

# **Note on 5 Year Land Supply Methodology**

## **30<sup>th</sup> September 2019**

Planning Policy Team\_31<sup>st</sup> October 2019

## INTRODUCTION

This paper sets out how East Staffordshire Borough Council has calculated its assessment of housing land supply over the next 5 years. Calculations are based on Monitoring undertaken for the 30<sup>th</sup> September 2019 and from the start of the plan period.

### Policy Context

National Planning Policy Framework (NPPF) published July 2018 paragraphs 70 - 75 provide the relevant guidance for assessing the 5 year housing supply.

Para 73 states that 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 set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the local planning authority wishes to demonstrate a five 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
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply<sup>1</sup>.

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 a demand for the type 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.

Para 70 states that 'where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends'.

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<sup>1</sup> From November 2018, this will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement

## The Importance of the 5 year supply calculation

Paragraph 11 of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date decisions should apply the presumption in favour of sustainable development.

Footnote 7 states that policies are out of the date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

It is important to remember that the objective of the 5 year housing land supply calculation is not simply to achieve a 5 year supply of housing, but to maintain a minimum of 5 years' worth of housing supply on an ongoing basis.

The Council have been able to demonstrate that a 5 year housing land supply has been maintained since the Local Plan was adopted in October 2015.

## Background Information

The National Planning Policy Framework sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.

The Local Plan was adopted on 15th October 2015. The Inspector's report guides many of the components of the calculation particularly the housing requirement figure and expected delivery on allocated sites. A lot of discussion over windfall allowance and its incorporation into 5 year land supply figures took place at the Local Plan hearings and for the purposes of the examination the windfall component was removed to address concerns over the potential for double counting. However the Local Plan Inspector recognised that not including a windfall allowance in a 5 year land supply calculation was "commendably cautious".

Given that Paragraph 70 of the NPPF provides the framework for including a windfall allowance should the Borough Council choose to do so it is considered reasonable to include a windfall element post Local Plan adoption and this was introduced into the 30<sup>th</sup> September 2016 calculation. Local Plan Strategic Policy 4 includes a windfall requirement. To ensure there is no double counting with existing permissions, the figure is only included for years 4 and 5, when current permissions would have either commenced or lapsed. The figure of 90 dwellings per year reflects the Local Plan strategy. The methodology for calculating windfall rates is realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends, and does not include residential gardens.

For the monitoring year 2015/16 completions fell short of the annual target by seven units. For monitoring years 2016/17, 2017/18 and 2018/19 the number of completions exceeded the housing requirement, a pattern likely to continue for 2019/2020 given the high figures for the first part of the year.

### Completions Total's

#### Monitoring Periods Covered:

2012/13 (31.03.13) up to 2019/20 (30.09.19)

2012/13	270
2013/14	234
2014/15	352
2015/16	459
2016/17	535
2017/18	680
2018/19	756

2019/20 (up to September 2019)	351
<b>Total COMPLETIONS - April 2012 to September 2019</b>	<b>3637</b>

As a result, and in line with the Housing Delivery Test, the Council consider there is no longer a record of persistent under delivery. Therefore the buffer, which applies to the housing requirement and under delivery figures, has been reduced from 20% to 5%. This buffer will ensure choice and competition in the market for land as required by the NPPF.

### **Methodology for assessing the 5 Year Land Supply**

The methodology involves the following:

- Bi-annual site visits to identify completions. This approach represents the most up to date and accurate way of assessing the way in which housing permissions move through the construction phase to completion.
- Evidence from applicants/agents/developers for sites of 10 or more dwellings has been incorporated into the calculation of the deliverable sites, ensuring a robust position.
- All planning permissions for 10 or more dwellings have been removed from the housing pipeline into Table A (large sites with permission). A bespoke approach to delivery has been applied to each site. This is a more accurate approach rather than applying a standard % lapse rate.

This calculation therefore provides the most up to date robust calculation based on data as at the 30<sup>th</sup> September 2019 and the following:

- This calculation uses the agreed<sup>2</sup> stepped trajectory housing requirement figures of 466 per annum for the first six years of the plan period.
- This calculation uses the agreed<sup>1</sup> stepped trajectory housing requirement figures of 682 per annum for the remaining 13 years of the plan period.
- Under delivery is spread over the five year period (Sedgefield).
- A 5% buffer to both the housing requirement and under delivery is included.
- A windfall figure of 90 per year for years four and five has been included.

### **The next 5 Year Land Supply update**

The Borough Council recognises the importance of reviewing the 5 year land supply regularly. The Council will continue to consider any changes required from the revised NPPF and associated guidance, and will amend any components of the 5 year land supply as necessary.

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<sup>2</sup> Adopted Local Plan Policy SP3

## **September 2019 - Five Year Housing Land Supply Calculation**

(5 years being full monitoring years from 1<sup>st</sup> October 2019 to 30<sup>th</sup> September 2024)

### **Housing Requirement**

- **682** dwgs/yr which is 3410 dwellings over 5 years (October 2019 – September 2024)  
**5 Year Requirement: 3410**

**NPPF:** 5% buffer is calculated as 5% or **3581** (**3410x1.05**)

- The new five year requirement becomes: **3581** homes required over 5 years or an annual requirement of **716** dwellings.(3581/5)

### **Under-delivery**

- Between April 2012 – September 2019 (6yrs at 466, 1yr at 682 & 6 months at 682) we should have delivered **3819** dwellings (466x6 + 682+341).
- Past completions April 2012 – September 2019 = **3637** dwellings
- Under delivery = 182 dwellings (3819-3637)
- Plus 5% buffer on the under delivery = **191** (182x1.05)
- 191/5yrs= **38** per yr extra over 716 that's required = **754** (716+38)

New five year housing requirement incorporating under delivery is **3770** (754x5)

### **Housing Supply**

- Housing pipeline (Small Sites with planning permission 0-9 units): **601**
- We adjust the figure to acknowledge a lapse rate of 10% **541**
- Proportion of large sites (10+units) with permission contributing to the 5YLS **3462**  
(Proportion of large sites with planning permission – Table A\*)
- Sites identified in tables B,C & D\* **564**

### **Windfalls**

90 Windfalls units expected for years 4 & 5 **180**

**TOTAL** **4747dwgs**

**4747 total supply/754 annual requirement = 6.30 years**

\* We don't apply a 10% lapse rate to these sites because the calculation recognises that only a proportion will come forward over the 5 year period. We have engaged with developers and applicants to arrive at the delivery rates.

## Deliverable Sites

For the purposes of the tables below the monitoring periods are as follows:

- **Year 1** = 1st October 2019 to 31st September 2020
- **Year 2** = 1st October 2020 to 31st September 2021
- **Year 3** = 1st October 2021 to 31st September 2022
- **Year 4** = 1st October 2022 to 31st September 2023
- **Year 5** = 1st October 2023 to 31st September 2024

**Table A: Large sites with permission**

Application	Type of App	No of Units	Contribution to 5 Year Supply	Application Status as at September 2019	Comments as at September 2019 (unless stated otherwise)
<b>Sites Under Construction as at September 2019</b>					
<b>Branston Locks (Lawns Farm)</b> P/2012/01467	OUT	2580	440	2510 is the remaining capacity from the Outline application for 2580 - Approved 14/04/2015	As at March 17 the agent confirmed 440 will come forward in the next 5 years. Regular discussions held with agent. Expect the next phase to be submitted shortly.  Phase 1 & 2 under construction with 50 left to be completed on phase 1 at September 2019  Reserved Matters Application for a further 244 dwellings submitted June 2019 – Awaiting determination in December 2019.
<b>Branston Locks (phase 1)</b> - P/2017/00923	RM	70		Reserved Matters (P/2017/00923) application for 70 units - Approved 24/04/2018	
<b>Branston Locks (phase 2)</b> - P/2018/00233	RM	201		Reserved Matters (P/2018/00233) application for 201 units – Approved 26/10/2018	
<b>Land South of Lichfield Road (phase 2)</b> - P/2015/00849	RM	204	39	Reserved Matters Applications (P/2014/00550 & P/2015/00849) approved for 64 & 204 of the original 660.	Phase 1 (64 units) – completed at March 2017.  Phase 2 – under construction with 39 left to be completed on site.
<b>Land South of Lichfield Road (phase 3&amp;4)</b> - P/2018/00697	RM	392	380	Reserved Matters application Approved - 13/09/2018 for the final 392 units of the original 660 originally approved on the Outline application.	Phase 3 & 4 – under construction with 380 left to be completed on site.  Two developers on site
<b>Roycroft Farm</b> P/2015/01283	RM	138	14	Reserved Matters Application for 138 approved at committee 15/04/2016	Construction well underway, 14 left to be completed on site.
<b>Land to the West of Uttoxeter (Phase 1c)</b> - P/2017/00426	RM	119	42	P/2017/00426– Reserved Matters App for 119 – Approved 25/08/2017	<b>Phase 1</b> (47 units) P/2014/00883 – site completed at September 2018 <b>Phase 1b</b> (40 units) P/2016/00216 – site completed at September 2018
<b>Land to the West of Uttoxeter (Phase 2)</b> - P/2018/00510	RM	450	450	P/2018/00510 – Reserved Matters for phase 2 (final 450units remaining from Outline of 700 units - P/2013/00882) – Approved 24/10/2018	<b>Phase 1c</b> – 42 left to be completed on site. <b>Phase 1d</b> (44 units) P/2017/00572 – site completed at September 2019 <b>Phase 2</b> – site under construction

<b>Red House Farm</b> P/2015/01229	RM	245	52	Reserve Matters Application for 246 approved at committee 26/02/2016	Construction underway, 52 left to be complete on site.
<b>Forest Road</b> P/2016/00321	RM	302	151	P/2012/01359 - Outline Application -Approved 12/02/2014 Reserved Matters Application Approved at Committee 24/06/2016. Additional 2 units approved within the site.	Construction well underway, 151 left to be completed on site.  Two developers on site.
<b>Guinevere Avenue</b> P/2016/00331	RM	100	29	Reserved Matters Application Approved at Committee 21/07/2016	Construction well underway, 29 left to be completed on site.
<b>Model Dairy Farm</b> P/2017/00590	RM	77	70	Outline Approved-16/05/14 Reserved Matters Application (P/2017/00590) – Approved 17/10/2017	Existing dwellings demolished, site well underway
<b>Hazelwalls</b> P/2015/01497	FULL	429	360	Approved at committee 20/02/2019	Access being created and ground cleared. Discharge of condition applications submitted.
<b>Former Alumasc Grundy</b> P/2016/01847	FULL	203	201	Full Application Approved 18/06/2018	Site under construction
<b>Land off Forest Road</b> P/2014/01304	FULL	83	83	Full Application Approved at Committee – 18/02/2016  Full Application (64 affordable housing units) P/2019/00320) and S73 application (P/2019/00297) awaiting determination	Agent confirmed commencement on site
<b>Victoria Crescent</b> P/2014/01488	FULL	47	21	Approved at committee 24/01/2017	Construction well underway, 21 left to be completed on site.
<b>Land off Tatenhill Lane Branston</b> P/2017/01110	FULL	55	37	Outline Approved 10/04/2014 Full application P/2017/01110 approved 29/03/2018	Construction well underway, 37 left to be completed on site.
<b>Former Burton Adult Training Centre</b> P/2017/01652	FULL	26	26	Full Application Approved 24/09/2018	Site under construction, no completions on site yet
<b>Short Street Infants School</b> P/2018/00184	FULL	21	21	Full Application Approved 03/08/2018	Site under construction, no completions on site yet
<b>Land at Burton Road Tutbury</b> P/2017/01058	FULL	21	10	Full Application Approved 12/06/2018	Construction well underway, 10 left to be completed on site
<b>Westlands Road</b> P/2017/00355	FULL	18	18	Approved at committee 27/03/2019	Site under construction, no completions on site yet.

<b>Foxglove Close</b> P/2018/01046	FULL	16	16	Approved at committee 22/05/2019	Site under construction, no completions on site yet.
<b>Rear of 38-54 Bridge Street Uttoxeter</b> P/2013/00686	FULL	14	14	Approved 06/09/2013	Site under construction as per agent at Sept 16
<b>Rear of, 143 Horninglow Street</b> P/2016/00128	FULL	32	32	Approved 08/12/2016	Site under construction. Further applications submitted to clear conditions.
<b>Wychnor Bridges Farm, PA/07791/005/SM</b>	FULL	11	11	Detailed application approved 26/08/2008. Application to extend time limit P/2011/00282/JPM – Approved 12/05/2011	As at March 2017, the agent confirmed delivery expected towards the end of the next 5 years.
<b>The Refinery Burton</b> P/2010/01361/MB	FULL	10	0	Approved 08/03/2011	As at September 2018, Agent confirmed that due to access issues, delivery is not expected in the next 5 years.
<b>Burton Enterprise Centre</b> P/2017/01105	PRIOR APP	25	25	Prior Approval application - Approval given 31/10/2017	Site under construction
<b>Sites Not Under Construction as at September 2019</b>					
<b>The Maltings</b> P/2017/00244	FULL	90	90	Full Application Approved 22/12/2017	Majority of site fenced off but construction has not started
<b>Court Farm Lane</b> P/2018/00939	FULL	24	24	Approved at committee 13/09/2019	Full permission, expect to commence shortly.
<b>Hornton Road</b> P/2017/00354	FULL	14	14	Approved at committee 12/03/2019	Full permission, so would expect site to be delivered in next 5 years
<b>Mead Works</b> P/2018/00143	FULL	14	14	Full Application Approved 16/07/2018	Full permission, so would expect site to be delivered in next 5 years
<b>College Fields - Rolleston</b> P/2018/00384	RM	100	100	Reserved Matters application approved 15/08/2018	As at March 2017 the agent confirmed delivery of the site.
<b>Land North of Rocester</b> P/2018/01346	RM	53	53	Outline Approved P/2014/00548 - 01/12/2016 Reserved Matters application for 53 approved at committee 22/02/2019	Discharge of conditions applications submitted, expected to commence on site shortly. At September 2018 the developer has confirmed 30per annum with site completion by summer 2021.
<b>Beamhill</b> P/2013/00429	OUT	950	360	Outline Approved - 06/08/2013 Reserved Mattes for access & landscaping approved 23/02/2017.	The agent confirmed commencement of phase1 in mid-2019 with a completion rate of 50dpa increasing to 100-150 thereafter. Completion expected within 10years 2 developers across the site. First phase to be submitted December 2019.



<b>Glenville Farm, Tutbury Road</b> (Harehedge Lane) P/2015/00202	OUT	500	110	Approved 10/12/2015	Applicant is the developer.
<b>Glenville Farm, Tutbury Road</b> (Harehedge Lane) P/2017/01556	RM	110		Approved at committee 16/01/2019 for 110 of the original 500.	
<b>Howards Transport, Clays Lane</b> P/2014/01460	OUT	86	86	Approved 29/11/2016 Reserved Matters (P/2018/01042) application for 84 units awaiting determination.	At September 2018, the developer confirmed start on site early 2020, with an expected build-out rate of 7 units per month.
<b>Craythorne Road</b> P/2016/01507	OUT	34	34	Approved 28/06/2017 – for 32 retirement living bungalows.	Reserved Matters expected to be submitted early 2020.
<b>Lynwood Road</b> P/2017/01376	OUT	25	25	Approved 24/07/2018	Approval has been given to sell the site to a developer.
<b>Harbury Street</b> P/2016/00980	OUT	14	14	Approved 21/12/2018	Agent confirmed expected completion by early 2021.
<b>11-12 Tutbury Road</b> P/2017/01200	OUT	10	10	Approved 15/06/2018	Site expected to be marketed shortly. Existing business relocated and premises vacant.
<b>Number of Units (gross)</b>		<b>7532<sup>3</sup></b>	<b>3476</b>		
<b>Expected loss of dwellings</b> (from the above applications)			<b>14</b>		
<b>Total number of Units</b> (net)			<b>3462</b>		

**Table B: Large sites with a resolution to approve and awaiting s.106 sign off**

Application	Type of App	No of Units	Contribution to 5 Year Supply	Application Status as at September 2019	Comments as at September 2019 (unless stated otherwise)
<b>Branston Depot</b> P/2012/00920	OUT	484	0	Resolution to Approve – 21/10/2013. S106 due to be signed shortly.	Site still occupied. As at September 2018 the agent has confirmed that the site was sold for continuing commercial use. Residential units will not come forward in the next 5 years.
<b>Brookside Industrial Estate</b> P/2015/00299	OUT	90	0	Resolution to Approve – 22/09/2015 S106 Awaiting signatories.	As at March 17 the agent has confirmed that no units will come forward in the next 5 years.
<b>JCB Pinfold Road, Uttoxeter</b> P/2017/01307	OUT	148	148	OU/05254/018 - Approved 09/08/13, since expired P/2017/01307 - Resolution to Approve 24/04/2019. S106 due to be signed shortly.	Site cleared and being marketed.
<b>Fiveland Allotment</b> P/2018/01451	OUT	49	49	Resolution to Approve – 29/05/2019. S106 Awaiting signatories.	

<sup>3</sup> This total only includes the outline figure for Branston Locks and Glenville Farm.

<b>Imex Business Centre</b> P/2019/00056	OUT	144	144	Resolution to Approve – 16/07/2019. S106 Awaiting signatories.	
<b>Number of Units</b>		<b>915</b>	<b>341</b>		

**Table C: Sites currently in the Local Plan with an application submitted for determination**

<b>Application</b>	<b>Type of App</b>	<b>No of Units</b>	<b>Contribution to 5 Year Supply</b>	<b>Application Status as at September 2019</b>	<b>Comments as at September 2019</b> (unless stated otherwise)
<b>Churnet Farm, Rocester</b> P/2017/00667 & P/2017/00668	FULL & OUT	90	90	Full application for 20 dwellings (P/2017/00668) Outline application for 70 dwellings(P/2017/00667) – awaiting determination (expected to go to committee early 2020)	As at March 2017 the agent confirmed delivery of 90 units.
<b>Bargates</b> P/2017/01589	FULL	140	133	Application submitted, awaiting determination	Layout and mix under negotiation.
<b>Number of Units</b>		<b>230</b>	<b>223</b>		

**Table D: Sites in the Local Plan and other large sites without live applications**

<b>Application</b>	<b>No of Units</b>	<b>Contribution to 5 Year Supply</b>	<b>Application Status as at September 2019</b>	<b>Comments as at September 2019</b> (unless stated otherwise)
Molson Coors, High Street	210	0		
Molson Coors, Middle Yard	300	0		
Derby Road, Burton	250	0		Council is in discussion with various land owners.
<b>Number of Units</b>		<b>760</b>	<b>0</b>	

<b>Total number of units</b>	<b>9,437</b>	<b>4026</b>		
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