

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

## **30<sup>th</sup> September 2016**

Planning Policy Team\_13<sup>th</sup> December 2016

## **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 2016 and from the start of the plan period.

### **Policy Context**

National Planning Policy Framework (NPPF) published March 2012 paragraphs 47-48 provide the relevant guidance for assessing the 5 year housing supply.

Para 47 states that 'to boost significantly the supply of housing, local planning authorities should: identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

To be considered deliverable, sites 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 and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

Para 48 states that 'local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to 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, and should not include residential gardens'.

### **The Importance of the 5 year supply calculation**

Para 49 outlines that a failure to demonstrate a 5 year supply of deliverable sites means that the Council's housing policies cannot be considered as up to date, and therefore applications for housing development should be determined against the presumption in favour of sustainable development.

## 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 Inspectors 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 48 of the NPPF provides the framework for including a windfall allowance should the Borough Council choose to do so it is considered reasonable to now introduce a windfall element post Local Plan adoption.

It is on this basis that work has been undertaken to allow for the introduction of a windfall allowance which meets the expectations of Paragraph 48.

### ***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.
- All applicants/agents/developers for sites of 10 or more dwellings were contacted to clarify their expected site delivery and timetables. This evidence 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 2016 and the following:

- This calculation uses the agreed<sup>1</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 20% to both the housing requirement and under delivery is included.
- A windfall figure has been included. 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.

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<sup>1</sup> Adopted Local Plan Policy SP3

## September 2016 - Five Year Housing Land Supply Calculation

(5 years being full monitoring years from 1<sup>st</sup> October 2016 to 30<sup>st</sup> September 2021)

### Housing Requirement

- **466** dwgs/yr which is 699 dwellings over 1 yrs & 6 mths (October 2016 – March 2018)
- **682** dwgs/yr which is 2387 dwellings over 3 yrs & 6 mths (April 2018 – September 2021)

**5 Year Requirement: 3086** (699+2387)

**NPPF:** 20% buffer is calculated as 20%<sup>2</sup> or **3703** (3086x1.20)

- The new five year requirement becomes: **3703** homes required over 5 years or an annual requirement of **741** dwellings.(3703/5)

### Under-delivery

- Between April 2012 – September 2016 (4yrs & 6mths) we should have delivered **2097** dwellings (466x4.5).
- Past completions April 2012 – September 2016 = **1647** dwellings
- Under delivery = 450 dwellings (2097-1647)
- Plus 20% buffer on the under delivery = **540** (450x1.20)
- 540/5yrs= **108** per yr extra over 741 that's required = **849** (741+108)

New five year housing requirement incorporating under delivery is **4245** (849x5)

### Housing Supply

- Housing pipeline (Small Sites with planning permission 0-9 units): **556**
- We adjust the figure to acknowledge a lapse rate of 10% **500**
- Proportion of large sites (10+units) with permission contributing to the 5YLS **3205**  
(Proportion of large sites with planning permission – Table A\*)
- Sites identified in tables B,C, D & E\* **830**

### Windfalls

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

**TOTAL** **4715dwgs**

**4715 total supply/849 annual requirement = 5.55 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.

<sup>2</sup> 20% buffer for persistent under delivery subject to further investigation for inclusion in March 2017.

## The next 5 Years Land Supply update due Spring 2017

The Borough Council recognises the importance of reviewing the 5 year land supply regularly. At the next update and based upon the improvement of completions further consideration will be given to the buffer applied. Further justification of the 10% lapse rate applied to extant permissions will also be undertaken to ensure that this figure is accurate.

### Deliverable Sites

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

- **Year 1** = 1<sup>st</sup> October 2016 to 31<sup>st</sup> September 2017
- **Year 2** = 1<sup>st</sup> October 2017 to 31<sup>st</sup> September 2018
- **Year 3** = 1<sup>st</sup> October 2018 to 31<sup>st</sup> September 2019
- **Year 4** = 1<sup>st</sup> October 2019 to 31<sup>st</sup> September 2020
- **Year 5** = 1<sup>st</sup> October 2020 to 31<sup>st</sup> September 2021

**Table A: Large sites with permission**

Application	Type of App	No of Units	Contribution to 5 Year Supply	Application Status as at September 2016	Comments as at September 2016 (unless stated otherwise)	
<b>Sites Under Construction as at September 2016</b>						
<b>Land South of Branston</b> P/2013/00432	OUT	660	250	392 is the remaining capacity from the Outline application for 660 - Approved 17/07/13	Agent confirmed 50 units per annum across the next 5 year period	
<b>Land South of Lichfield Road (phase 1) -</b> P/2014/00550	RM	64		Two Reserved Matters Applications (P/2014/00550 & P/2015/00849) approved for 64 & 204 of the original 660.		Remaining 2 from phase 64 now under construction
<b>Land South of Lichfield Road (phase 2) -</b> P/2015/00849	RM	204		Phase 2 under construction with 11 completions.		
<b>Roycroft Farm</b> P/2015/01283	RM	138	138	Reserved Matters Application for 138 approved at committee 15/04/2016	Construction has started.	
<b>West of Uttoxeter</b> P/2013/00882	OUT	700	231	P/2013/00882 - Outline App for 700 approved 13/11/2015.	Agent confirmed expected delivery on phases 1a and 1b, totaling 87 by the summer of 2018 and an annual disposal rate of around 48 per annum.	
<b>Land to the West of Uttoxeter (Phase 1) -</b> P/2014/00883	FULL	58		Phase 1a under construction with 6 completions		Reserved Matters application for 40 units (phase 1b) is due to be determined at committee on 15 <sup>th</sup> Nov 2016
<b>Land to the east of Efflinch Lane Barton</b> P/2014/00200	RM	130	23	Approved 25/07/2014	Construction underway, 23 left to be complete on site.	
<b>Efflinch Lane (Additional 25 -</b> P/2015/01645)	RM	25	25	P/2015/01645 - Reserved Matters application Approved 04/03/2016	Site under construction	
<b>Land at Burton Road Tutbury</b> P/2011/00546	FULL	212	70	Approved 10/05/2012	Construction underway 70 left to be complete on site.	

<b>Rear of 38-54 Bridge Street Uttoxeter</b> P/2013/00686	FULL	14	14	Approved 06/09/2013	Site under construction
<b>Land adjacent Leafields Farm Yoxall</b> P/2015/00818	RM	35	25	Approved 25/11/2015	Site under construction with 10 completions
<b>Land adjacent to Pirelli Factory Derby Road</b> P/2014/01264	RM	299	228	Approved 13/02/2015	Construction underway 228 left to be complete on site.
<b>49, 50 51-52 Horninglow Road North, Burton</b> PA/02583/021/MB	FULL	14	14	Approved 31/07/2007	Site has commenced and recent activity suggests site delivery is realistic.
<b>Former St Johns Court Church View Burton</b> P/2014/01408	FULL	11	8	Approved 17/03/2015	Construction underway, 8 left to be complete on site.
<b>Former Plasplugs Limited Burton</b> P/2013/01155	RM	138	48	Approved 20/12/2013	Construction underway 48 left to be complete on site.
<b>40 Scalpcliffe Road Stapenhill</b> P/2015/00870	FULL	10	4	Approved 09/02/2016	Construction underway 4 left to be complete on site.
<b>Queen Street Burton</b> P/2015/00831	FULL	87	83	Approved 15/12/2015	Construction well underway and developer has confirmed completion by June 2017.
<b>Wychnor Bridges Farm, Wychnor</b> PA/07791/005/SM	FULL	11	0	Detailed application approved 26/08/2008. Application to extend time limit P/2011/00282/JPM – Approved 12/05/2011	Site has commenced however there has been no significant change since this time.
<b>Sites Not Under Construction as at September 2016</b>					
<b>Red House Farm</b> P/2015/01229	RM	246	246	Reserve Matters Application for 246 approved at committee 26/02/2016	Land being cleared and at March 2016 the agent confirmed that the full 246 will come forward in the next 5 years.
<b>Forest Road</b> P/2016/00321	RM	300	300	P/2012/01359 - Outline Application -Approved 12/02/2014 Reserved Matters Application Approved at Committee 24/06/2016	Land being cleared and developers confirmed delivery of all 300 in next 5 years
<b>Land off St Marys Drive, Stretton</b> P/2016/00280	RM	37	37	Reserved matters application approved at committee 21/07/2016	Clearing land. At March 16 the agent confirmed delivery of the site.
<b>Guinevere Avenue</b> P/2016/00331	RM	100	100	Reserved Matters Application Approved at Committee 21/07/2016	Site being prepared for commencement.

<b>Barton Marina</b> P/2015/01588	FULL	54	54	Full application approved at committee 08/09/2016.	Land being cleared and works beginning on site in October 2016 Developers expect completion in 2018.
<b>Land adjacent to Eastfield Uttoxeter</b> P/2014/00979	FULL	25	25	Approved 11/11/2014	Agent expects to commence early 2017 and confirmed delivery of the site.
<b>Land at Pennycroft Lane</b> P/2014/01663	FULL	49	49	Approved 25/02/2016	Site use relocated. Applicant confirmed delivery of 49 in 5 years. All conditions discharged and the land is ready for sale and is being marketed.
<b>Forest Road Burton</b> P/2014/01304	FULL	83	83	Approved 18/02/2016	Agent confirmed delivery of the site in the next 5 years
<b>Land at Burton Road Tutbury</b> P/2014/01211	FULL	15	15	Approved 02/11/2015. Additional to the 224 approved previously on adjacent site.	Agent confirmed delivery of the site.
<b>36 Derby Road Burton</b> P/2014/01062	FULL	10	10	Approved 30/01/2015	Developer confirmed delivery of the site within next 5 years
<b>The Refinery Burton</b> P/2010/01361/MB	FULL	10	10	Approved 08/03/2011	Agent confirmed delivery of the site.
<b>Eyes Farm, Rocester</b> P/2013/01014	OUT	18	16	Approved at committee 13/10/2016	Developer confirmed all 16 (as submitted in RM received Oct 2016); to be completed by Oct 2018
<b>Beamhill</b> P/2013/00429	OUT	950	280	Approved 06/08/13	Reserved Matters application submitted in March 2016 for phase 1 (to be determined by end 2016). Agent confirmed first completion in March 2018 with a completion rate of 80 dpa thereafter.
<b>Land at Burton Road Tutbury</b> P/2011/00547/ CEH	OUT	12	12	Approved 10/05/2012	Agent confirmed delivery of the site.
<b>Land off Tatenhill Lane Branston</b> P/2013/01160	OUT	55	55	Approved 10/04/2014	Applicant confirmed delivery of the site.
<b>Model Dairy Farm</b> P/2012/00795	OUT	84	84	Approved 16/05/14	Land owner confirmed land to be sold by May 2017 and look to submit Reserved Matters as soon as sale is complete.
<b>Branston Locks (Lawns Farm)</b> P/2012/01467	OUT	2580	490	Approved 14/04/2015	Clearing land. Agent confirmed that the full 490 will come forward in the next 5 years. Regular discussions held with agent.

<b>Glenville Farm, Tutbury Road</b> (Harehedge Lane) P/2015/00202	OUT	500	110	Approved 10/12/2015	Grampian condition expects submission of reserved matters for 110 units by Dec 2017 and further phases by Dec 2020.
<b>JCB Pinfold Road, Uttoxeter</b> P/2014/00969	OUT	257	80	OU/05254/018 - Approved 09/08/13 P/2014/00969 -Application under Section 73, Approved 03/10/2014	Site being cleared, but construction has not started. Agent confirmed in March 2016 delivery of 120.
<b>Demontfort Way, Uttoxeter</b> P/2014/00502	OUT	10	10	Approved 29/07/2015	No confirmation received from agent or applicant, however a small Greenfield site which could easily be delivered within 5 years and is reasonable. Reserved matters to be submitted by July 2018.
<b>Barwood Products, All Saints Road, Burton</b> P/2010/00276/MB	OUT	20	0	Original application approved 26/08/2010. Application to extend time limit P/2013/00939- approved 31/10/2013	No confirmation received from agent or applicant.
<b>Number of Units (gross)</b>		<b>7899<sup>3</sup></b>	<b>3227</b>		
<b>Expected loss of dwellings</b> (from the above applications)			<b>22</b>		
<b>Total number of Units</b> (net)			<b>3205</b>		

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

<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 2016</b>	<b>Comments as at September 2016</b> (unless stated otherwise)
<b>Victoria Crescent</b> P/2014/01488	FULL	47	47	Resolution to Approve – 16/08/2016 S106 Awaiting signatories, due to be signed shortly	Developers confirmed that once signed, they will commence within 2 years
<b>Land North of Rocester</b> P/2014/00548	OUT	53	53	Resolution to Approve – 11/08/2014. S106 Awaiting signatories, due to be signed shortly	Applicant and agent confirmed delivery of the site.
<b>Howards Transport, Clays Lane</b> P/2014/01460	OUT	86	86	Resolution to Approve – 18/02/2015 S106 Awaiting signatories, due to be signed shortly	At March 2016, applicant confirmed they were aiming to develop the site in 5 years and relocate.
<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. Agent has confirmed that no units will 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.	At March 2016, agent confirmed that no units will come forward in the next 5 years.
<b>Number of Units</b>		<b>760</b>	<b>186</b>		

<sup>3</sup> This total only includes the outline figure for Land South of Branston and West of Uttoxeter

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

Application	Type of App	No of Units	Contribution to 5 Year Supply	Application Status as at September 2016	Comments as at September 2016 (unless stated otherwise)
Hazelwalls P/2015/01497	FULL	429	200	Awaiting determination	At March 2016, agent confirmed expectations of 200 will be completed in 5 years with 3 developers on site.
<b>Number of Units</b>		<b>429</b>	<b>200</b>		

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

Application	No of Units	Contribution to 5 Year Supply	Application Status as at September 2016	Comments as at September 2016 (unless stated otherwise)
Bargates	100	100	Application due to be submitted shortly	Site to be sold subject to permission. High density scheme expected on site
Molson Coors, High Street	250	0		
Molson Coors, Middle Yard	300	100		At March 2016, agent confirmed delivery of the site.
Derby Road, Burton	250	40		Council is in discussion with various land owners.
Churnet Farm, Land South of Rocester P/2012/00201/ JI/PO	90	90	Outline Application for 90 units – Withdrawn 17/07/2015 New application expected imminently.	At March 2016, applicant confirmed that 90 units would be delivered on site which is due to commence in May 2018.
164 High Street Burton Upon Trent	14	14	P/2013/00130 – detailed application expired without commencing 07/05/2016	Applicant confirmed they will re-submit shortly and still expect delivery of all 14 within next 5 years
<b>Number of Units</b>	<b>1004</b>	<b>344</b>		

**Table E: Large sites in the Local Plan which have been refused**

Application	No of Units	Contribution to 5 Year Supply	Application Status as at September 2016	Comments as at September 2016 (unless stated otherwise)
College Fields, Rolleston	100	100	Secretary of State's decision to permit received 11 <sup>th</sup> October 2016 (site will be moved to Table A at next review)	Application has been refused but allowed at Appeal. This remains an allocation in the Local Plan with site delivery realistic within the 5 year period.
<b>Number of Units</b>	<b>100</b>	<b>100</b>		

<b>Total number of units</b>	<b>10,192</b>	<b>4035</b>		
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