

Cabinet Member for Performance and Capacity Agenda

Date: Monday, 26th March, 2012
Time: 10.00 am
Venue: Committee Suite 1 & 2, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**
2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

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4. **Strategic Housing Land Availability Assessment 2011 Update** (Pages 1 - 14)

To seek agreement to the publication of the Strategic Housing Land Availability Assessment 2011 Update as part of the evidence base for the Cheshire East Local Plan.

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Cabinet Member for Performance and Capacity

Date of Meeting: 26th March 2012
Report of: Strategic Director - Places
Subject/Title: Strategic Housing Land Availability Assessment 2011 Update
Portfolio Holder: Councillor David Brown

1.0 Report Summary

- 1.1 This report seeks agreement to the publication of the Strategic Housing Land Availability Assessment 2011 Update as part of the evidence base for the Cheshire East Local Plan.

2.0 Recommendation(s)

- 2.1 That the Cabinet Member for Performance and Capacity approves:
- (1) the publication of the Strategic Housing Land Availability Assessment 2011 Update; and
 - (2) the use of the document as part of the evidence base for the Cheshire East Local Plan.

3.0 Reasons for Recommendation(s)

- 3.1 The Strategic Housing Land Availability Assessment (SHLAA) 2011 Update is a key component of the evidence base; and to inform the development of housing policy within the Cheshire East Local Plan. This assessment is required by national planning policy, set out in Planning Policy Statement 3: Housing (PPS3).

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 The Strategic Housing Land Availability Assessment is a technical document that assesses the potential of sites for housing development and will form part of the evidence base for the Cheshire East Local Plan. It does not include any

recommendations about the selection of potential sites for future housing development.

- 6.2 The Strategic Housing Land Availability Assessment also includes an assessment of the 5 year supply of sites, which is also reported in the AMR. The Strategic Housing Land Availability Assessment 2011 Update currently identifies that the Council has less than a 5-year supply of identified 'deliverable' housing sites. This has lead to the Council producing a Interim Planning Policy on the Release of Housing Land, which is currently subject to review.

7.0 Financial Implications

- 7.1 None.

8.0 Legal Implications

- 8.1 This report has to meet the requirements of Planning Policy Statement 3: Housing, paragraph 55 states that Local Planning Authorities should:
- Identify specific, deliverable sites for the first five years of a plan that are ready for development, and to keep this up to date over time in response to market information;
 - Identify specific, developable sites for years 6–10, and ideally years 11–15, in plans to enable the five year supply to be updated;
 - Where it is not possible to identify specific sites for years 11–15 of the plan, indicate broad locations for future growth; and
 - Not include an allowance for windfalls in the first 10 years of the plan unless there are justifiable local circumstances that prevent specific sites being identified.
- 8.2 Paragraph 57 goes on to state that 'once identified, the supply of land should be managed in a way that ensures that a continuous five year supply of **deliverable** sites is maintained i.e. at least enough sites to deliver the housing requirements over the next five years of the housing trajectory.

9.0 Risk Management Implications

- 9.1 The Strategic Housing Land Availability Assessment has been undertaken following the methodology set out in Government guidance. Consultation has been undertaken with the Housing Market Partnership and with the Housing Market Partnership Strategic Housing Land Availability Assessment Task Group on more detailed issues in relation to the specific sites. This has returned a significant number of responses many of which the Council has been able to take on board. However, there are areas of disagreement (these are set out in Appendix A) and consequently there remains a high level of risk that the document will continue to be subject to scrutiny at planning application appeals.

10.0 Background and Options

- 10.1 The primary role of the Strategic Housing Land Availability Assessment is to:
- Identify sites with potential for housing;
 - Assess their housing potential; and
 - Assess when they are likely to be developed.
- 10.2 The Strategic Housing Land Availability Assessment is an important evidence source to inform plan-making, but does not in itself determine whether a site should be allocated for housing development. The Strategic Housing Land Availability Assessment provides background evidence on the potential availability of land in Cheshire East for housing and the choices available for delivering housing, through the Local Plan, particularly the Site Allocations and Policies document.
- 10.3 The study includes sites that have been put forward by landowners and developers, with a capacity for 10 or more dwellings (generally sites of approx 0.3ha or more), both previously developed (PDL) and greenfield, within settlements and adjacent to their limits. The Strategic Housing Land Availability Assessment has been undertaken to:
- Provide a consistent assessment of potential sites that have been submitted by land owners and developers;
 - Consider factors affecting the developability of the site (e.g. flood risk, access);
 - Assess the sustainability of the site in terms of accessibility to services; and
 - Consider the deliverability of the site in terms of the need for / timescales for delivering infrastructure required (e.g. highway schemes).
- 10.4 The decision making process for the allocation of sites for housing and other development will be the Cheshire East Local Plan Core Strategy and Site Allocations and Policies DPDs. The Cheshire East Core Strategy will consider options for the future development strategy for the Borough and may allocate strategic sites for development based on the evidence set out in this Strategic Housing Land Availability Assessment. The Cheshire East Sites and Policies Document will then allocate specific sites to deliver the Core Strategy.
- 10.5 Planning permission will also be required for development. Planning applications will continue to be treated on their own individual merits. They will be determined in accordance with planning policies contained within the adopted Development Plan, unless material considerations indicate otherwise.
- 10.6 A housing requirement of 1,150 net additional new dwellings per annum has been agreed by the Council, on the 18th October 2010, on an interim basis pending the preparation of the Local Plan Core Strategy. This equates to a 5 year supply figure of 5,750.

- 10.7 Just under 2,000 sites were considered as part of the Strategic Housing Land Availability Assessment, of these approximately 1,400 sites are considered suitable for housing during the next 15 years. The Strategic Housing Land Availability Assessment also identified 4,783 deliverable dwellings that were expected to come forward within the 1-5 year period, this equates to 3.94 years supply.
- 10.8 Therefore there are currently insufficient 'deliverable' sites to meet the five year supply requirement, consequently the Council is reviewing the Interim Planning Policy on the Release of Housing Land, to identify broad locations for future housing growth, pending the preparation of the Local Plan which will allocate areas and sites for future development.
- 10.9 The Strategic Housing Land Availability Assessment document will continue to be reviewed and updated annually.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Appendix A

	Summarised Comment	Sites
Consultee 1	<ul style="list-style-type: none"> • 2 weeks is not sufficient time to comment on robustness of the sites • The reliance on sites without planning permission is unrealistic • Shortfall should be acknowledged • Do not support the SHLAA • Site related comments 	3379
Consultee 2	<ul style="list-style-type: none"> • SHLAA will not be considered to be credible without HMP support • Why is the 5 year housing land supply included in the SHLAA it does not need to be, it could be contained within the AMR, and this would allow the HMP to support the SHLAA • Council has taken a very optimistic view on delivery of larger sites recently consenting / awaiting S106 a review of the build rate of similar sized sites should be carried out • Release of employment land sites for housing development should be resisted - therefore housing on existing employment sites without planning permission should be discounted in full • Shortfall should be addressed in 5 year supply • Actual level of housing need as identified in the LDF evidence is circa 4,000 homes per year 	
Consultee 3	<ul style="list-style-type: none"> • Shortfall should be acknowledged • Shortfall should be addressed in 5 year supply • Including sites without permission will frustrate deliverable sites coming forward • Including sites without permission is contrary to SHLAA Practice Guidance • Including sites without permission is contrary to PPS3 • Coppenhall will not be built at the rates suggested • North of Parkers Road will not be built at the rates suggested • Coppenhall will provide 195 homes at most • North of Parkers Road will provide 240 homes at most • Cheshire East has 3.7 years supply at best 	
Consultee 4	<ul style="list-style-type: none"> • Site related comments • Site related comments • Support HBF calculations for dealing with the undersupply (eg 1,215 per year) • Draft NPPF would add additional 20% need to 5 year supply 	2911 - Shavington Hall 3025 - Maw Green, Crewe

	Summarised Comment	Sites
Consultee 5	<ul style="list-style-type: none"> • Site related comments • Site related comments • Support HBF calculations for dealing with the undersupply (eg 1,215 per year) • Draft NPPF would add additional 20% need to 5 year supply • Proposed sites could meet this shortfall 	2605 - Heath Road, Sandbach 2627 - Capricorn, Sandbach
Consultee 6	<ul style="list-style-type: none"> • Support HBF calculations for dealing with the undersupply (eg 1,215 per year) • SHLAA will not be considered to be credible without HMP support • 2 weeks is not sufficient time to comment on robustness of the sites • SHLAA sites should be re-examined by HMP • Site related comments • Site related comments • Site related comments 	2838 - Forge Mill, Congleton 2779 - 24 Church Lane, Sandbach 2211 - Council Depot, Sandbach
Consultee 7	<ul style="list-style-type: none"> • Site related comments • increased build rates on this site 	3639 - Leighton West, Crewe
Consultee 8	<ul style="list-style-type: none"> • Site related comments • Site related comments • Site related comments 	3433 - Parkgate extension, Knutsford 3519 - west of Parkgate Lane, Knutsford 3518 - land between Manchester Road and Mereheath Lane, Knutsford
Consultee 9	<ul style="list-style-type: none"> • Concern over including sites that don't have planning permission in the 5 year supply • Support HBF calculations for dealing with the undersupply (eg 1,215 per year) • Concern over employment sites included in the SHLAA • Concern over feasibility of the build rates for IPP sites 	
Consultee 10	<ul style="list-style-type: none"> • Shortfall should be addressed • Question the five year period - why 2012 to 2017? • Concern over feasibility of the build rates for IPP sites • No justification for departing from standard build rates 	

	Summarised Comment	Sites
	<ul style="list-style-type: none"> Concern over including sites that don't have planning permission in the 5 year supply 20% discount for small sites Concern over employment sites included in the SHLAA SHLAA will not be considered to be credible without HMP support 	
Consultee 11	<ul style="list-style-type: none"> Site related comments Shortfall should be addressed IPP should be reviewed to bring forward sites Borough wide Developable' sites supported by the Neighbourhood should be 'deliverable' 	2320 - Lower Heath, Congleton
Consultee 12	<ul style="list-style-type: none"> DCLG Guidance Note on 5-year supply should still be used Shortfall should be addressed in 5 year supply Small sites without planning permission should not be included in the 5 year supply Greenfield sites without planning permission should not be included in the 5 year supply SHLAA and 5 year housing supply are not the same 5 year supply does not need to be in the SHLAA Concern over feasibility of the build rates for IPP sites Concern regarding inclusion of sites Subject to S106 Site 'suitable - with policy change' should not be included in 5 year supply Concern over employments sites included in the SHLAA 	
Consultee 13	<ul style="list-style-type: none"> Site related comments Site related comments Site related comments Site related comments Support SHLAA methodology as put forward by Council - do not seek any changes 	2905 2911 2951 2954
Consultee 14	<ul style="list-style-type: none"> Site related comments 	3311
Consultee 15	<ul style="list-style-type: none"> Site related comments 	3506
Consultee 16	<ul style="list-style-type: none"> Site related comments 	3876
Consultee 17	<ul style="list-style-type: none"> Site related comments 	2548
Consultee 18	<ul style="list-style-type: none"> Site related comments 	2549
Consultee 19	<ul style="list-style-type: none"> Site related comments 	2550

	Summarised Comment	Sites
Consultee 20	<ul style="list-style-type: none"> Site related comments 	3892
Consultee 21	<ul style="list-style-type: none"> Site related comments 	3556
Consultee 22	<ul style="list-style-type: none"> Site related comments 	3555
Consultee 23	<ul style="list-style-type: none"> Site related comments 	3544
Consultee 24	<ul style="list-style-type: none"> Site related comments 	2707
Consultee 25	<ul style="list-style-type: none"> Site related comments 	3494
Consultee 26	<ul style="list-style-type: none"> Site related comments 	2367
Consultee 27	<ul style="list-style-type: none"> DCLG Guidance Note on 5-year supply should still be used Shortfall should be addressed in 5 year supply Small sites without planning permission should not be included in the 5 year supply Greenfield sites without planning permission should not be included in the 5 year supply SHLAA and 5 year housing supply are not the same 5 year supply does not need to be in the SHLAA Concern over feasibility of the build rates for IPP sites Concern regarding inclusion of sites Subject to S106 Site 'suitable - with policy change' should not be included in 5 year supply Concern over employments sites included in the SHLAA Site related comments <ul style="list-style-type: none"> would like to include site as deliverable and in the 5 year supply - even though no permission 	3195
Consultee 28	<ul style="list-style-type: none"> Site related comments Site related comments Need to address shortfall Draft NPPF would add additional 20% need to 5 year supply 	2321 4016
Consultee 29	<ul style="list-style-type: none"> Site related comments 4.15 years is an over estimation states appeals as evidence of this Draft NPPF would add additional 20% need to 5 year supply IPP should be reviewed to bring forward sites Borough wide 	2686

	Summarised Comment	Sites
Consultee 30	<ul style="list-style-type: none"> • 2 weeks is not sufficient time to comment on robustness of the sites • Shortfall should be addressed in 5 year supply or at least in line with HBF suggestion • Allocated sites should be removed from the 5 year supply • Sites under construction should remain undiscounted • Sites with planning permission should have 10% discount • S106 agree with 10% discount • Sites without planning permission should not be included within the 5 year supply or if they were in the SHLAA in 2010 and do not now have permission should not be included. • 20% discount for small sites • Build rates should be applied consistently - do not agree IPP site build rates 	
Consultee 31	<ul style="list-style-type: none"> • Site related comments 	3478 - land at Welshmans Lane, Nantwich
Consultee 32	<ul style="list-style-type: none"> • Shortfall should be addressed in 5 year supply • Allocated sites should be removed from the 5 year supply • Sites with planning permission should have 10% discount • Build rates on page 12 are realistic • Coppenhall East progressing S106 at present • Coppenhall East build rates are correct - 65 dwgs per year by 2 developers is considered reasonable • Sites Subject to S106 should be re-appraised but accept that LPA is relying on inputs from owners / developers in terms of this part of supply • Sites without planning permission in the Green Belt should not be included in the 5 year supply • Greenfield sites should come forward before Green Belt sites (Twyfords, Birtles Road and Woodside Poultry stated as examples) • 20% discount for small sites • Unidentified windfall should be removed from 5 year supply • Site related comments • Site related comments • Housing supply is 3.55 years 	2621 - Land off Congleton Road, Sandbach 2901 - Land at Crewe Road, Crewe
Consultee 33	<ul style="list-style-type: none"> • Shortfall should be addressed in 5 year supply 	

	Summarised Comment	Sites
	<ul style="list-style-type: none"> • Sites included in the 5 year supply must have planning permission • Unallocated PDL sites should have normally have made sufficient progress through the planning system to be considered deliverable • Unallocated sites that are not likely to make a significant contribution to the delivery of housing during the 5 years should not be taken into account until they have planning permission • No allowance has been made for non-delivery of small sites suggest between 10% and 20%, although as 20% agreed at appeal this should be maintained • Sites not included in the 5 year supply at appeal should not be included unless the Council has evidence to demonstrate that circumstances have changed 	
Consultee 34	<ul style="list-style-type: none"> • Site related comments - Agree deliverable • Site related comments - Agree deliverable • Site related comments - Agree deliverable 	<p>2300 - Land off Brooks Lane, Middlewich</p> <p>2405 - Pochin's Sports and Social Club, Middlewich</p> <p>2867 - Land south of Brooks Lane, Middlewich</p>
Consultee 35	<ul style="list-style-type: none"> • Site related comments • Site related comments • Site related comments • Site related comments 	<p>3375 - Leighton West (NW)</p> <p>3376 - Land at North off Parkers Road, Leighton</p> <p>3377 - Leighton West (SW)</p> <p>3378 - Leighton West (S)</p>
Consultee 36	<ul style="list-style-type: none"> • Shortfall should be addressed in 5 year supply • Sites without planning permission should not be included within the 5 year supply • Build rates should be applied consistently - do not agree IPP site build rates • Do not support the SHLAA 	
Consultee 37	<ul style="list-style-type: none"> • Shortfall should be addressed in 5 year supply • Further scrutiny should be given to build rates for the IPP sites • Longer term delivery rates should be increased • Reconsider capacities - particularly all flatted development sites • IPP should be reviewed to bring forward sustainable locations • Allocated sites should be scrutinised • Sites with planning permission should have discount for non-delivery 	

	Summarised Comment	Sites
	<ul style="list-style-type: none"> For site with S106 - agree with need for discount Would comment approach that looks to remove sites that have been carried over in the S106 category 20% discount for small sites 	
Consultee 38	<ul style="list-style-type: none"> Shortfall should be addressed in 5 year supply Further scrutiny should be given to build rates for the IPP sites Longer term delivery rates should be increased Reconsider capacities - particularly all flatted development sites IPP should be reviewed to bring forward sustainable locations Allocated sites should be scrutinised Sites with planning permission should have discount for non-delivery For site with S106 - agree with need for discount Would commend approach that looks to remove sites that have been carried over in the S106 category 20% discount for small sites 	
Consultee 39	<ul style="list-style-type: none"> Site related comments Site related comments Site related comments Site related comments Support HBF comments (10/02/12) 	324 - Canal Fields, Sandbach 2921 - Gresty Green Farm, Crewe 2404 - Former Fisons, Holmes Chapel 3368 - Warmingham Lane, Middlewich
Consultee 40	<ul style="list-style-type: none"> Site related comments Site related comments Site related comments 	2551 - Land west of Padgbury Lane, Congleton 2546 - Land rear of Padsbridge Farm, Padgbury Lane, Congleton 2545 - Land west of Padgbury Lane, Congleton
Plus HBF comments	<ul style="list-style-type: none"> Annual requirement for the remainder of the RSS plan period is 1,215 homes each year. 5 year supply should be 6,075 homes. 	

Response

In response to the comments that have been received from the Housing Market Partnership the Council have decided to make a number of amendments to the SHLAA, these comprise:

- The shortfall in housing supply will be acknowledged as
 - 2003-11 Cheshire East net completions = 8,550 dwellings
 - 2003-11 RSS (1150 per year) = 9,200 dwellings
 - Shortfall to 2011 = 650 dwellings
- This shortfall will be addressed following the methodology proposed by the Home Builders Federation (HBF), that is
 - Residual Plan Period = 2011-2021 = 10 years
 - Residual dwellings = 20,700 – 8,550 = 12,150 dwellings
 - Residual annualised figure = 1,215 dwellings
 - Amended 5 year supply = 6,075 dwellings
- Amendments to sites based on comments and other identified errors
 - Site boundaries amended for sites 2347 and 456 these sites no longer include a proportion within the Green Belt
 - Site 2601 status should be updated to 'deliverable' to reflect its position in the 5 year supply
 - Sites 2928, 3785 and 2946 to be amended to reduce total numbers to deliver 1,000 homes overall
 - Sites 2928 and 2946 to be updated on SHLAA map to developable as identified in report and proformas
 - Site 3639 amend build rates to 80 per year for years 6-10 (400 dwgs in total years 6-10)
 - Site 3433 amend total to 350 and amend to 'available'
 - Sites 2367, 2549, 2550, 2707, 2911 and 3519 amend to 'available'
 - Site 3518 amend to 'suitable with policy change', 'available', 'developable'
 - Site 2371 amend to 'suitable if can policy requirements'
 - Update proformas for sites 3375, 3376 and 3377 to include additional information provided
 - Update proformas for sites 2551, 2546 and 2545 to include additional information provided
 - Sites 2545, 2546 and 2551 amend to 'available', 'achievable' and 'developable'
 - Remove site 3850
 - Update town maps for Crewe, Congleton, Alsager, Sandbach and Macclesfield to reflect changes to sites mentioned above.
 - Potential updates to site boundaries of 2605 and 2627 – awaiting further information
- Housing Market Membership List in Appendix A to be updated to reflect most recent mailing lists
- A number of new sites have also been put forward and these will be assessed and included in the next update of the SHLAA.
- Amend text in relation to windfalls and broad locations.

These amendments would lead to alteration to the 5 year housing land supply; this would now be 3.9 years.

In response to other points that were raised during this further stage of consultation the Council would like to make the following comments:

- The Council have assessed in detail all the sites contained within the SHLAA; much information has been put forward by landowners, developers and agents and this has all been considered during these assessments. The Council are satisfied with all of the assessments. The SHLAA has been updated following the consideration given to the previous SHLAA document at the Abbeyfields and Hind Heath appeals.
- The Draft SHLAA has previously been considered by the Housing Market Partnership (HMP) SHLAA Task Group providing ample opportunity for detailed consideration to be given to the sites within the SHLAA by a variety of landowners, developers and agents.
- The majority of dwellings within the 'Site without Planning Permission' category now have permissions, are subject to S106 or are subject to a current planning application. The remainder of these sites in this category could easily come forward and be completed within the 5 year period.
 - It should be noted that many of those members of the HMP who did not believe that sites without planning permission should be included within the 5 year supply, did however, believe that their own (or their clients) site without planning permission should be considered deliverable and should be included in the 5 year supply (either now or within previous correspondence with the Council).
- The Council is satisfied that the Standard Build Rates are appropriate for development sites and should be maintained unless further information is provided. Where further information has been provided – for example to highlight that more than one house builder will be used on site. Then the Council are satisfied that this information should be used and alternate build rates applied.
- Notwithstanding that a discount of 20% was applied at the Sandbach Appeals in 2011. The Council is satisfied that a 10% discount to small sites is more appropriate. These are all identified sites and have been assessed for their deliverability as with the larger sites. Where there are known to be issues with their deliverability they have not been included within the 5 year supply and have been assessed to be developable.
 - It should be noted that contrary to some comments submitted there is no allowance for windfall within the SHLAA.
- The period used for the 5 year housing land supply has been based on the requirements of National Performance Indicator 159.
- The Interim Policy on the Release of Housing Land is to be reviewed. This review is intended to provide the Council with greater scope to address the lack of a 5 year housing land supply.

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