

BRECKLAND DISTRICT COUNCIL

Report of: Cllr Gordon Bambridge, Executive Member for Planning to:
Cabinet – 28 November 2019
Council – 28 November 2019

Author: Andrew D’Arcy, Planning Policy Manager

Subject: 5 Year Housing Land Supply

Purpose: To approve the Housing Land Availability Statement 2019

Recommendation to Cabinet:

1. That Cabinet approve the Housing Land Availability Statement 2019, as set out in Appendix 1 to this report, for use in Development Management decisions.

Recommendation to Council:

1. That Council notes the Cabinet’s decision to approve the Statement.

1 BACKGROUND

1.1 To comply with the National Planning Policy Framework (NPPF), Breckland Council (‘the Council’) is required to identify a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing. This occurs through the annual publication of its Housing Land Availability Study.

1.2 Housing figures are used to inform the housing land supply calculation for the area, which is a material consideration in the determination of planning applications across the District.

The Breckland Local Plan Inspector’s Report

1.3 The Breckland Local Plan has been found sound by the Planning inspectorate and was subsequently adopted by the Council on November 28th 2019. The base date for the Housing trajectory in the adopted Plan was April 2018.

1.4 Paragraph 177 of the Inspector’s Report states

‘I consider that the Council can demonstrate a five year housing land supply on adoption of the Plan and with the recommended modifications the Plan is sound in relation to this main issue’.

1.5 The Inspector notes that the Council has accepted that there has been a persistent history of under delivery of housing and that a 20% buffer should be applied to the five year housing land supply calculation. Additionally, the Inspector considers that that this unmet need should be measured against the objectively assessed housing need figure as set out in the Strategic Housing Market Assessment of 612 dwellings per annum from 2011.

- 1.6 The Inspector considered that the Council should address the previous shortfall in housing delivery since 2011 over the next five years under the ‘Sedgefield’ method.
- 1.7 It is also worthy of note that the Inspector considers that the Council has been ‘*very conservative in its windfall allowance*’ and consequently ‘*that the Council’s five year housing land supply is likely to have improved, albeit probably modestly*’. This will be considered as part of the review of the Plan.

2 REPORT DETAILS

- 2.1 This section of the Report sets out the main conclusions of the Housing Land Availability Report Statement (November 2019), which is appended to this Report.
- 2.2 The NPPF is a material planning consideration in both plan making and decision making and therefore must be given due weight. Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites ‘sufficient to provide a minimum of five years’ worth of housing against their housing requirement as set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 2.3 Paragraph 74 of the NPPF states:

A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which: a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process

Footnote 38 states:

For the purposes of paragraphs 73b and 74 a plan adopted between 1 May and 31 October will be considered ‘recently adopted’ until 31 October of the following year; and a plan adopted between 1 November and 30 April will be considered recently adopted until 31 October in the same year.

- 2.4 The Breckland Local Plan is due to be adopted by the Council on November 28th 2019. As a recently adopted Plan the Council can now demonstrate a 5 year supply of housing land until 31 October 2020 under paragraph 74. Details of this are set out in the remainder of this report.

3 THE COUNCIL’S POSITION STATEMENT

Why the 2018 base date?

- 3.1 Although the Plan covers the period 2011 – 2036 the housing information and trajectory has been updated to April 2018. Therefore, for the purposes of this Report and paragraph 74 the Statement corresponds to the position set out in the Plan. When the position is reviewed in October 2020, this will be updated to a base date of April 2020.

What is the housing target for the next 5 years?

- 3.2 The housing target can be calculated from analysis of the following components:
- The number of dwellings completed since the beginning of the Plan period compared to the number of dwellings that should have been completed to calculate any surplus or shortfall.
 - The addition of a 5, 10 or 20% buffer requirement to account for potential fluctuations in the market over the period and ensure the supply is sufficiently flexible and robust.

Completions and shortfall

- 3.3 There have been 3,505 dwellings completed between 2011/12 and 2017/18. This is 779 dwellings below the requirement of 4,284 dwellings (612*7) set out in the Plan. In accordance with the recommended approach in the Inspectors Report this would need to be addressed over the next 5 years. This increases the annual requirement by 156 dwellings per annum from 612 to an average of 768 dwellings per annum.

Buffer

- 3.4 As noted in paragraph 1.5 above the Inspector includes a 20% buffer as part of his consideration of the Local Plan. Footnote 39 of the NPPF states that from November 2018, this will be measured against the Housing Delivery Test where this indicates that delivery was below 85% of the housing requirement. This corresponds with the date on which the latest Delivery Test results were published.
- 3.5 The method for calculating the Housing Delivery Test measurement is set out in the Housing Delivery Test Measurement Rule Book. It is a percentage measurement of the net number of homes delivered against the net number of homes required. Where, as in Breckland's case, the Local Plan is less than five years old then the net number of homes required is the lower of the adopted local plan annual housing requirement or the minimum annual local housing need figure using the standard method for calculating housing need set out in national guidance. Delivery is assessed against the previous three year period and therefore there are transitional arrangements in place whereby the minimum housing need figure is replaced by household projections.
- 3.6 The Test sets out the implications for local authorities as follows:
- If housing delivery falls short of the housing requirement then a series of measures will apply depending upon the shortfall. If delivery falls below 95% then an Action Plan must be published. If it is below 85% then a 20% buffer should be added to the 5 year supply. Finally if delivery falls below 75% then there is a presumption in favour of sustainable development.
- 3.7 Information from the Government's Housing Delivery Test Measurement¹ found that Breckland had achieved a 119% delivery and therefore none of the measures to be applied to local authorities who under deliver apply in the District and a 5% buffer should be applied to the 5 year supply.

¹ <https://www.gov.uk/government/publications/housing-delivery-test-2018-measuremen>

Area Name	Number of homes required			Total number of homes required
	2015-16	2016-17	2017-18	
Breckland	555	548	533	1,636

Number of homes delivered			Total number of homes delivered	Housing Delivery Test:2018 measurement
2015-16	2016-17	2017-18		
617	793	530	1,940	119%

- 3.8 This position demonstrates that housing delivery in Breckland has significantly improved over recent years and in particular since the early years of the plan period. The 1,940 completions (2015 – 2018) compares to 1,079 (2011 – 2014) and this continued in 2018 – 2019 with a further 753 completions.
- 3.9 The housing target for Breckland is set out in the adopted Breckland Local Plan at an average of 612 dwellings per annum. Over the next 5 years this means a requirement of 3,060 dwellings. The 779 shortfall identified in paragraph 4.2 of this Report also forms part of this target. In addition a buffer also needs to be added. Under the results of the Housing Delivery Test this is 5%. However, the Inspector refers to a 20% buffer in his report. Therefore, for the purposes of comparison the Statement includes both, although the Council's recommended position is that a 5% buffer is most appropriate.
- 3.10 If a 5% buffer is applied the housing target for the period 2018 – 2023 is 4,031 dwellings $(3,060 + 779) \times 105\%$. This is an average of 806 dwellings per annum.
- 3.11 If a 20% buffer were to be applied the housing target for the period 2018 – 2023 is 4,607 dwellings $(3,060 + 779) \times 1.20\%$. This is an average of 921 dwellings per annum.

What is the Housing Supply?

- 3.12 The supply of housing anticipated to be delivered over the next 5 years is set out in the trajectory in the Local Plan, as agreed by the Inspector. This comprises a number of component parts as follows:
- Large sites with planning permission 2977
 - Small sites with planning permission 748
 - Sites with resolution to grant planning permission 423
 - Allocated sites 482
 - Policy HOU03 and HOU04 60
 - Windfall Development 150
 - Total 4,840

What is the Housing Land Supply position?

- 3.13 Based on the need and supply figures set out in this report, as agreed by the Inspector and set out in the adopted Local Plan, the housing supply information is as follows:

5 year housing land supply position statement (5% buffer) 4,840 / 806 = 6.00 years

5 year housing land supply position statement (20% buffer) 4,840 / 921 = 5.26 years

- 3.14 It is important to recognise that this housing supply statement is a snapshot in time and that it is critical for the Council to continue to work on increasing the delivery of sites on a continuous basis. To achieve this the Council will
- Need to continue to work with developers to ensure the timely delivery of stalled sites including for example the delivery of power at Thetford and
 - Continue to approve planning applications for housing development on suitable, available and viable sites where short term delivery is more certain.

4 OPTIONS NOW AVAILABLE TO COUNCIL REGARDING THE HOUSING LAND SUPPLY

Option 1: To accept the recommendations (Recommended). The Report is based on the information set out in the recently adopted Local Plan in accordance with the NPPF. This is considered to be the most appropriate approach.

Option 2: Not to agree to the recommendations (Not recommended). This would leave the Council increasingly vulnerable to unwelcome planning applications and appeals.

5 IMPLICATIONS

- 5.1 In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

Financial Implications

- 5.2 The cost of preparing the report will be met from existing resources within the Planning Directorate. There may be financial implications in defending the Council's position at future planning appeals and legal challenges, which would be brought to members for review.

Legal Implications

- 5.3 The Housing Land Availability Study is required under the provisions of the NPPF. The Council needs to demonstrate that there is a 5-year supply of housing land available to meet the housing targets for the district. The absence of an up-to-date 5-year Housing Land Supply will leave the Council exposed to the risk of speculative planning applications because its housing policies would be considered out of date.

Corporate Priorities

- 5.4 The 5 Year housing land supply will make a positive contribution to the delivery of the Breckland Corporate Plan, namely through contributing towards the following objectives;

Your place

- To deliver substantial and continued growth as proposed through our Local Plan, in conjunction with our key partners
- Enable the effective planning and delivery of housing solutions to meet local needs and aspirations to ensure that our residents including veterans have access to a range of housing options in the district

Your Opportunity

- Work with our partners to stimulate housing and employment development in our major growth areas, with a particular focus on Thetford, Snetterton and Attleborough

Risk Management

- 5.5 If the Council cannot demonstrate a sufficient appropriate supply of land available in the right locations, then it may be unable to meet housing needs in the district. The Council is actively working with developers and applicants to seek to increase the delivery of stalled sites and the larger sustainable urban extensions, including for example, the provision of increased power supply at Thetford.

5 WARDS/COMMUNITIES AFFECTED

- 6.1 All

7 BACKGROUND PAPERS

- 7.1 None

8 LEAD CONTACT OFFICER

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9 KEY DECISION

- 9.1 No

10 EXEMPT DECISION

- 10.1 No

11 Appendices

Appendix 1: The 5 Year Housing Land Supply Statement