

‘BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

TO: Joint Overview and Scrutiny Committee	REPORT NUMBER: JOS/19/10
FROM: Cabinet Members for Planning	DATE OF MEETING: 19 08 2019
OFFICER: Robert Hobbs, Corporate Manager – Strategic Planning	KEY DECISION REF NO. N/A

**BABERGH FIVE-YEAR HOUSING LAND SUPPLY ANNUAL POSITION STATEMENT
MID SUFFOLK FIVE-YEAR HOUSING LAND SUPPLY ANNUAL POSITION STATEMENT**

1. PURPOSE OF REPORT

- 1.1 To update Overview and Scrutiny Committee on both the Babergh and Mid Suffolk Five-Year Housing Land Supply Annual Position Statements for 2019/24.

2. OPTIONS CONSIDERED

- 2.1 To note the contents of this report.

3. RECOMMENDATIONS

- 3.1 To note the contents of this report and the Draft Babergh and Mid Suffolk Five-Year Housing Land Supply Annual Position Statements for 2019/24, which were subject to consultation.

REASON FOR DECISION

To provide clarity and understanding on the Annual Position Statements prepared for both Babergh and Mid Suffolk.

4. KEY INFORMATION

- 4.1 On 15th March 2018, Mid Suffolk District Council’s Overview and Scrutiny Committee received a report on the five-year housing land supply, reference MOS/17/37, and on 19th March 2018, Babergh District Council’s Overview and Scrutiny Committee received a report on the five-year housing land supply, reference BOS/17/36.
- 4.2 It was explained that the calculation of the five-year housing land supply was a complex and time-consuming exercise, which took time to accurately validate the data available. Planning permissions granted for development did not always indicate that building would commence. At the time the most up-to-date housing requirement was contained in the Strategic Housing Market Assessment.
- 4.3 Following the publication of the Babergh and Mid Suffolk Five-Year Housing Land Supply (HLS) positions on 11th July 2018, a revised National Planning Policy Framework (NPPF) was introduced by the Government on 24th July 2018. This NPPF and the supporting Planning Practice Guidance (PPG) confirmed the requirement for an Annual Position Statement for calculating five-year housing land supply. The

NPPF requires local planning authorities to “identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing” (paragraph 73) against their housing requirement.

- 4.4 The HLS is calculated by comparing the anticipated supply of new homes within the district over a five-year period against the Council’s housing requirement. For both Babergh and Mid Suffolk, the housing requirement is established by using the standard method for calculating housing need provided by national policy and guidance.
- 4.5 Draft consultation versions of the HLS have been published for comment between 19th July and 16th August 2019. The HLS Position Statements (HLSPS) have been produced to provide an up-to-date assessment of the HLS position in accordance with current national guidance.
- 4.6 The Councils need to be able to adequately evidence their HLS position in order to inform decisions made that will continue to deliver new homes to meet ongoing needs. If the Councils cannot show that they are meeting these housing needs, their policies with regards to residential development will be considered to be "out of date" and may carry less weight when making decisions on planning applications.
- 4.7 In calculating the HLS, the NPPF (paragraph 73) also requires the application of a percentage buffer, which is determined by the Housing Delivery Test (HDT) results published in February 2019. Where delivery over the past three years (April 2015 to March 2018 for the purposes of the HDT results in February 2019), falls below 85% of the housing requirement, a 20% buffer will be added to the HLS requirement. This is the case in Mid Suffolk District where the delivery was 81% of the requirement, however in Babergh delivery was 88% of the requirement and therefore a 5% buffer is added to the HLS requirement.
- 4.8 A key change to the HLS evidence following the publication of a revised NPPF in July 2018, which was updated in February 2019 was the interpretation of deliverable sites as stated below from Annex 2 of the NPPF:

‘Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.’

- 4.9 The Planning Practice Guidance (PPG), in paragraph 036 of the ‘Housing and Economic Land Availability’ chapter, provides more detail on the evidence that can be included to support the identification of deliverable sites:

‘a. Any progress being made towards the submission of an application;

b. any progress with site assessment work; and

c. any relevant information about site viability, ownership constraints or infrastructure provision.’

- 4.10 An example of documenting this evidence as outlined in the PPG is the production of a Statement of Common Ground *'between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates'* (paragraph 036). Statements of Common Ground have been sought and produced for as many major sites as possible in Babergh and Mid Suffolk Districts. However, this has not always been possible.
- 4.11 The PPG in paragraph 052 of the *'Housing and Economic Land Availability'* chapter, *advises that local planning authorities should consult 'any specific consultation bodies the authority consider may have an interest, any general consultation bodies the authority consider are appropriate, and any residents or other persons carrying on business in the area from which the authority consider it appropriate to invite representations from'*.
- 4.12 The Guidance also gives the following examples:
- a. small and large developers;
 - b. land promoters;
 - c. private and public landowners;
 - d. infrastructure providers (such as utility providers, highways, etc);
 - e. upper tier authorities (county councils) in two-tier areas; and
 - f. neighbouring authorities with adjoining or cross-boundary sites.
- 4.13 The HLSPS for both Babergh and Mid Suffolk states on page 8 that a review of lead-in times for development and delivery rates has been undertaken and made the following assumptions:
- 'Local and national evidence on delivery rates and lead-in times have been reviewed to identify a typical lead-in time of 3.3 years from submission of a planning application to first completion/start on site and a typical annual delivery rate of 45dpa' (dwellings per annum).*
- 4.14 The HLSPS for Babergh identifies on page 37 of the draft for consultation in Table 15, a Five-Year Housing Land Supply of 5.78 years against a housing requirement of 420 dwellings per year.
- 4.15 The HLSPS for Mid Suffolk identifies on pages 37-38 for consultation in Table 15, a Five-Year Housing Land Supply of 5.61 years against a housing requirement of 556 dwellings per year.
- 4.16 Following the consultation and analysis of comments, a final HLSPS for each District will be published setting out the Five-Year Housing Land Supply for 2019/20 to 2023/24 for use in planning decisions and to support the emerging Joint Local Plan.

5. LINKS TO JOINT STRATEGIC PLAN

- 5.1 Supports the housing main priority area and housing delivery key strategic outcome of more of the right type of homes, of the right tenure in the right place.

6. FINANCIAL IMPLICATIONS

Revenue/Capital/ Expenditure/Income Item	Total	2017/18	2018/19	2019/20
Consultancy costs to produce Babergh Annual Position Statement	Approx. £13,000 + £656 per site	£0	£0	Approx. £13,000 + £656 per site
Consultancy costs to produce Mid Suffolk Annual Position Statement	Approx £8,000 + £325 per site	£0	£0	Approx £8,000 + £325 per site
Net Effect	Approx. £21,000 + costs per site	£0	£0	Approx. £21,000 + costs per site

- 6.1 The costs are lower for Mid Suffolk District Council due to evidence gathered and appraisal work undertaken for the interim position published in March 2019. The costs detailed above are funded from the Strategic Planning budget.

7. LEGAL IMPLICATIONS

- 7.1 The Babergh and Mid Suffolk Five-Year Housing Land Supply Annual Position Statements when published will set out the position for both Districts with regards to five-year housing land supply for use in planning decisions and to support the emerging Joint Local Plan.

8. RISK MANAGEMENT

- 8.1 This report is most closely linked with the Council's Corporate / Significant Business Risk No.1b / if we do not have a sufficient appropriate supply of land available in the right locations, then we may be unable to meet housing needs in the district, as set out below.

Risk Description	Likelihood	Impact	Mitigation Measures
1b: If we do not have a sufficient, appropriate supply of land available in the right locations, then we may be unable to meet housing needs in the district.	2 – Noticeable	3 – Bad	The supply has been increased through the granting of planning permission and the Joint Local Plan Preferred Options document is currently subject to consultation.

9. CONSULTATIONS

- 9.1 A four-week consultation has been undertaken on both the Babergh and Mid Suffolk Five-Year Housing Land Supply Annual Position Statements from 19th July 2019 to 16th August 2019.

10. EQUALITY ANALYSIS

- 10.1 An Equality Impact Assessment (EIA) is not required for this document as one has been written to support the emerging Joint Local Plan (see Babergh Council Report BC/19/7 – 25th June 2019 and Mid Suffolk Council Report MC/19/7 – 27th June 2019).

11. ENVIRONMENTAL IMPLICATIONS

- 11.1 Housing delivery is key to the production of the Five-Year Housing Land Supply Annual Position Statement. The impact on the environment is taken fully into account and considered as part of the plan making and decision taking part of the planning processes. As such, there is no need for an Environmental Impact Assessment in respect of this specific document.

12. APPENDICES

Title	Location
(a) Babergh District Council Housing Land Supply Position Statement 2019/20 – 2023/24 – Draft for Consultation (July 2019)	https://www.babergh.gov.uk/assets/DM-Planning-Uploads/Babergh-District-Council-Position-Statement-Draft-for-Consultation-FINAL.pdf
(b) Mid Suffolk District Council Housing Land Supply Position Statement 2019/20 – 2023/24 – Draft for Consultation (July 2019)	https://www.midsuffolk.gov.uk/assets/DM-Planning-Uploads/Mid-Suffolk-District-Council-Position-Statement-Draft-for-Consultation-FINAL.pdf

13. BACKGROUND DOCUMENTS

- 13.1 Babergh District Council Overview and Scrutiny Committee Paper 'Five-Year Housing Land Supply', reference BOS/17/36, 19th March 2018
<https://baberghmidsuffolk.moderngov.co.uk/documents/s9554/Report%20for%20Overview%20and%20Scrutiny%20Committee%20March%202018%20Final%20Version.pdf>
- 13.2 Mid Suffolk District Council Overview and Scrutiny Committee Paper 'The Five-Year Land Supply', reference MOS/17/37, 15th March 2018
<https://baberghmidsuffolk.moderngov.co.uk/documents/s9538/Report%20for%20five-year%20land%20supply%20March%202018%20Final%20Version.pdf>
- 13.3 National Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- 13.4 Planning Practice Guidance 'Housing and Economic Land Availability'
<https://www.gov.uk/government/collections/planning-practice-guidance>