

AGENDA NO.

**REPORT TO PLANNING
COMMITTEE**

**DATE: 23 November
2011**

**CORPORATE DIRECTOR OF
DEVELOPMENT AND
NEIGHBOURHOOD
SERVICES**

DEMONSTRATING A 5-YEAR SUPPLY OF DELIVERABLE HOUSING SITES

SUMMARY

- 1 Policy 7 (CS7) of the adopted Core Strategy states that the distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with the maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing (PPS3). This report sets out the Borough's housing land supply position in respect of this requirement as at the 1st April 2011 (this is a standard base date for housing monitoring exercises).
- 2 The report also discusses the possible implications of the requirement in the Draft National Planning Policy Framework (NPPF) that the 5-year supply of deliverable housing sites 'should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land'.

RECOMMENDATION

That Members:

- 3 Note the content of the report.

DETAIL

Demonstrating a 5-year supply of deliverable housing sites

- 4 PPS3 requires that local planning authorities must maintain a flexible, responsive supply of deliverable housing land and ensure that there is a continuous five-year supply of deliverable sites available for housing. Paragraph 71 states that where local planning authorities cannot demonstrate a 5-year supply they 'should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.'
- 5 The Draft NPPF re-affirms the requirement to maintain a 5-year supply stating that local planning authorities should 'identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements'

- 6 The report at Appendix 1 '5 Year Deliverable Housing Supply Interim Assessment: 2011 – 2016' sets out how the 5 year deliverable housing supply has been undertaken for the Borough of Stockton-on-Tees. The report can be summarised as follows:
- The period covered by the assessment is 1st April 2011 to 31st March 2016
 - The assessment has been undertaken using a 3-stage process set out in CLG guidance. The stages are as follows:
 - Stage 1: Identify the level of housing provision to be delivered over the following 5 years
 - The CLG guidance states that housing provision figures in adopted Development Plans should be adjusted to reflect the level of housing that has already been delivered. The previous 5 year period is 1st April 2004 to 31st March 2011. The housing requirement for this period was 4200 dwellings. The number of dwellings built during this period was 3933. This is a shortfall of 276 dwellings.
 - The requirement for the period 1st April 2011 to 31st March 2016 in the adopted Core strategy is 2650 dwellings. The 5 year deliverable housing supply requirement therefore is **2917 dwellings** (Core Strategy requirement of 2650 dwellings + shortfall carried forward of 276 dwellings).
 - Stage 2: Identify sites that have potential to deliver housing over the five year period
 - Local Plan allocations that have not been built out and do not have planning permission
 - Planning permissions
 - Specific, unallocated brownfield sites that have the potential to make a significant contribution to housing delivery during the 5 year period
 - Stage 3: Assess the deliverability of the identified potential sites
 - This stage runs in parallel with Stage 2 and uses a framework of suitability, availability and achievability to assess whether the sites identified are deliverable within 5 years.
 - The assessment found that the Borough of Stockton-on-Tees has an overall amount of identifiable and deliverable housing land supply for **2932 dwellings** (net) over the next five years.
 - That is 15 dwellings more than the requirement of 2917 dwellings. This equates to a housing land supply of 5.0 years as set out in Table 1 of Appendix 1.
 - The assessment concludes that the Borough can demonstrate a five year deliverable supply of housing.
- 7 The assessment is an interim assessment. This is because the assessment includes 2 sites in the draft 2011 Strategic Housing Land Availability Assessment (SHLAA) that are expected to contribute 76 dwellings during the assessment period. The SHLAA process allows draft site assessments to be challenged and the SHLAA steering group then seeks to come to a conclusion about contentious sites.

The Draft NPPF advice to include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land

- 8 The Draft NPPF was published for consultation on 25 July 2011. The consultation closed on 17 October 2011. In addition to re-affirming the requirement to maintain a 5-year supply the Draft NPPF states that local planning authorities 'should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land'.

- 9 The requirement in the Draft NPPF to maintain an additional allowance of at least 20% has yet to be confirmed as part of the final NPPF and along with other aspects of the Draft NPPF this requirement has attracted considerable debate. The following paragraph discusses the possible implications for the assessment of 5 year deliverable housing land supply if the requirement is confirmed.
- 10 The Borough is not currently able to demonstrate an additional allowance of 20% in the supply of deliverable housing sites that are consistent with the spatial strategy for the distribution of housing set out in the adopted Core Strategy. The Core Strategy is currently being reviewed. If the requirement to maintain an additional allowance of 20% is confirmed in the final NPPF then this will be taken into account in the Core Strategy Review. It is at present unclear as to whether local planning authorities that do not have an additional allowance of 20% will be given an opportunity to address this through a plan-led approach or whether it will become operative immediately for the purpose of assessing planning applications.

How will this information be used?

- 11 PPS3 sets out a requirement for local planning authorities to maintain a five year supply of deliverable housing land. In these circumstances the relevant advice is that at paragraph 70 of PPS3 which states 'Where Local Planning Authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, Local Planning Authorities will need to consider whether granting planning permission would undermine the achievement of their policy objectives'.
- 12 There is considerable developer interest in the sites identified as options in the Core Strategy Review Issues and Options Document. The Council is committed to determining the preferred options through the preparation of the Core Strategy Review. However, it is possible that land owners/developers will submit speculative planning applications for their development either without regard to, or seeking to prejudge, the outcome of the Core Strategy Review. In this instance, experience elsewhere suggests that owners/developers would seek to challenge the Council's contention that it is able to demonstrate a robust five year supply of deliverable sites and that if a planning application is refused and then determined at appeal, the Inspector would take a view on this based on the evidence presented.

THE NEXT STEPS

- 13 The assessment will be published on the Council's website as the 5 Year Deliverable Housing Supply Interim Assessment: 2011 – 2016. When the 2011 SHLAA is complete it will be published as 5 Year Deliverable Housing Supply Final Assessment: 2011 – 2016.

RECOMMENDATION

Members are recommended to: -

1. Note the content of the report.

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Background Papers - NA
Financial Implications – NA
Environmental Implications- N/A
Community Safety Implications – N/A

Human Rights Implications - The provisions of the European Convention of Human Rights 1950 has been taken into account in the preparation of this report.

Ward and Ward Councillors –
All Wards and Ward Councillors