

REPORT TO CABINET

REPORT OF: Head of Planning and Economic Regeneration

REPORT NO. PLA 505

DATE: 6TH JUNE 2005

TITLE:	Revised Interim Housing Policy and Public Consultation response
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Policy proposal

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Cllr John Smith Economic Portfolio Holder
CORPORATE PRIORITY:	Planning and Conservation, affordable Housing
CRIME AND DISORDER IMPLICATIONS:	minor
FREEDOM OF INFORMATION ACT IMPLICATIONS:	Report publicly available on the Council's website www.southkesteven.gov.uk via the "Local Democracy" link
BACKGROUND PAPERS:	Cabinet report 7 th February 2005 PPG3 PPS7 Comments received about the Interim Housing Policy

1. INTRODUCTION

- 1.1 This report outlines the results of the four week public consultation exercise on the Interim Housing Policy (IHP).
- 1.2 During the consultation period some 51 comments have been received about the policy, 11 of support and 40 objections. Each comment has been summarised and an officer response given in the schedules attached to this report. A full copy of each response is available for Members information in a file in the Members Lounge.
- 1.3 This report summarises the main issues raised through the consultation process, and outlines the changes that are proposed to the policy as a result. It should be noted that one of the major changes proposed is to split the policy into two separate policies; one for each of the category areas ie:
- the urban areas
 - the rural areas
- The policy for the four towns is not considered in detail in this report as the wording and format of the policy will be largely dependant upon the findings of the Urban Capacity Study and the Employment Land Review that are considered in a separate report.

2. RECOMMENDATIONS

- 2.1 Cabinet is asked to approve the changes to the Interim Housing policy set out in this report. Specifically to
- approve the division of the policy into two separate policies one for the urban areas and one for the rural area;
 - to approve the revised wording of the “rural” policy as set out in paragraph 4.10 below and adopt this as the Council’s policy for new residential development in rural areas.
- 2.2 By adopting this policy it will be used as a material consideration in determining planning applications for new residential development in all locations outside the built up areas of Grantham, Stamford, Bourne and the Deepings. Within these four towns the existing policy framework provided by policies H1-H7 of the South Kesteven Local Plan (1995) will remain valid. These adopted policies will be supplemented as necessary by more recent national, regional and strategic policy guidance, particularly in relation to the sequential approach to the location of development.
- 2.3 Cabinet is also asked to note the detailed responses that have been made by groups and individuals to the consultation on the IHP, and the officers responses to these which are given in the attached schedule.

3. DETAILS OF REPORT

Background

- 3.1 The Interim Housing Policy was prepared in response to the findings of the annual housing land supply monitoring and the urban capacity study (which was also subject to public consultation over the same period). These two studies revealed that the Lincolnshire Structure Plan (deposit version April 2004) housing requirement for the period 2001 – 2021 of 9200 houses for the district was likely to be met by completions, commitments and identified urban capacity sites.
- 3.2 The conclusion drawn from these findings was that no new residential development, other than on sites already with planning permission and identified through the urban capacity study, would need to be built during the period to 2021. Whilst it is acknowledged that the emerging LDF will need to address this issue with a robust policy framework, it was felt that action needed to be taken now in order that the Structure Plan housing requirement was not exceeded long before the end of the LDF plan period. The preparation of an Interim Housing Policy was considered the most appropriate method of combining the advice of recent national, regional and strategic policy into a single policy document for use in the determination of applications that would continue to be received for residential proposals across the district in the intervening period.
- 3.3 The draft Interim Housing Policy was based upon the following principles:
- Urban brownfield sites have preference over all other sites in particular greenfield sites; and
 - Development must be in sustainable locations, well served by existing services and facilities with access to good and frequent public transport.
- 3.4 Three levels of policy control were therefore suggested in the draft IHP depending on the location.
- Within the built up areas of Grantham, Stamford, Bourne and the Deepings housing proposals are generally considered acceptable where they are for:
 - a) sites identified in the urban capacity study
 - b) windfall sites which meet the definition of “previously developed land” in Annex A of PPG3
 - c) Conversion and re-use of existing buildings
 - d) replacement dwelling
 - Within the built up area of main villages which are considered “sustainable” housing proposals are generally considered acceptable where they are for:
 - a) Renewal of an existing permission on a brownfield site
 - b) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
 - c) Replacement dwelling (one for one)

- d) Conversion of listed building where no other use can be found
- All other villages and the countryside – considered the “rural area” housing proposals will only be considered acceptable if they are for:
 - a) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
 - b) Replacement dwelling (one for one)
 - c) Conversion of listed building where no other use can be found

4. Consultation Response

- 4.1** A total of 50 comments have been made by individuals, groups and agents acting on behalf of land owners and developers. These comments have been summarised in the schedule attached at appendix A to this report. The schedule also includes an Officer response to each. In many cases the Officer response is that changes are being suggested to the policy, which should address the comment made.
- 4.2** The majority of comments are of objection either to the overriding objective of the policy or to the details of the policy. However it should be noted that there has also been a degree of support for the policy, particularly from neighbouring local authorities (Peterborough and Nottinghamshire) and from the town councils and civic societies. A number of comments have also been made about the status of the policy and about procedural issues relating to the adoption and use of the policy.
- 4.3** The Interim Housing Policy has been prepared as an interim measure. The statement that accompanied the policy for consultation made it clear that the policy would never have the full weight and status of a policy which had been prepared and examined as part of the Development Plan process. It also made it clear that because of the changes brought about by the Planning and Compulsory Purchase Act 2004, the document could not be prepared as Supplementary Planning Guidance. The policy could therefore only ever be a material consideration in the determination of planning applications. It was also noted however that the policy had been prepared to accord with the advice of national and regional policy, in particular PPG3 Housing, PPS1 Creating Sustainable Communities, PPS7 Sustainable Development in Rural Areas, RSS8 and the emerging Lincolnshire Structure Plan. Advice sought from the Government Office for the East Midlands about the status of the policy concurs with this assessment of the status of the policy, adding that the validity of the document would be tested at appeal.
- 4.4** Further consideration has been given to the issue of Supplementary Planning advice and whether the status of the policy could be increased. Paragraphs 2.42 – 2.44 of PPS12 (Local Development Frameworks) makes it clear that Supplementary Planning Documents should only be prepared to supplement a policy in a development plan document, at the moment we do not have this.

However, If and when the Structure Plan is approved the policy could be considered to be SPD to the Structure Plan it may be possible at that time therefore to adopt the Interim policy as SPD.

- 4.5** Housing development in the district is continuously monitored. Annual monitoring figures are provided to both the County Council and the Regional Assembly each year. This monitoring covers the financial year from 1st April to 31st March. The Structure Plan Housing Requirement is for the period 2001 – 2021, therefore housing monitoring covers the same timeframe. The following table shows the housing land requirement for the district for this period and the situation in terms of commitments and completions. The commitment figure represents all sites with a valid planning permission where the decision notice has been issued and development can commence immediately. The other commitment figure relates only to the rural area and includes sites which were approved in April and sites which the Council has approved in principle subject to the completion of a S106 Obligation. It is important that regard is given to these sites as they also represent committed capacity and demonstrate that the rural housing requirement has now been fully met.

	District	Grantham	Other Urban	Rural
Structure Plan Requirement 2001-2021	9200	3800	3500	1900
Completions 2001-2005	2440	670	742	1028
Commitments @31/4/05	4535	1172	2573	790
Other Commitments	123			41 +82
Urban Capacity @ September 2004	2061	1291	770	
Residual Requirement	41	667	-585	-41

- 4.6** These figures demonstrate that whilst the rural area requirement has already been met, the urban area requirement (particularly in Grantham) is yet to be achieved. The draft urban capacity study which was also published for consultation in March showed a potential capacity within the four towns of about 2500 dwellings. Together this would provide for the overall strategic housing requirement for the district, however the supply figure is somewhat skewed by the very large commitment in Bourne (Elsea Park).
- 4.7** A number of the sites included within the UCS have been questioned as part of the consultation exercise, and a number of additional sites not previously considered have also been suggested. These need to be investigated further before the UCS and therefore the capacity identified can be confirmed. In addition the issue of employment land supply needs to be assessed in detail, particularly the appropriateness of including a number of large operational employment sites. In light of the supply figures and the queries raised about urban capacity it is not considered appropriate to finalise a policy to restrict development within the towns. Further consideration of this aspect of the Interim Housing Policy should be made when the UCS and the Employment Land Review (ELR) are finalised and confirmed.

4.8 The figures do however clearly demonstrate that in the rural areas the Strategic housing requirement has already been met. The commitment figure of 790 (plus 123) will ensure that there will continue to be a supply of housing land for the next 10 years (using the Structure plan annual requirement of 95), this supply will obviously decrease as sites are developed or as planning permission lapses. It is inevitable that this supply of housing land will be used up before the end of the plan period. It is therefore important that a degree of flexibility is given to allow for a very moderate supply of housing land in the more sustainable locations.

4.9 Having considered the supply figures provided above and in the light of representations received, it is considered that the policy for the sustainable settlements (or Local Service Centres as they should now be termed) should be more flexible and allow for brownfield sites within the built up confines of the villages to be permitted for development. This change will ensure a very modest supply of development in the most sustainable locations, it will also allow for the redevelopment of previously developed sites within these settlements bringing the policy into better alignment with the spirit of PPS7. The identified Local Service Centres (& their adjoining villages within 500m) are:

- Ancaster
- Barkston & Syston
- Barrowby
- Baston
- Billingborough & Horbling
- Caythorpe & Frieston
- Colsterworth & Woolsthorpe by Colsterworth
- Corby Glen
- Great Gonerby
- Harlaxton
- Langtoft
- Long Bennington
- Morton & Hanthorpe
- Rippingale
- Thurlby & Northorpe

4.10 Interim Housing Policy

New residential development will not be permitted on green field sites within the rural area.

Within the main villages that are considered “local service centres” (and identified in this document), new residential proposals will only be permitted where they are for:

- a) a previously developed site (in accordance with the definition in PPG3 Annex C: see Appendix 1)

- b) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need

In all other villages and the countryside housing proposals will only be considered acceptable if they are for :

- a) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
- b) Replacement dwelling (one for one)
- c) Conversion of buildings provided that the following criteria are met:
 - i) the building(s) contribute to the character & appearance of the local area by virtue of their historic, traditional or vernacular form
 - ii) the building(s) are in sound structural condition
 - iii) the building(s) are suitable for conversion without substantial alteration , extension or rebuilding
 - iv) the works to be undertaken do not detract from the character of the building(s) or their setting
 - v) it can be demonstrated that all other alternative uses have been considered

In all cases planning permission will also be subject to all relevant policies of the “saved” Adopted South Kesteven Local Plan

OTHER OPTIONS CONSIDERED AND ASSESSED

- 4.1 An alternative option would be to “do nothing” and maintain current situation, where policies H6 and H7 of the Local Plan would continue to be used to determine planning applications for new houses, awaiting the preparation of the Housing and Economic Development Policy DPD in the LDF. This plan should be adopted by the end of 2007. During this 2 ½ year period if the completion rates continues at a similar level to the previous 4 years (between 600 - 700) by the end of March 2007 it is likely that a total of 3200 houses will have been built and that some 4000 dwellings will have planning permission. A number of these permission will include new greenfield sites which will have gained permission during the two years since 2004. Whilst some of the new permissions are likely to be on identified urban capacity sites it is probable that a large number will also be on sites in less sustainable locations and on greenfield sites.
- 4.2 The consequences of continuing this approach is that the Structure Plan requirement for the district could be met by actual completions and commitments by 2010 some ten years early. Presenting the possibility of a ten year period during which no housing development will be permitted.

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

- 6.1 I am satisfied that the approach set out in this report for adopting the Interim Housing Policy is the best means of addressing the current circumstances

relating to housing provision. It is noted that this policy will be used as an interim measure prior to the preparation and adoption of the LDF. It is also noted that the policy will not form part of the development plan, nor is it being adopted as SPG. It can therefore only be used as a material consideration in the determination of planning applications.

8. CONCLUSIONS

- 8.1 Factual information from the housing monitoring data of completions and commitments in the district since 2001, reveals that the new Lincolnshire Structure Plan housing land requirement for villages/rural areas of 1900 dwellings between 2001 and 2021 can already be met by commitments and completions.
- 8.2 The Draft Interim Housing Policy covered all areas of the district including urban areas, sustainable villages (local service centres) and other villages and the countryside. However, it is proposed that the Interim Policy for the time being just include the local service centres, other villages and the countryside. The urban part of the policy covering the four main towns of Grantham, Stamford, Bourne and the Deepings will be delayed until such time as the findings of the Urban Capacity Study and the Employment Land Review are finalised. This is felt necessary, as the conclusions of these two studies will impact upon the housing policy in the urban areas.
- 8.3 An Interim Housing Policy is proposed as follows:

Interim Housing Policy

New residential development will not be permitted on green field sites within the rural area.

Within the main villages that are considered “local service centres” (and identified in this document), new residential proposals will only be permitted where they are for:

- a) a previously developed site (in accordance with the definition in PPG3 Annex C: see Appendix 1)**
- c) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need**

In all other villages and the countryside housing proposals will only be considered acceptable if they are for :

- d) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need**
- e) Replacement dwelling (one for one)**
- f) Conversion of buildings provided that the following criteria are met:**

- i)the building(s) contribute to the character & appearance of the local area by virtue of their historic, traditional or vernacular form**
- ii)the building(s) are in sound structural condition**
- iii)the building(s) are suitable for conversion without substantial alteration , extension or rebuilding**
- iv)the works to be undertaken do not detract from the character of the building(s) or their setting**
- v)it can be demonstrated that all other alternative uses have been considered**

In all cases planning permission will also be subject to all relevant policies of the “saved” Adopted South Kesteven Local Plan

8.4 A full copy of Housing Position Statement & Interim Housing Policy document is available in the members lounge.

9. CONTACT OFFICER

9.1 Mike Sibthorp, Head of Planning Policy and Economic Development