published on 20th October 2008. Members will also recall that the SHLAA is a key component of the evidence base to support the delivery of sufficient land for housing to meet the community's need for more homes. The assessment is required by national planning policy, set out in Planning Policy Statement 3: Housing (PPS3).
2. 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 is now in the process of being reviewed and updated to produce the 2009 SHLAA.
3. An internal highways workshop focussing specifically on highways to assess the SHLAA sites was held on 19th February. An internal stakeholder workshop to assess the SHLAA sites within a framework of suitability, availability and achievability was held on 5th March. A schedule of sites with the internal stakeholder assessment is contained in appendix 1 (agenda Planning Committee 8th April 2009). The schedule of sites discounted as being unlikely to yield 10 dwellings or more is contained in appendix 2 (agenda Planning Committee 8th April 2009). The schedule of sites with designations to which zero housing potential has been ascribed is contained in appendix 3 (agenda Planning Committee 8th 2009)(see paragraph 10). It is intended to consult externally on this assessment over the five-week period Friday 8th May to Friday 12th June.

DETAIL

4. 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 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.
5. 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. The following guidance published by the Planning Advisory Service also makes clear that an up-to-date

SHLAA is very important in the context of the LDF: “Up-to-date SHLAA evidence will be of considerable value at examination of a core strategy, in demonstrating to the Inspector that sufficient developable sites are available to be confident of its deliverability” (*Strategic Housing Land Availability Assessment And Development Plan Document Preparation* prepared by Planning Officers Society – July 2008).

6. 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.
7. 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.
8. 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. The SHLAA is a background document that informs the preparation of Development Plan Documents (DPDs) rather than an actual DPD itself. There is, therefore, no statutory consultation requirement for public consultation. However, the public and professional consultees will have the opportunity to comment during the five-week consultation period through e-mail or written comments. It is important to note, however, that such comments should specifically relate to the framework of suitability, availability and achievability that is used for the SHLAA. Comments relating to whether or not a site should be allocated for housing are not relevant in relation to the SHLAA as this is considered through the DPD process. There will also be a key stakeholder event. The key stakeholder event will consist of two parts run consecutively. The first part will be scheduled for early/mid afternoon and will be open to professional stakeholders such as developers, planning consultants, agents, the Environment Agency and the Highways Agency as well as landowners. The second part will be scheduled for late afternoon / early evening and will be open to Councillors and the general public. The steering group will seek to come to a conclusion about any contentious sites following the close of the consultation period and the holding of the key stakeholder event.
9. The 2008 SHLAA used a site size threshold of 0.4ha (which generally equates to a yield of about 10 dwellings) and this site size threshold is maintained for the 2009 SHLAA. Some sites are larger than 0.4 ha but have been assessed as not able to yield at least 10 dwellings because of constraints, for example where the Council’s Highways team have advised that an access could only serve 4 dwellings. The steering group have agreed that such sites should be discounted. This is because sites incapable of yielding at least 10 dwellings would appear to be incongruous with the strategic purpose of the SHLAA. Instead an estimate of the expected annual delivery from small sites (sites of 9 dwellings or less) will be developed drawing on past delivery rates. In order to be absolutely transparent where a site has been discounted for this reason it will be included in a schedule together with the reason why it has been estimated as unlikely to yield at least 10 dwellings.
10. The steering group has agreed that land designated as a site of nature conservation importance / local wildlife site and allotments that are in active use will be ascribed zero housing potential, that is to say discounted from further consideration in the assessment. These designations are factual but where a site has been discounted because of them it

has been included in a schedule for information purposes and this will be included in the consultation.

11. It should be noted that there might be changes to the assessment of sites before the final report is written to reflect the consultation process and the key stakeholder workshop as well as the output of the next meeting of the steering group. It should also be noted that some aspects of the internal assessment may change particularly in relation to the assessment of achievability of some sites as there is currently ongoing work (particularly to support the Tees Valley Growth Point Programme of Development) that may result in additional information becoming available.
12. Members will note that some rural sites previously assessed as unsuitable (through the 2008 SHLAA) have been reassessed as suitable. This results from the decision of the steering group that the framework for assessing proximity to services should be reviewed so that a separate set of criteria is used for rural sites. This is because it was felt that the existing single set of criteria, whilst fit for purpose for urban sites, does not allow those rural sites that are relatively sustainable to be identified. Therefore, a set of proximity to services criteria has been developed specifically for rural sites that draw on the experience gained in assessing the proximity to services of the rural villages through the "Planning the Future of Rural Villages in Stockton on Tees Borough" study.

THE NEXT STEPS

13. Following consideration by planning committee the internal stakeholder assessment of suitability, availability and achievability will be referred to Cabinet on 16 April 2009 for Members agreement for the 5-week consultation period to commence. Following the close of the consultation period (together with the holding of the key stakeholder event) and the consideration of any contentious sites by the steering group, the SHLAA 2009 Report will be produced.

RECOMMENDATION

14. Members are recommended to:
 - i) Note the content of the report

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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

Financial Implications

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

Environmental Implications – None.

Community Safety Implications – None

Human rights Implications – The provision of the European Convention of Human Rights 1950 has been taken into account in the preparation of this report.

Ward and Ward Councillors – All ward Councillors will be e-mailed a web-link to the internal stakeholder assessment of suitability, availability and achievability as part of the consultation process, together with an explanation of the purpose of the document. Councillors will also have the opportunity to attend the second part of the key stakeholder event.