

BRECKLAND DISTRICT COUNCIL

Report of: Councillor Sarah Suggitt: Executive Member for Strategic & Operational Planning

To: Planning Committee: - 1st August 2023

Author: Andrew D'Arcy (Planning Policy Manager)

Subject 5 Year Housing Supply Report (March 2023)

Purpose: To present the current 5-year housing land supply position (as at 31 March 2023) as set out in accompanying statement

Recommendation(s):

- 1) That members note the content of the 5 year Housing Supply Statement and agree that it represents the current position of the Council.**
- 2) That members agree the use of the Report in Development Management decision making.**

1.0 BACKGROUND

- 1.1 It is a requirement of the National Planning Policy Framework (NPPF) to prepare a five year housing land supply statement on an annual basis. The full assessment for 2023 is included at Appendix A of this report.
- 1.2 The 5 Year Housing Land Supply is a comparison of the anticipated supply of new dwellings, against the number of new dwellings that are required to be built in Breckland (known as the housing requirement). It is expressed as the number of years' worth of supply available.
- 1.3 The 5 Year Housing Land Supply Statement is a means of demonstrating that the Council is meeting the housing development needs of the district and is a key plank of the National Planning Policy Framework (NPPF) to 'boost significantly the supply of housing'. Further guidance on land availability and 5 year supply is provided in the national Planning Practice Guidance (PPG). Both the NPPF and PPG are available to view at <http://planningguidance.planningportal.gov.uk/>.

2.0 THE 5 YEAR HOUSING LAND SUPPLY

- 2.1 The first step in assessing a Council's 5-year land supply is to establish the correct housing requirement against which to test the identified supply. The national Planning Practice Guidance (PPG) states that housing requirement figures in up-to date adopted Local Plans should be used as the starting point for calculating the five year supply. In 2019, Breckland adopted its Local Plan with an annual housing requirement of 612 dwellings. Over the next 5-year period the requirement is therefore 3,060 dwellings (612*5)

- 2.2 After a slow start from 2011, recent years (up to 2023) have shown there to be an upward trend in completions post-recession. This was a positive indicator of the strength of housing delivery in Breckland going forward. Despite the lingering impact of Covid on the construction industry, 968 dwellings were completed between April 2022 and March 2023. This can be assessed against the required target of 612 dwellings for the period April 2022 – March 2023 (12 months). This represents a surplus over the 12-month period of 356 dwellings. Notwithstanding this since the beginning of the Plan Period (2011) there remains a shortfall in delivery of 295 dwellings. Planning Policy Guidance and the Inspector who considered the Local Plan confirm that shortfalls are included within the next five-year period (the Sedgefield approach). The revised requirement for the next 5-year period is 3,355 dwellings (3,060 + 295).
- 2.3 Historically, the Council has not included such mobile homes in its housing land supply reports. However, it has been brought to the Council's attention that individual residential caravans for permanent use can play an important role in providing housing to help meet identified needs. A total of 240 sites have been identified, 28 of which are completed.
- 2.4 The NPPF requires that the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- 5% to ensure choice and competition in the market for land; or
 - 10% where the local planning authority wishes to demonstrate a 5-year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 2.5 Information from the most recent (2021) Housing Delivery Test Measurement (January 2022) found that Breckland had achieved a 120% delivery and therefore none of the measures to be applied to local authorities who under deliver apply in the District and therefore the Council considers that a 5% buffer should be applied to the 5-year supply.
- Basic requirement = 3,060 (612*5 years)
 - Requirement with shortfall = 3,355 (3,060 + 295)
 - Requirement with shortfall and 5% buffer = 3,355*1.05 = 3,523 dwellings
- 2.6 The NPPF requires local planning authorities to demonstrate a 5-year land supply of specific deliverable sites sufficient to provide 5 years' worth of housing (and appropriate buffer) against its housing requirement.
- 2.7 For Breckland, the planning judgement is that the housing land supply is made up of the following components:
- Sites with planning permission: Major and minor sites with planning permission are considered deliverable until permission expires or unless

there is clear evidence that schemes will not be implemented within five years. All site planning permissions are taken into consideration up to and including 31 March 2023.

- Sites within the adopted Breckland Local Plan that have undetermined planning applications.
- Windfalls: The Council is satisfied that there is compelling evidence that such sites have consistently become available within the local area and will continue to provide a reliable source of supply. Analysis has been based on a reduced continuation of historic trends.

2.8 Breckland Council has been very proactive in recent years in approving new sites for housing development. This is in line with both the Government's aim of boosting the supply of housing in the Country and the Council's own priority of providing housing to meet identified local needs and Local Plan targets. In March 2023, there were extant planning permissions for:

- 11,483 dwellings on major sites
- 610 dwellings on minor sites

2.9 It is considered that sites with planning permission are suitable and available, as this test was made at the planning application stage. When assessing sites achievability within a 5-year period, sites have been considered as either major or minor sites. Major sites are those for ten or more dwellings, whilst minor sites are those for less than ten dwellings. To further test deliverability of major sites with planning permission a questionnaire was sent to developers of those schemes seeking their intentions for development on the site. A second follow up request was also sent. It is important to note that these requests included a statement that if no response was received by the Council, then the trajectories set out in the request would be assumed as being accurate.

2.10 The Report takes a cautious approach towards delivery from major sites. No major site with outline permission is projected to start before 2025/26 to allow for submission and approval of detailed permission and discharge of any relevant conditions. For outline sites, the maximum number of dwellings anticipated for any given year is 45 dwellings per outlet. Therefore, the Council considers that controlled total numbers, rate of build out, phases of build out and geographical spread are part of a well-tested business plan which protects the housebuilders from the vagaries of the market..

2.11 Sites with outline permission which are considered to be deliverable can still contribute to housing supply. However, the NPPF requires more evidence to demonstrate that the site is expected to be delivered in order to be included in the supply. This is particularly the case on sites accommodating 10 or more dwellings. This was an issue raised in a recent appeal decision in Breckland¹.

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Therefore major sites, with only outline planning permission and an unconfirmed trajectory are excluded from this calculation.

- 2.12 Furthermore, the Council acknowledges that the delivery on some of these major sites could slip and therefore, as in previous years, where a site has not commenced and a developer's intentions were unclear a 25% discount has been applied to the site to account for uncertainty. This is considered appropriate due to the high number of major sites that have the benefit of planning permission that are considered likely to commence within the next 5 years and the possibility that some may be delayed to avoid market saturation. The Council considers that 3,520 dwellings will be delivered from major sites over the next 5 years.
- 2.13 There are 610 dwellings with planning permission on minor sites. Due to this high number, it is not practical to appraise each site individually. Therefore, a 10% "lapse rate" has been applied to provide flexibility. The projected completions from minor sites have been distributed evenly across the five years. The Council considers that 549 dwellings will be delivered from minor sites over the next 5 years.
- 2.14 An assessment of windfall development within Breckland shows that Breckland has a strong track record of windfall delivery. Over the last 12 years, the average annual windfall development on minor sites is 193. The Council is adopting a precautionary approach to expected delivery from windfall sites and an annual expectation of 100 units per year from all windfall sites is adopted in the 5-year supply (years 3-5).
- 2.15 There are 6 Local Plan Allocations that are the subject of undetermined planning applications. As these allocations are in an up-to-date Local Plan it is reasonable to assume that these are available and suitable as the principle of development has been established through the Local Plan process. As with the unconfirmed sites with planning permission the Council has adopted a cautious approach by applying a 25% discount to these sites. It is therefore assumed that 315 dwellings will be delivered from these sites over the next 5 years.
- 2.16 In a letter dated 21 July 2022 the Chief Planning Officer confirmed that there will be revisions made to planning guidance to reflect that sites affected by nutrient pollution forming part of housing land supply calculations are capable of being considered deliverable for the purposes of housing land supply calculations, subject to relevant evidence to demonstrate deliverability. It will be for decision takers to make judgements about impacts on delivery timescales for individual schemes in line with the National Planning Policy Framework. The Report has included sites where they are considered to be deliverable in all other aspects.

2.17 Table 1 sets out the position as at 31 March 2023.

Breckland Council's 5 Year Housing Position Statement (March 2023)			
Housing Requirement			
A	Local Plan annual target		612
B	5 Year Target	612*5	3,060
C	Shortfall in delivery since 2011		295
D	Requirement with shortfall (Sedgefield)	3,060 +295	3,355
E	5% Buffer	5% of 3,355	168
F	Total Requirement (April 2023 – March 2028)	D+E	3,523
G	Annual Requirement	F/5	705
Housing Supply			
H	Major Sites with Planning Permission		3,520
I	Minor sites with planning permission (left to be delivered-10% discount)		549
J	Local Plan allocations with undetermined planning applications (25% discount)		315
K	Windfall		300
L	Total Supply		4,684
M	5 Year Housing Supply (5% buffer)	L/G	6.64

2.18 The Council will review the 5-year land supply position in March 2024.

3.0 OPTIONS

3.1 No options are presented here as the report is for Members to note and have regard to in determining planning applications.

4.0 REASONS FOR RECOMMENDATION(S)

4.1 Local Planning Authorities are required through the National Planning Policy Framework (NPPF) and national Planning Policy Guidance to prepare a statement setting out their five year housing land supply. This report has been prepared having regards to this guidance.

5.0 EXPECTED BENEFITS

5.1 A 5 year housing land supply provides for greater clarity for local communities and the development industry with regard to the application of planning policy on applications for residential development

6.0 IMPLICATIONS

6.1 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; Corporate Priorities; Equality and Diversity; Financial; Crime and Disorder; Health & Wellbeing; Risk Management; Safeguarding; Staffing. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

- Carbon Footprint / Environmental Issues It is the opinion of the Report Author that there are no implications
- Constitution & Legal There may be indirect legal implications in relation to this report as a result of challenge at section 78 planning appeals.
- Corporate Priorities To deliver substantial and continued growth as proposed through our Local Plan, in conjunction with our key partners.
- Equality and Diversity / Human Rights It is the opinion of the Report Author that there are no implications.
- Financial It is the opinion of the Report Author that there are no implications.
- Crime and Disorder It is the opinion of the Report Author that there are no implications.
- Health & Wellbeing It is the opinion of the Report Author that there are no implications.
- Risk Management It is the opinion of the Report Author that there are no implications.
- Safeguarding It is the opinion of the Report Author that there are no implications.
- Staffing It is the opinion of the Report Author that there are no implications.

7.0 WARDS/COMMUNITIES AFFECTED

7.1 All wards/communities affected

8.0 ACRONYMS

8.1 None used.

Background papers:- None

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Key Decision: N

Exempt Decision: N

Appendices attached to this report: Appendix A Draft 5 Year Housing Land Supply (March 2023)