

DAVENTRY DISTRICT

HOUSING LAND AVAILABILITY

As at 1st APRIL 2015

August 2015 UPDATE



Published 6th August 2015

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HOUSING SUPPLY IN DAVENTRY DISTRICT

1. INTRODUCTION

1.1 The National Planning Policy Framework (NPPF) states (paragraph 47) 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.

1.2 On 2nd April 2015 the Council published a report setting out the housing land supply as at 1st April 2015. The report identified a 5.94 year supply.

1.3 This report has been subject to examination at two section 78 inquiries and a hearing where decisions have been received, as follows:

- | | | |
|---------------------------------|--------------|------------------------|
| • Weedon, New Street, | DA/2014/0455 | APP/Y2810/A/14/2228921 |
| • Moulton, Salisbury Landscapes | DA/2013/0690 | APP/Y2810/A/14/2225722 |
| • Weedon Croft Way | DA/2014/0369 | APP/Y2810/W/14/3001704 |

1.4 In all cases the Inspectors found that the Council could demonstrate a five year supply. In one case the Inspector supported the Council's position in full, and in the other two the Inspector reduced the supply based on their conclusions on a small number of specific sites.

1.5 The conclusions of the inspectors are summarised below. Full copies of the Inspectors decisions can be found on the Council's website,

Weedon, New Street, DA/2014/0455

The Inspector supported the Council's case with the exception of:

- Middlemore where he felt only 50 dwellings should be included;
- Northampton College which he felt should be excluded because of an objection from Sport England; and
- Micklewell Park where he felt the delivery should be reduced to 200 units

concluding that the Council could demonstrate a 5.2 year supply.

Moulton, Salisbury Landscapes DA/2013/0690

The Inspector supported the Council's case with the exception of:

- Northampton College which he felt should be excluded because of an objection from Sport England; and
- Micklewell Park where he felt the delivery should be reduced to 200 units
- Previous oversupply which he felt should not be taken into account.

concluding that the Council could demonstrate a 5.25 year supply.

Weedon, Croft Way DA/2014/0369

The Inspector supported the Council's case in full i.e. that it has a 5.94 year supply.

2 UPDATED POSITION

- 2.1 The purpose of this note is to respond to the issues raised by the inspectors and to provide a clear and transparent statement of the Council's current position on supply. It does not seek to change any other aspects of the report produced on 2nd April nor does it seek to change any aspects of the methodology. No deficiencies in these respects have been found in any of the scrutiny undertaken at the three appeals referred to. This update takes account inter alia of paragraph 033 of the National Planning Practise Guidance which states that assessments need not be updated for a full twelve months unless new evidence comes to light. In this case the appeal decisions provide that new evidence, and it is important the Council sets out its response, and reasoning thereof, to those appeal decisions.
- 2.2 Each of the three sites referred to in the appeal decisions is considered in turn below, followed by the issue regarding previous oversupply;

Northampton College

- 2.3 In reaching their decisions at Weedon, New Street, (paragraph 41) and Moulton, Salisbury Landscapes (paragraph 32) the inspectors shared concerns that due to an outstanding objection from Sport England, the site should not be included within the supply. However further to this, the site gained a resolution to grant planning permission subject to a S106 agreement at Daventry District Council's planning committee on 1st July 2015. Due to the outstanding objection from Sport England the application was then referred to the Secretary of State. By letter dated 3rd August 2015 (see appendix A) the Secretary of State has confirmed that he would not be calling in the application. The Council can now progress with the completion of the section 106 agreement and the issuing of the planning permission. No parties raised any issues regarding the delivery of the site within 5 years beyond the possible issues regarding the Sport England objection. Now that that has been resolved, there is no reason why the 130 units cannot be built within the 5 year period.
- 2.4 The council accepted on a temporary basis that the College site would be withdrawn from the supply pending the Secretary of State's decision. Now that that has been received, the Council can revert to the position in the 2015 HLA report, i.e. it will include 130 units in the 5 year supply.

Middlemore 7 and 8

- 2.5 This site is split into 2 parts, site 7 and 8, as illustrated in the plan below. At the Weedon, New Street appeal the Inspector only accepted that 50 dwellings would come forward through the New Homes to Rent scheme (on the remaining part of site 8), in contrast to the appeal at Moulton, Salisbury Landscape and Weedon, Croft Way where 100 dwellings were accepted in total, 50 on site 8 and 50 on site 7.
- 2.6 The Inspector in the Weedon, New Street appeal discounted 50 units on the basis that there was no developer interest and the lack of a planning permission. However to be considered as deliverable, planning permission is not required, as confirmed by the NPPG (ID 3-031-20140306). Consequently, as set out in the analysis on page 30 of the 2015 HLA report it is considered that site 7, also meets the criteria to be a deliverable site, it has infrastructure in place to serve the site and it is owned by a willing landowner (the Council) who is actively marketing the site. The Council's Construction and Development Manager has confirmed that there is developer interest in the site. Therefore it is considered that the Council can demonstrate, in the context of the relevant guidance, that 100 dwellings will come forward from this site over the 5 year period.



Figure 1 Plan of Middlemore sites 7 and 8

Micklewell Park

- 2.7 In the three recent appeals, one inspector has accepted the approach of the 2015 HLA report for Micklewell Park as he concluded that the supply was 5.94 years. In the other two appeals the inspectors took a more pessimistic view than the local authority and supported the approach taken by the appellants of 200 dwellings in the next five years, on the basis that, in their view, there was only evidence of one developer and that development would come forward in years 3, 4 and 5 of the 5 year supply period. This would equate to 40 dwellings in year 3 and 80 dwellings in years 4 and 5.
- 2.8 In response to this issue the Council has liaised further with the promoters of the scheme to establish if they have any further information which will address this point and further demonstrate the involvement of two developers and thereby help consolidate assumptions about future delivery on this site.
- 2.9 In addition to the above, given a slight delay in issuing the planning permission and legal agreement the council has put forward a revised timetable to the promoter. The promoter has responded indicating that they have started the disposal process and that they intend to sell the site to housebuilders, including an affordable provider in early autumn. They also indicated that they will provide a further update at the end of the summer, however, they are reasonably comfortable that the figures and timescales put forward in their application remain realistic.
- 2.10 Notwithstanding the above, the aforementioned inspectors decisions did not acknowledge that the promoters of the site intend to allocate part of the site for self-build. Adding the proportion for self-build to the supply of 200 dwellings, would take the supply to 224 dwellings rather than 200 dwellings.
- 2.11 As set out at paragraph 2.8, a revised timetable has been sent to the promoters of the site which is based on key elements of the timetable submitted by them in support of their

application and then adapted to take account of the slight delay in issuing the outline planning permission and legal agreement. This is summarised in the table below;

Stage	Timetable included in planning application	DDC revised timetable for this appeal	No. of Dwells in revised programme
Determination of outline application	End of February 2015	Early July 2015	
Design and RM Approval for phase 1	March 2015 – Jan 2016	July 2015 – May 2016	
Completions on phase 1	October 2016 – July 2017	Feb 2016 – Nov 2017	132 inc. 6 self build
Design and RM Approval for phase 2	December 2015 – October 2016	April 2016 – February 2017	
Completions on phase 2	August 2017 – September 2018	January 2018 – February 2019	164 inc 6 self build
Design and RM Approval for phase 3	February 2017 – December 2017	June 2017 – April 2018	
Completions on phase 3	November 2018 – December 2019	March 2019 – April 2020	145 inc 14 self build

Table 1 Updated programme for B6. Daventry, Micklewell Park

2.12 Thus the impact of the slippage caused by the delay in issuing the permission and legal agreement alone would result in 9 of the 450 dwellings slipping beyond the 5 year period.

2.13 In the 2015 HLA Report the Council built in a 6 month slippage in the overall programme. Applying this in addition to the above mentioned delay would result in 77 dwellings slipping beyond the 5 year period, and hence it is considered that **373** of the dwellings would be built within the 5 year period.

Oversupply in Previous Years

2.14 The approach to the use of the housing trajectory figures, adjusted to take into account past performance, in calculating the five year requirement and reaching a requirement figure of 2,628 dwellings was supported by two of the recent appeal decisions referred to above, namely;

- Weedon, New Street paragraph 33
- Weedon, Croft Way, where the inspector supported the land supply position of 5.94 years which used 2,628 dwellings as the starting point.

2.15 However, in reaching his decision at Salisbury Landscapes, Moulton (paragraphs 16 and 17) the Inspector considered that 2,658 dwellings would be appropriate. It is not considered that this is the appropriate position for the following reasons;

- The requirement to boost significantly the supply of housing as per paragraph 47 of the NPPF is a qualified position and the Council is meeting this requirement.
- Paragraph 17.19 of the JCS makes reference to the need lines not changing for the purposes of the 5 year land supply calculation. This is considered to be a forward

looking position in establishing what the 5 year land supply requirements are, based on need, over the next 5 years.

- The monitoring provisions within the JCS relate to the trajectory as a whole, based on the Objectively Assessed Housing Need and are not yet engaged as there has not been 3 consecutive years of under/over provision greater than 25%. Furthermore, although not engaged, these monitoring provisions are entirely consistent with the NPPG (ref ID-3-036-2014-0506) regarding the consideration of past over-supply.
- The approach to altering the requirement based on past performance, in this case where an over-supply of 30 dwellings has occurred, is considered to be consistent with the principle of the Sedgefield approach (supported in the NPPG, paragraph ID 3-035-20140306) of making an alteration to the 5 year land supply requirement when any under-provision may have taken place.

2.16 For these reasons the Council does not agree with the position arrived at by the Inspector at Moulton, and will continue to adjust future need based on previous over and under-provision.

2.17 Taking account of the changes to Micklewell Park set out above, the Council has revised its position to **5.85** years supply. The calculation is set out in Table 1 below.

Table 1 – Updated position as at 4th August 2015

		Dwellings	
		Position as at 1st April 2015	Updated position as at 4th August
A	<u>Housing Requirement 2015/16 -2019/20</u>	2628	2628
	Plus 5% as required by NPPF	<u>+ 131</u>	<u>+ 131</u>
	Equals	2759	2759
B	<u>Total Requirement 2015/16-2019/20</u>	2,759	2,759
	Annualised Requirement (2759/5)	552	552
C	<u>Supply of deliverable sites</u> (Total from Table 2) Sites with the benefit of planning permission	2,010	2,010
	Other sites expected to come forward:		
	Daventry		
	B3.Daventry Sites 3 and 6	50	50
	B5.Daventry NE SUE	75	75
	B2.Daventry 7 and 8	100	100
	B4. Nton College, Dav Campus,	130	130
	B6. Daventry, Micklewell Park	419	373
	Sub-total Daventry	774	728
	Rural Areas		
	B1. Brixworth, east of Npton Road	90	90
	B7.Flore, north of High Street	67	67
	B8.Moulton, Sandy Hill Lane	85	85
	B9.Moulton, South of Boughton Road	56	56
	B10.Naseby, Cottesbrooke Road	20	20
B11.Welford, land off Newlands Road	16	16	
Sub-total Rural Areas	334	334	
D	Less allowance for potential future lapsed permissions	105	105
E	<u>Expected contribution from windfall sites</u> (89 x 3)	267	267
F	<u>Deliverable Supply</u> (C+E-D)	3,280	3,234
G	Number of Years Supply F/ (Annualised requirement in row B)	5.94 Years	<u>5.85 Years</u>

Appendix 1



Department for Communities and Local Government

Richard Lambert
Daventry District Council

Please ask for: Simon Heydecker-Dent
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Email: Simon.Heydecker-Dent@communities.gsi.gov.uk

Your ref: DA/2015/0187

Our ref: NPCU/CONS/Y2810/75748

RLambert@daventrydc.gov.uk

Date: 3 August 2015

By email

Dear Mr Lambert

The Town and Country Planning (Consultation) (England) Direction 2009

Outline planning application for construction of 130 dwellings with new public open space, estate roads and new access to Badby Road West and Yeomanry Way – Application reference DA/2015/0187

I refer to your emails of 13 July 2015 referring to the Secretary of State for Communities and Local Government ("The Secretary of State") an application for planning permission for the above development.

The Secretary of State has carefully considered the case against call-in policy, as set out in the Written Ministerial Statement by Nick Boles on 26 October 2012. The policy makes it clear that the power to call in a case will only be used very selectively.

The Government is committed to give more power to councils and communities to make their own decisions on planning issues, and believes planning decisions should be made at the local level wherever possible.

In deciding whether to call in the application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude, in his opinion that applications should be called in. The Secretary of State has decided, having had regard to this policy, not to call in the application. He is content that the application should be determined by the local planning authority.

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In considering whether to exercise the discretion to call in the application, the Secretary of State has not considered the matter of whether the application is EIA Development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The local planning authority responsible for determining these applications remains the relevant authority responsible for considering whether these Regulations apply to these proposed developments and, if so, for ensuring that the requirements of the Regulations are complied with.

Yours sincerely

Karen Rose

Karen Rose
Planning Casework Manager