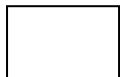

Report of the Director of City Development

Scrutiny Board (City Development)

Date: 5th October 2010

Subject: Consultation on the Local Development Framework and the Strategic Housing Land Availability Study Update

Electoral Wards Affected:



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

1. Purpose

- 1.1. This report provides a briefing on community engagement in the upcoming Local Development Framework programme, in particular the Core Strategy, and proposals for updating the SHLAA.

2. Background

- 2.1. The Local Development Framework (LDF) is being prepared as the statutory plan for Leeds. The LDF will eventually replace the current development plan for Leeds – the Unitary Development Plan (UDP). The main difference is that the UDP is a single plan whereas the LDF will comprise of a number of separate documents. These include the Core Strategy, the Natural Resources and Waste Development Plan Document, the Aire Valley Leeds Area Action Plan and the forthcoming Site Allocations Development Plan Document.
- 2.2. Evidence is expected to inform preparation of LDFs. National planning guidance expects evidence to be prepared on a number of key topics which have to be prepared according to national practice guidance:
- Housing need – Strategic Housing Market Assessment
 - Housing supply – Strategic Housing Land Availability Assessment
 - Employment need and supply – Employment Land Review
 - Retail and leisure need – City, Town and Local Centres Study
 - Flood risk – Strategic Flood Risk Assessment
 - Greenspace – PPG17 Audit
 - Affordable Housing Viability – Economic Viability Assessment

- Need for Gypsy and Traveller Sites – Gypsy and Traveller Accommodation Assessment

Studies may also be necessary to understand transport, landscape and green belt and other miscellaneous issues.

- 2.3. Leeds' SHLAA 2009 was prepared by the Director of City Development to provide evidence of what land might be available for housing development over short, medium and long periods. The practice guidance expected SHLAA conclusions to be drawn up with participation from and agreed by a partnership of key stakeholders that involves house builders, social landlords, local property agents and local communities. At its meeting of 7th September 2010 City Development Scrutiny Board, deferred a decision on the request for a Scrutiny Review of the SHLAA process. The Board requested further information on the opportunities for community engagement in the LDF and for further guidance on the SHLAA update process. It was noted that Mr Hall was not seeking a re-opening of the 2009 SHLAA exercise.

3. **LDF Work Programme**

- 3.1. The Core Strategy provides the overarching strategy and policy for the LDF. Leeds' Core Strategy has already undergone considerable public consultation on preparatory stages. These included the following consultation and engagement stages:

- | | |
|----------------------------------|-----------------------|
| • Early issues | Summer-Autumn 2006 |
| • Issues and Alternative Options | April-May 2007 |
| • Preferred Approach | October-December 2009 |

- 3.2. The next stage is known as "Publication" when the City Council publishes a complete and fully justified plan for a minimum of 6 weeks public consultation. The City Council will then make any final adjustments to the plan in response to consultation feedback before "submitting" the plan for examination. The plan is then finally adopted in a form that takes on board the recommendations of the Inquiry Inspector. The anticipated programme is as follows:

Publication	Early Spring 2011
Submission	Early Summer 2011
Examination	Autumn 2011
Adoption	Late 2011

- 3.3. The City Council is also nearing publication stage with two further LDF documents; the Natural Resources and Waste Development Plan Document will come slightly before the Core Strategy with publication anticipated later in 2010; the Aire Valley Area Action Plan is running slightly behind the Core Strategy with publication expected in the middle of 2011.
- 3.4. Preparation of the "Site Allocations Development Plan Document" is anticipated to commence some time in 2011 as staff resources are freed up by the completion of current LDF documents. No timetable has been agreed, but it is hoped that the document could be completed by the end of 2013.
- 3.5. Public consultation at publication stage will aim to make the documents widely available for viewing particularly to those who were involved earlier and those who are likely to be affected by the policy and proposals. According to the Council's adopted Statement of Community Involvement (SCI), consultation methods will include letters and emails to notify interested parties, publication on Leeds' website and availability of documents at libraries and other public venues. The more "hands-

on” techniques such as focus groups, exhibitions, stakeholder meetings, road-shows and planning for real exercises are designed to be used earlier on in document preparation and are less valuable for publication stage.

- 3.6. Currently, it is too early to be drawing up the programme of consultation for the publication of the Core Strategy. However, details will be widely distributed giving notification to Parish and Town Councils and other community organisations advising how to access the document and make comments. This approach will be supplemented by briefing meetings to provide further explanation as necessary.

4. SHLAA update and options for greater local community involvement

- 4.1. The updating of SHLAAs on at least an annual basis is a requirement of national practice guidance (Appendix 1). The update is expected to undertake a number of technical adjustments such as accounting for new planning application information; it is not expected that the update would need to be subject to stakeholder views, indeed it may not be necessary to hold a Partnership meeting.

- 4.2. As part of the methodology for Leeds’ SHLAA 2009 agreed with the SHLAA Partnership, there is commitment to update the SHLAA on an annual basis. This is published as Appendix 13 to the SHLAA and is reproduced here as Appendix 2. Also, commitment was given at the final meeting of the SHLAA Partnership held 4th January 2010 to sign-off the 2009 SHLAA to update the SHLAA on an annual basis. The minute of the meeting stated:

Robin Coghlan suggested the SHLAA be updated at the end of each financial year to adjust dwelling density and the delivery dates each site according to new information and to assess new sites. From 1st April, two months would be needed for council officers to undertake the update and to distribute proposals to Partnership Members; then a meeting would be scheduled for June to agree the update.

Agreed to update annually with documents being issued at the end of May for a meeting in June.

- 4.3. The update is essentially a technical exercise that involves adjustment to the timescale for sites already in the system plus the addition of new sites mainly derived from planning applications and pre-application discussions. There is no new “Call for Sites”.
- 4.4. Whilst there has been slippage in issuing update documents, these are expected to be ready for dispatch shortly.
- 4.5. Options for involvement of the local community in the SHLAA update are as follows:
- i. Offer no further involvement; the exercise is of an entirely technical nature leaving issues of policy choice for the LDF; public involvement is not expected by national practice guidance
 - ii. Offer to brief Parish and Town Councils on the update
 - iii. Offer to request that the SHLAA Partnership extends membership to include Parish Council representation, or some other local community representation
- 4.6. With regard to option iii it should be noted that, at the time of writing, advice is awaited from the Executive Member for Development on Member participation in the update. It should also be noted that the City Council cannot prescribe membership; as a partnership, the City Council has to rely upon voluntary unpaid representation and a spirit of fairness of approach.

- 4.7. For information the following representation was agreed and used for the 2009 SHLAA Partnership:

City Councillor	Chair person
City Councillor	x 1
Planning Officers	x 3
Campaign for Preservation of Rural England	x 1
Housebuilder	x 3
Property Forum	x 1
Renew (Housing Associations)	x 1
Homes and Communities Agency	x 1
Local Government Yorkshire and Humber	x 1

5. **Recommendation**

- 5.1. Members of Scrutiny Board are invited to consider and comment on the contents of this report.

Appendix 1: CLG SHLAA Practice Guidance Extract

Keeping the Assessment up-to-date

17. The Assessment, once completed, should be regularly kept up-to-date (at least annually) as part of the Annual Monitoring Report exercise, to support the updating of the housing trajectory and the five-year supply of specific deliverable sites. The main information to record is whether:

- sites under-construction have now been developed, or individual stages have been developed;
- sites with planning permission are now under-construction and what progress has been made;
- planning applications have been submitted or approved on sites and broad locations identified by the Assessment;
- progress has been made in removing constraints on development and whether a site is now considered to be deliverable or developable;
- unforeseen constraints have emerged which now mean a site is no longer deliverable or developable, and how these could be addressed; and
- the windfall allowance (where justified) is coming forward as expected, or may need to be adjusted.

Appendix 2: Leeds SHLAA 2009 Update Methodology

METHODOLOGY FOR THE ANNUAL UPDATE OF THE LEEDS SHLAA: AMENDING DWELLING DELIVERY DATES

Background

The agreed methodology for the ongoing Leeds SHLAA has a base date of 1st April 2008. The SHLAA will not be completed until well into the financial year 2009/10. At this time actual data will soon be available for dwellings completions during the year 2008/09 and there will no longer be a need to provide an estimated figure. In addition, the five year housing supply requirements and calculations will have moved on a further year to cover the period up to the end of 2014/15 rather than 2013/14.

This will be repeated in future years and therefore it would seem sensible to update the SHLAA on an annual basis.

This paper seeks to establish a simple methodology for an annual update to the delivery dates for dwelling completions in the SHLAA, taking into account the following considerations and practicalities:

- New data will be available annually, including dwelling completions and starts, new and amended planning permissions and updated housing programmes;
- The short, medium and long term delivery periods are pushed back by one year;
- The medium and long term periods include a dwelling completion allowance for the whole of that period rather than for individual years;
- It would be too onerous and time consuming for the SHLAA Partnership to review completion dates for all sites on an individual basis annually;
- The decisions undertaken by the Partnership on the delivery of SHLAA sites should be reflected as far as possible in updates.

This approach will be applied to future annual updates until a comprehensive review is undertaken in the future.

Recommended approach

There are two main reasons why the SHLAA will need to be updated annually:

- 1. A 'reality check'** - incorporating the latest housing monitoring data on completions, starts and planning permissions and updated programmes for delivery of public sector schemes.
- 2. The 'passage of time'** - the effect of the base date advancing one year on the allocation of dwelling completions to the short, medium and long term i.e. the earliest year of the medium term becomes the last year of the short term etc.

Partnership agreed dates will generally represent the earliest date a site can come forward unless there is new evidence, indicated by a recent change in planning status (or a delivery programme), that developers are progressing a site faster than anticipated. The delivery period for completed dwellings can be moved back if there has been no progress on a site and the dates agreed are no longer consistent with the rules of thumb above. Otherwise the delivery period is unaltered.

Update procedures

All SHLAA sites identified in the current exercise (and potential new sites) will fall into one of the following categories. The proposed action in the update will depend on which of the specific criteria the site meets under that category.

1. SITES WHERE UPDATED HOUSING MONITORING DATA IS AVAILABLE

The delivery periods for these sites need to be re-assessed as the new information was not available to the Partnership at the time they reach their conclusion. These sites fall into three broad categories:

A. SITES FULLY COMPLETED AT THE NEW BASE DATE

Action: The completions box should be updated under the dwellings tab of the database. The capacity of the site should be amended to 0. The site will no longer form part of the future supply.

B. EXISTING SHLAA SITES WHICH HAVE UPDATED PLANNING DELIVERY INFORMATION

Applies to sites where in the last year:

- dwellings have been completed and/or new starts made;
- a new or amended planning permission has been approved;
- a planning permission has lapsed; or
- a public sector delivery programme has been revised.

Action: The new planning delivery information should be compared against the assumptions table below and an assessment made whether the dwelling completions apportioned against the site should be brought forward to an earlier year/s, moved back to a later year/s or be kept the same. The assessment needs to bear in mind achievability and availability factors. Annual assumed delivery rates (i.e. the number of dwellings coming forward each year) should remain the same.

C. NEW PLANNING PERMISSIONS FOR SITES NOT PREVIOUSLY CONSIDERED IN THE SHLAA

Action: Dwellings should be apportioned to the relevant time periods in accordance with the assumption table below but also bearing in mind availability and achievability factors.

Assumptions

The table below provides some rules of thumb derived from the emerging consensus / decision making trends of the Partnership. It should be used to indicate when completions might start to come forward on a site based on its current planning delivery status. It should only be used where new information has become available subsequent to the Partnership's decision and in conjunction with availability and achievability factors as per the Partnership's views on these matters.

ASSUMPTIONS TABLE			
PLANNING DELIVERY STATUS	YEAR	YEAR @ APR 09	DELIVERY PERIOD
SITES UNDER CONSTRUCTION @ SHLAA BASE DATE	1	2009/10	SHORT TERM (5 YEAR SUPPLY)
EARLIEST COMPLETIONS FOR SITES WITH FULL PP ¹ AND FOR SITES INCLUDED WITHIN PUBLIC SECTOR PROGRAMMES WHICH HAVE CLEARLY IDENTIFIED DELIVERY TARGETS	2	2010/11	
EARLIEST COMPLETIONS FOR SITES WITH OUTLINE PP	3	2011/12	
EARLIEST COMPLETIONS DATE FOR OTHER SUITABLE SITES	4	2012/13	
	5	2013/14	
	6	2014/15	
EARLIEST START FOR LDF TO DETERMINE SITES: PHASE 2 & PHASE 3 HOUSING ALLOCATIONS (?); PAS SITES; OTHER GF SITES IN URBAN AREA.	7 – 11	2015/20	MEDIUM TERM
EARLIEST START FOR LDF TO DETERMINE SITES: GREEN BELT	12+	2020+	LONG TERM

2. OTHER SHLAA SITES - NO UPDATED HOUSING MONITORING DATA

In this case the delivery period for the site, as agreed by the Partnership, should not normally be brought forward. Due to the base date of the assessment rolling forward a year there will be a need to reapportion some medium term dwellings to the last year of the short term and some long term dwellings to the medium term. This will only apply when the assessment has considered the site to be suitable. Where the suitability factor is 'LDF to determine' the apportionment of the dwellings to the medium and/or long term should only be amended if a site is subsequently assessed to be suitable in planning policy terms (where this is the main factor holding back the site).

A. SITES WHERE SUITABILITY IS ASSESSED AS 'YES' OR 'YES PHYSICAL'

This will include:

- existing sites with planning permission where circumstances have not changed in the previous year
- other sites considered to be suitable in principle under current policy policies but where planning permission has yet to be granted.

Action: The Partnership decision on delivery dates will represent the earliest date completions can occur but the following adjustments should be made to the apportionment of dwellings over the short, medium and long term periods.

Short term dwellings

An appraisal should be undertaken of sites with dwellings apportioned to the short term where nothing has changed in term of planning delivery status.

¹ Only where a planning application has been submitted and granted since the last SHLAA Partnership assessment i.e. it is assumed that developers will implement a permission submitted and granted under current market condition unlike permissions granted in more buoyant conditions.

- (i) If dwelling completions are no longer consistent with the assumptions table above they should be moved back to the appropriate starting year.

Medium term dwellings:

A proportion of dwelling completions should be moved into the last year of the short term. The number of dwellings moved will reflect the following:

- (ii) If previously there were some dwellings apportioned to the short term period and some to the medium term, the number of dwellings move forward from the medium term should be based on agreed short term delivery rates (per annum).

For example, if the agreed delivery rates for a 220 dwelling capacity site in the 2008 base date SHLAA were as follows:

2012/13 – 50 dwellings; 2013/14 – 50 dwellings; 2014-19 – 120 dwellings

The revised delivery rates in the 2009 base date SHLAA would be:

2012/13 – 50 dwellings; 2013/14 – 50 dwellings; 2014/15 – 50 dwellings; 2015-20 – 70 dwellings.

- (iii) If no dwellings were previously apportioned to the short term period, 20% of the medium term dwellings (10% for the initial SHLAA exercise²) should be moved into the last year of the short term.

Long term dwellings:

A proportion of dwellings should be moved into the medium term, the number of dwellings should reflect either:

- (iv) If previously there were some dwellings apportioned to the medium term period and some to the long term, the need to replace any previous medium term dwellings moved to the short term (and per (ii) above); or
- (v) If all dwellings were previously apportioned to the long term period, 20% (10% for the initial SHLAA exercise²) of the long term dwellings should be moved into the medium term.

B. SITES WHERE SUITABILITY HAS BEEN ASSESSED AS ‘LDF TO DETERMINE’

Dwelling completions on these sites should remain apportioned to medium/long term period as previously agreed.

The suitability of a site could change in accordance with updated planning policy or practice, for example phased release of UDP housing allocations or adoption of an LDF document.

C. ADDITIONAL SITES – NO PLANNING PERMISSION

Additional housing sites may be put forward through the LDF process and these will need to be added to the SHLAA database and assessed accordingly.

Database changes

Most changes can be made on the existing database although the earliest year of dwelling completions year will no longer be required after each annual update, a new year field will be required at the end of short term period and the medium and long term dates will need to be pushed forward by a year.

² 20% is makes a logical representation of a year from a 5 year period but the initial SHLAA exercise (whose preparation spanned two financial years) uses 10% because of the shorter period between initial conclusion and update.

Suggest an annual update field is added so that the sites can be categorised according to the above methodology e.g. 1A-C and 2A-C so it is evident where and why changes have been made (or not).