

**Bolsover District Council**

**Planning Committee**

**Date of meeting – 13<sup>th</sup> January 2021**

**Five Year Housing Land Supply**

**Report of the Assistant Director of Development and Planning**

This report is public

**Purpose of the Report**

- To update Members on housing land supply and to approve the publication of the Council's Annual Position Statement on Five Year Housing Land Supply for 2020.

**1 Report Details**

**Background**

- 1.1 To support the Government's objective of significantly boosting the supply of homes, Councils are required to plan to meet their local housing need through their Local Plans and monitor the delivery of their housing land supply. As set out in paragraph 73 of the National Planning Policy Framework (NPPF) (February 2019), this monitoring duty must be published on an annual basis and must outline the supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement set out in their Local Plan. This annual publication is commonly described as a Council's Five Year Housing Land Supply.
- 1.2 Members will be aware that where a Council cannot demonstrate a Five Year Housing Land Supply, by virtue of paragraph 11 of the NPPF planning applications for housing fall to be considered in the context of 'the presumption in favour of sustainable development' as relevant Local Plan policies for the supply of housing may not be considered up to date. Whilst the absence of a Five Year Housing Land Supply is not conclusive in favour of the grant of planning permission, the Secretary of State and their Inspectors usually place great weight on the need to demonstrate a Five Year Housing Land Supply when considering Appeals against the refusal of planning applications for housing developments.
- 1.3 Since 2016, the Council has been able to demonstrate a Five Year Housing Land Supply. The Council's Five Year Housing Land Supply has been challenged in recent years at a number of Appeals against the refusal of planning applications for housing development. However, in each case the Inspector concluded that the Council could demonstrate a five year supply of deliverable housing sites - the case references are as follows:
  - December 2017 - Land at Lodge Farm, Bolsover (16/00040/OUT & APP/R1010/W/16/3165450);

- March 2018 - Land to the east of Rowthorne Lane, Glapwell (17/00037/OUT & APP/R1010/W/17/3184727);
- March 2018 - Land at Sunny Bank, Tibshelf (15/00376/OUT & APP/R1010/W/17/3183977);
- December 2018 - Land at Glapwell Nurseries (17/00598/OUT & APP/R1010/W/18/3198997);
- January 2019 - Land at Bakestone Moor, Whitwell (18/00087/OUT & APP/R1010/W/18/3211091).

1.4 In addition, the adoption of the Local Plan for Bolsover District in March 2020 provides a solid platform for housing growth and sets out the Council's plan to meet the District's local housing need by allocating sufficient land for housing development through to 2033. Within this, the Local Plan also allocates additional land to provide a buffer of 10% on top of that required to provide site flexibility should some housing allocations not come forward as planned.

1.5 The Council's plan to meet the District's local housing need was examined in fine detail by the Inspector carrying out the Local Plan Examination given the Government's emphasis on housing growth. Following this examination, the Local Plan Inspector's Report concluded:

- *"...I am satisfied, therefore, that the Plan provides sufficient housing supply to meet its identified needs throughout the Plan period." (paragraph 101)*
- *"...It is apparent, from the evidence before me, including that the requirement has been exceeded for the first five years of the Plan, that the persistent under delivery does not apply in this case and, as such, a 5% buffer should be applied in Bolsover." (paragraph 103)*
- *"...I am satisfied that there is a good prospect that the Council would be able to demonstrate a five-year supply of deliverable housing land on adoption." (paragraph 105)*

1.6 In light of this positive assessment, the Council can have confidence that it has robust measures in place to assess its Five Year Housing Land Supply position.

#### Local housing need

1.7 Local housing need is defined in the NPPF as being "The number of homes identified as being needed through the application of the standard method set out in national planning guidance". This standard method is calculated on an annual basis by the Government and is published through its findings of the national Housing Delivery Test.

1.8 In recent years, the local housing need identified by the Government for Bolsover District has been approximately 225 new homes a year. This is lower than the recommended annual housing target within the Local Plan evidence base as provided by the North Derbyshire and Bassetlaw Objectively Assessed Need Update report (October 2017), which states that the most appropriate figure for Bolsover District is 272 new homes a year. This difference is largely due to the October 2017 report recommending an inflated figure to increase housing land supply to aid with affordable housing delivery, although the Government's assessment also draws upon more up-to-date population and migration data.

1.9 Notwithstanding these slightly different figures, the Local Plan for Bolsover District sets out the 272 new homes a year figure and this is the appropriate annual housing requirement on which to base the Council’s Five Year Housing Land Supply on.

Housing delivery

1.10 The Local Plan for Bolsover District has a base date of 2014 for housing delivery and as a result any shortfall in housing delivery against the 272 annual housing requirement from this date need to be identified and addressed going forward.

1.11 Table 1 below shows that between the 1<sup>st</sup> April 2014 and the 31<sup>st</sup> March 2020, the number of housing completions, i.e. those that have reached the ‘ready for occupation’ stage, has exceeded the annual requirement by 212.

<b>Table 1: The position to date against the Local Plan annual requirement of 272 new homes a year</b>			
<b>Year</b>	<b>Annual Requirement</b>	<b>Completions (Net)</b>	<b>Variance</b>
2014/15	272	253	-19
2015/16	272	325	+53
2016/17	272	290	+18
2017/18	272	248	-24
2018/19	272	289	+17
2019/20	272	439 *	+167
<b>Total</b>	<b>1632</b>	<b>1844</b>	<b>+212</b>

\* Note: Due to the Covid-19 national lockdown measures, the annual site survey to determine the number of completions was carried out in mid-July 2020 rather than at the beginning of April as in normal years. The recorded figure has not been adjusted in recognition that a large number of housing sites experienced either shutdowns in construction or slower rates of building during the period April to July 2020. However, whilst it may include dwellings completed after April 2020 which otherwise would have been recorded in the period 2020/21, the uplift in the number of completions is principally considered to reflect the greater number of sites currently under construction across the District than in previous years.

1.12 Based on this situation, the Council has no record of significant under delivery. Furthermore, the Council has passed the Housing Delivery Test each year since its introduction in 2018 and therefore in accordance with existing Government guidance the Council only need apply a 5% buffer to its housing requirement to ensure choice and competition in the market for land.

Housing supply

1.13 Paragraph 73 of the NPPF requires the Council to only include ‘deliverable’ sites within its Five Year Housing Supply. Deliverable is defined in Annex 2 of the NPPF as being:

“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all 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 (for example because they are no longer viable, there is no longer as demand for the types of units or sites have long term phasing plans);
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

1.14 In determining whether sites within the housing supply are deliverable or not, the above NPPF definition has been followed. To inform this assessment, in accordance with paragraph 007 of the guidance on Housing Supply and Delivery in the Planning Practice Guidance (Reference ID: 68-007-20190722), the promoters of major sites with both detailed and outline planning permission, sites allocated in the Local Plan for Bolsover District and other relevant sites have been surveyed to understand where possible their intentions for the site and to seek clear evidence on whether housing completions will begin on site within five years.

1.15 The Council has taken a robust approach in relation to considering what elements of our housing land supply can be considered to be deliverable over the next five years. This has seen sites that we consider are unlikely to deliver within the five year period to be excluded. In addition, the later years of provision from larger sites that will take more than five years to build out are also excluded.

Assessment of the Five Year Housing Land Supply

1.16 The Council has consistently followed the Sedgefield method when assessing its Five Year Housing Land Supply and so has always planned to meet any shortfall within 5 years rather than across the whole of the Plan period (the Liverpool method). In addition, as it can demonstrate that it has met its housing requirements the Council only need apply a 5% buffer to its housing requirement to ensure choice and competition in the market for land.

1.17 Table 3 below shows the requirements set against the deliverable supply and the NPPF requirements in future years.

<b>Table 3: Deliverable supply set against the housing requirement and NPPF buffer</b>					
Year	Housing Requirement Figure pa.	Deliverable Supply pa.	Cumulative Housing Requirement	Cumulative Deliverable Supply	NPPF buffer requirement (+5%)
2020/21	272	553	272	553	1428
2021/22	272	605	544	1158	
2022/23	272	727	816	1885	
2023/24	272	466	1088	2351	
2024/25	272	388	1360	2739	

- 1.18 This table clearly shows that the potential deliverable supply exceeds the requirement throughout. Over the period, the Council has 2,739 deliverable dwellings, 1,268 dwellings in excess of the NPPF requirement of 1,311 dwellings, meaning the Council can demonstrate that it has in excess of a 5 year deliverable supply.
- 1.19 To calculate the extent of the Council's deliverable supply, if one were to divide the cumulative deliverable supply (2,739 dwellings) by our annual requirement (272 dwellings pa.) the Council can show just over 10 years of deliverable supply for the period 2020/21 to 2024/25 ( $2,739 \div 272 = 10.07$  years).
- 1.20 Appendix A sets out the Council's annual position statement of its Five Year Housing Land Supply. Appendix B sets out a full list of major development sites and their contribution to the Council's Five Year Housing Land Supply.

## **2 Conclusions and Reasons for Recommendations**

- 2.1 The Council's Five Year Housing Land Supply is a consideration of the amount of housing that is deliverable on housing sites within the District at the 31<sup>st</sup> March 2020.
- 2.2 The assessment of the Five Year Housing Land Supply is a technical exercise. Based on the above assessment the Council can demonstrate that it has a Five Year Housing Land Supply as required by the NPPF.

## **3 Consultation and Equality Impact**

- 3.1 Other Officers involved in the preparation of this report were: Principal Planning Officer; Senior Planning Information Officer, Planning Information Officer and members of the Development Control team.
- 3.2 Members consulted during the preparation of the report: Cllrs McGregor and Munro.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 As explained in paragraph 1.1 above, there is a requirement under national planning policy to carry out the assessment of the five year supply of deliverable housing sites. This means that there is no realistic alternative course of action.

## **5 Implications**

### **Finance and Risk Implications**

- 5.1 The assessment of the Council's Five Year Housing Land Supply is part of the annual monitoring work. As such it can be funded from existing budgets. However, it is important that this budget is maintained in future years.

### **Legal Implications including Data Protection**

5.2 The Council has a statutory duty to keep under review the matters which may be expected to affect the development of their area. The development of land for housing is a key issue that affects the growth of the district.

### Human Resources Implications

5.3 The assessment can be met within existing staffing resources.

## 6 Recommendations

6.1 That the Planning Committee:

- 1) notes the detailed issues set out in the report;
- 2) approves the assessment of the Council's Annual Position Statement of Five Year Housing Land Supply as set out at Appendix A;
- 3) authorises the publication of the Annual Position Statement of Five Year Housing Land Supply (Appendix A) and List of Major Development Sites and their contribution to the Council's Five Year Housing Land Supply (Appendix B) on the Council's website; and
- 4) gives delegated authority to the Assistant Director: Development in consultation with the Chair and Vice Chair of Planning Committee to make any minor changes to the text or information referred to in recommendation 3) prior to publication.

## 7 Decision Information

<p><b>Is the decision a Key Decision?</b>  A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <i>BDC: Revenue - £75,000</i> <input type="checkbox"/>  <i>Capital - £150,000</i> <input type="checkbox"/>  <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/>  <i>Capital - £250,000</i> <input type="checkbox"/>  <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p><b>Is the decision subject to Call-In?</b>  (Only Key Decisions are subject to Call-In)</p>	No
<p><b>Has the relevant Portfolio Holder been informed</b></p>	Yes
<p><b>District Wards Affected</b></p>	All
<p><b>Links to Corporate Plan priorities or Policy Framework</b></p>	Ensuring the Council has a Five Year Housing Land Supply contributes to the sustainable growth of the local economy and

	increasing the availability of good quality housing.
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**8 Document Information**

Appendix No	Title
Appendix A	Assessment of Five Year Supply
Appendix B	List of Major Development Sites and their contribution to the Council's Five Year Housing Land Supply
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Evidence regarding deliverability of major sites	
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