

Matter 5 – Housing Land Supply (Policy HG1)

Issue 1 – The Five Year Housing Land Requirement

- Q1. What is the basic five-year housing land requirement, what is it based on and how has it been calculated?**

Council's response

The council would refer the Inspectors to Housing Assessment Update (SD21), specifically page 19. The basic five-year housing land requirement (to 2025) is 1,654 dwellings, that is 315 dwellings per year, as defined by the HEDNA, with a 5% buffer:

$315 \text{ dwellings} \times 5 = 1,575 \text{ dwellings}$. A 5% buffer gives an extra 79 dwellings giving a grand of 1,654 homes.

- Q2. Does this include a buffer as required by paragraph 73 of the Framework?**

Council's response

It includes a 5% buffer as persistent under delivery, which would require a 20% buffer, does not apply, due to recent housing completions being above the annual requirement.

- Q3. How does the five-year housing land requirement compare to previous rates of delivery in Hambleton?**

The current requirement as envisaged within the Local Plan gives a very similar quantum of development to that required for the Local Development Framework (LDF):

- the local plan requirement is 6,615 homes over 21 years from 2014 to 2035, at 315 per year;
- the LDF required 6,540 homes over 22 years from 2014 to 2026, averaging just under 300 homes per year.

Completions between 2004 and September 2020 total 5,594 dwellings, representing 86% of the LDF requirement, which is an average annual build rate of 339.

For the Local Plan between 2014 to September 2020 there have been 2,794 completions, averaging 466 completions per year.

Issue 2 – Housing Land Supply

- Q1. When calculating the housing trajectory and supply of housing land, what evidence has the Council used to determine which sites will come forward for development and when? Where is this set out and is it robust?**

Council's response

Each site is categorised by type, into one of eight different categories:

- New Local Plan Proposed allocation
- Pre Application Activity, for example, a formal pre application enquiry

- Outline Permission
- Full Permission
- Post Application activity – Building Inspectors plans submitted or approved, discharging conditions, awaiting S106, the site has been “Street Named & Numbered”
- Active – builders on site
- Complete – the site has been built out.
- Expired/Deactivated – planning permission has lapsed or the LDF allocated site is unlikely to come forward.

The council utilises a number of different sources (15 in total) to build up a complete picture of progress on each site from pre-application stage, through planning permission then post application activity, to evidence for the commencement of development and subsequent completions.

On sites where permission has been granted, but there is no documented progress a careful check of various sources will determine if the site has expired.

The type of activity the council undertakes is outlined below:

The Council carried out survey work during the year 2019/20 to ascertain the likelihood of sites coming forward within the next five years.

Contact was made with owners, agents and developers with interests in allocated and larger windfall sites (especially those sites with 20 or more dwellings) including those with planning permission, seeking to understand when their sites were likely to be delivered.

In addition, a number of administrative sources were also used to assess what level of progress had been made:

- New Permissions or significant changes in permission are identified each month
- North Yorkshire Building Control Partnership Starts & Completions data
- Council Tax Returns and results of Council Tax surveys
- Street Naming & Numbering information
- National House Builders Confederation (NHBC) Monthly Returns
- CIL Commencement & Completion Forms
- Local estate agents information on sites being marketed or sold
- Contact with the council’s Development Management section for information about any known changes.
- Planning Appeals decisions - a small number of sites come forward via this mechanism. Dismissed appeals are useful too, as they can indicate whether a site has problems & whether development will be delayed.

In reviewing sites, additional evidence was gathered to indicate “intent” to proceed with development, this pre-development activity includes:

- Amending/ discharging planning conditions
- The site has been “Street Named & Numbered” and added to the Local Land and Property Gazetteer
- Site plans have been submitted and/ or approved with Building Inspectors
- Whether the site has been offered for sale or sold to a developer
- Whether the applicant had undertaken public consultations/ publicity.

Many of these activities have a significant cost for the developer and so show a serious intent to proceed.

It is set out in summary on a site by site basis within the ‘SD21 Housing Assessment Update’ and is also published in the Strategic Housing Land Availability Assessment (SHLAA) (latest version submitted as document SD17). There are three categories of sites, each is summarised within the Housing Update:

- a. Proposed New Local Draft Allocations – see SD21, paragraph 3.21 starting from p16

- b. LDF Allocated Sites, see Annex 3 of SD21, pages 27 to 31
- c. Windfall Sites, these are listed for each of the subareas - Bedale, Easingwold, Northallerton, Stokesley and Thirsk in SD21, Annex 4 from page 32 to 88

The council considers the monitoring regime to be robust. Given that the council is not reliant on a narrow range of data sources, that it is broad spectrum, with many of the sources that are complementary and overlapping, the potential for data gaps is very limited. Data can be checked to establish the veracity of the source.

Q2. Where sites have been identified in the Local Plan, but do not yet have planning permission, is there clear evidence that housing completions will begin within five years?

The council considers there to be clear evidence of when housing completions will commence, as set out in the table below.

Local Plan Sites Update – September 2020

Ref	Location	Application No.	Site Status	Potential Capacity	Net Capacity	Total to be Built by 2025 Years 1 - 5	Total Years 6 - 10	Total Years 11 - 15	Totals to 2035 Year 15	Date of Update	Notes
AIB1	Northeast of Ashgrove, Aiskew	18/02393/PPP (20/00497/FUL)	Draft Allocation	85	85	80	5	0	85	28/09/2020	Pre Planning Enquiry - 18/02393/PPP - Nov'18 for larger site than allocation Application 20/00497/FUL for 85 units submitted Mar'20.
AIB2	South of Lyngarth Farm, Bedale	20/00628/PPP	Draft Allocation	60	60	0	60	0	60	28/09/2020	Adjacent active site BH6; Pre-application - 20/00628/PPP - Mar'20
BRO1	West of Danes Crest, Brompton	Application 19/01499/FUL approved Dec'19	Detailed Permission	21	21	21	0	0	21	28/09/2020	100% affordable homes by Karbon Homes 19/01499/FUL approved for 21 affordable units Feb'20 Discharging conditions Mar'20 BI Application submitted Sep'20
BUR1	St Lamberts Drive, Burneston	Sth.Part 18/02364/OUT 19/02741/REM	Part with pp Draft Allocation	25	25	25	0	0	25	28/09/2020	Southern part of site - 5 dwellings permitted under 18/02364/OUT Reserved Matters withdrawn Jul'20

Ref	Location	Application No.	Site Status	Potential Capacity	Net Capacity	Total to be Built by 2025 Years 1 - 5	Total Years 6 - 10	Total Years 11 - 15	Totals to 2035 Year 15	Date of Update	Notes
CAM1	Land off Ripon Way	(20/02012/FUL)	Draft Allocation	55	55	55	0	0	55	28/09/2020	Developers propose 300 units No indicative deliverability Pre Planning Application - 19/02471/PPP Planning Application - 20/02012/FUL - for 71 units submitted Sep'20
CRK1	North of Crakehall Water Mill, Little Crakehall	20/00330/FUL	Draft Allocation	17	17	17	0	0	17	28/09/2020	Full Planning Application submitted Mar'20 for 21 units
EAS1	Northeast of Easingwold Community Primary School Easingwold	19/01430/PPP	Draft Allocation	125	125	70	55	0	125	28/09/2020	Formal Pre-App - July 2019 No change Sep'20
GTA1	Land at Skottowe Crescent	16/02059/PPP	Draft Allocation	30	30	30	0	0	30	30/03/2020	Pre-Planning Enquiry - 16/02059/PPP - Sep'16 Agent: To be developed within 5 years
HUB1	Land to the rear of Huby Old Hall, Ruby		Draft Allocation	28	28	28	0	0	28	28/09/2020	Developer has 'live' option on site No Planning Application as at Sep'20
LEB1	Harkness Drive , Leeming	16/00653/PPP	Draft Allocation	85	85	50	35	0	85	28/09/2020	Pre Planning Enquiry - 16/00653/PPP - Mar'16 Agent - can be delivered in next five years
LEB2	South of Northallerton Road, Leeming Bar	16/00224/OUT (13 units) - approved Reserved Matters submitted - 19/01085/REM 20/01527/PPP	Outline for Nth.part of site	80	67	80	0	0	80	28/09/2020	Application for 16/00224/OUT approved May'16. Call for Sites submission (B/004/008/H) for larger site at rear of LDF allocation. Reserved matters submitted Jun'19 New Pre-Application Enquiry - 20/01527/PPP for whole site - Jul'20

Ref	Location	Application No.	Site Status	Potential Capacity	Net Capacity	Total to be Built by 2025 Years 1 - 5	Total Years 6 - 10	Total Years 11 - 15	Totals to 2035 Year 15	Date of Update	Notes
NOR1	NM5C - North Northallerton Area, East of Stokesley Road, Northallerton	(20/01687/OUT)	Outline submitted	650	485	165	235	250	650	28/09/2020	Church Commissioners : New Local Plan Site proposed allocation - NOR1 Total capacity = 650, 165 existing LDF allocation NM5C plus 485 for Local Plan proposed allocation. Pre Planning Inquiry Jul'19 Public Consultation event Sep'19 Screening request Feb'20 Outline application submitted for 145 dwellings submitted Aug'20
SOT1	Beechfield, South Otterington		Draft Allocation	40	40	0	40	0	40	28/09/2020	Call for Sites submission (T/138/005/H) Agent: Once allocated will be developed in 1st 5 yrs
STI1	North of Stillington Social Club, Stillington		Draft Allocation	35	35	35	0	0	35	28/09/2020	The developer hopes to bring the site forward for development in the first 5 years. Developer has proven track record.
STK1	SH2 - North of Sowerby Crescent, Stokesley STK1	Detailed application - 19/00359/OUT - submitted Feb'19	Committee resolution to approve	205	100	100	105	0	205	28/09/2020	LDF Allocation SH2 for 100 dwellings SHLAA 2018 update Pre-app May'18. Public consultation held Spring 2018 Build out rates amended Dec'18 Outline application submitted Feb'19 - Committee resolution to approve Nov'19 New Local Plan allocation STK1 - 205 in total
TIS1	Station Road, Thirsk		Draft Allocation	110	110	60	50	0	110	1/10/2020	Agent statement submitted Land acquisition proceeding
TIS2	Back Lane Sowerby	19/02572/FUL	Draft Allocation	50	50	50	0	0	50	28/09/2020	Application refused May'20 - 64 dwellings Appeal Lodged

Ref	Location	Application No.	Site Status	Potential Capacity	Net Capacity	Total to be Built by 2025 Years 1 - 5	Total Years 6 - 10	Total Years 11 - 15	Totals to 2035 Year 15	Date of Update	Notes
WST1	Bridge View Way	17/00978/PPP	Draft Allocation	11	11	0	11	0	11	28/09/2020	Pre Application - 17/00978/PPP - April 2017
				Total Potential Capacity	Total Net Capacity	Total to be Built by 2025 Years 1 - 5	Total Years 6 - 10	Total Years 11 - 15	Totals to 2035 Year 15		
				1,712	1,429	866	596	250	1,712		

At September 2020, out of the 18 draft local plan allocations, nine sites have planning application activity, a further five sites have had a pre-application enquiries, four more have agent feedback indicating that preparations for submitting an application are proceeding.

There is therefore considered to be a high probability of these sites coming forward by 2025.

Q3. Are there any sites in the housing supply which are identified as 'LDF Allocations', but which do not have full or outline planning permission and have not been allocated in the Plan? If so, what is the justification for their inclusion?

Council's response

There are 11 sites that are LDF allocations where no decision has been issued.

There are two sites which are new local plan allocations, of the remaining nine, the supply situation remains unchanged on six sites; with all these sites having development in years 6 – 10 or in years 11 – 15. One site has seen development delayed to beyond the five year period, site TH2 has had potential development moved to within the five year period and finally site TM2A while having a recommendation for approval, saw the application withdrawn in July 2020. This is set out in the table below:

LDF Reference	Site Location	Planning Application?	Outcome / Progress	New Local Plan Site	Comment	Dwellings counted within supply
BH1	Masham Road, Bedale	No approved application	Three applications refused - new application for 59 extra care apartments - 20/00811/FUL	No	March 2020 position, have kept LDF numbers- 18 units post five years development from 2026 If new pp approved numbers will change	18
BH2 & part BH3	Pig Farm, Aiskew & part BH3 - The Hatchery	No Application	Pre application submitted (April'16) for 82 units. New Pre-application Feb'20 - 90 units No more progress Sep'20	No	Mar'20 position looked hopeful now moved beyond 5yr period	90
BH8	Hares of Snape Works, Snape	No application	Pre-application submitted in Oct'19	No	No progress at Sep'20 - LDF numbers were for 20 units, envisaged delivery from 2025. But subject to review	20
BM2	North East of Aiskew Pig Farm, Aiskew	No application	Jun'20 - contact with agent possible outline & developer interest, no change by Sep'20.	No	Call for Sites submission 60 units March 2020 position : Development from 2025	60
EH7	Back Lane, Helperby	No application	This was a small LDF site, now for 5 units only , owner interest in submitting pp.	No	Post 2030 development , as small windfall site.	
NM5C/ NOR1	North Northallerton Area, East of Stokesley Road, Northallerton	20/01687/OUT	165 dwellings on LDF allocation. Pre application activity New Local Plan Draft Allocation Formal Pre-Application inquiry submitted Jul'19 Screening Request - 20/00299/SCR Outline application submitted in Aug'20 - 20/01687/OUT - for 145 dwellings	Yes - Phase 1 for NOR1	New Local Plan Site Extensive pre-application activity now outline submitted - very likely to come forward within five years	145
NM5D	Residual Area East of Darlington Road (Sheepcote Close)	18/02720/FUL - Broadacres - 107 units	Committee resolution to approve	No	Awaiting transfer of land to RSL, development start by 2023	72
SH2 STK1	North of Sowerby Crescent, Stokesley	Outline submitted - 19/00359/OUT - submitted Feb'19	Committee resolution to approve	Yes - STK1	Awaiting S106 agreement; Start from 2021	100

LDF Reference	Site Location	Planning Application?	Outcome / Progress	New Local Plan Site	Comment	Dwellings counted within supply
TH2	Former Buffer Depot, Thirsk	16/00950/FUL - for 25 bungalows refused on highway grounds 19/02370/FUL - retrospective application for access allowed on appeal	Highway issue resolved with access in place	No	March 2020 position : Southern part of site post 5yr period but now 25 units brought forward to within five years A new application for southern part of the site is envisaged. Northern part of site for 25 units from 2030	50
TH3	Rybeck Farm	No application	Call for Sites Form submitted - allocated site part of much larger scheme. Allocated Site (now Site 2) to come forward for housing. No movement or change by Sep'20	No	No change or further progress Sep'20 Development from 2030	45
TM2A	Land Off Topcliffe Road Sowerby	19/00952/FUL	Resolution to approve Oct'19 Part of LDF allocation TM2A Sowerby , Thirsk July 2020 - application withdrawn	No	Phasing timing amended – post 5 years	97

Q4. What lead-in times and build-out rates have been applied to sites, both with and without planning permission? Have different approaches been adopted for sites with or without full planning permission? Are the assumptions used appropriate and justified?

Council's response

- **Build Out Rates**

Build Out Rates for Sites with Planning Permission

Site Size	1st Year	From 2nd Year
Large over 50 dwellings	5 – 10 units per year	30 dwellings per year
Between 20 - 50	5 – 10 units per year	10 – 20 per Year

The build out rates in the table above are used to estimate the rate at which sites will be developed. For all sites it is recognized that the first year will be often be lower. If a site gains permission early in the year then the number could be higher, up to ten units, if permission is gained very late in the year then it could be set at zero, with build starting in the following year.

The standard build rate for large sites from year 2 is 30 units per year per builder. For medium sized sites (20 – 49 dwellings) a range is used of 10 – 20 dwellings. The actual rates will be amended during development if completion rates are found to be higher. Information from developers is considered, but evidence is needed to justify different rates.

Actual rates of development are monitored and build-out trajectories amended accordingly. For example, if during the year the build rate is very low then rates will be revised downwards.

- **Lead in Times**

The following rules are used to determine lead in times:

- **Outline Permission** – since development can only start once full permission gained then start time is slipped by a year.
- **Sites with Full Permission** – where there is active preparation for start, such as the developer is discharging conditions or has gained Building Inspector approval then a start can be anticipated in the next year.
- **Extra works & site Preparation** – if a lot of site preparation is required sites can be slipped a year.
- **Sites without Planning Permission** – at present these will be LDF Allocations and the draft New Local Plan Sites. The prospect of development is related to activity levels, such as pre-application enquiries. The more the activity, the sooner the anticipated start on site. For example, for LDF site NM5C (which is also phase 1 of Local Plan site NOR1) there has been significant developer activity:
 - Pre application enquiry
 - Public consultation
 - Screening Request

So in March 2020, the start date was set early in the 1st Five year period – this timing was confirmed when an outline application was submitted in August 2020.

Each site will be assessed on its own merits, the evidence of activity bringing a site potentially on stream sooner and the converse being true.

Q5. How has the Council taken into account the possibility that some sites may not come forward due to unforeseen circumstances? Has a lapse-rate or allowance for non-deliverability been applied? If so, has it been applied to all sites?

Council's response

Yes, the Council has allowed for the non-deliverability of sites. A 10% non-implementation rate is applied to small windfall sites, those under 20 dwellings. The LDF and new proposed allocations for the local plan have been considered on a case by case basis; with a small number of exceptions the remaining LDF allocations are considered to be deliverable, as are all of the local plan sites.

In the Housing Assessment Update (SD21), a summary of the Housing Supply situation is given in Annex 1 (see page 24), the total number of units envisaged to be delivered through windfalls for the five years 2020/21 to 2024/25 is assessed as 1,261 dwellings. When a 10% non-implementation rate is applied to smaller sites this figure drops to 1,216 dwellings, a reduction of 45 units.

This level of non-implementation reflects recent experience; the Housing Assessment Update identifies that:

“Work on establishing a “non-implementation” rate has shown that this is very low, averaging since 2004, about 3.0% of permitted units, totally just 320 units out of a potential 10,621 plots on sites with or which have had planning permission.”

Further work has been undertaken looking at housing permissions; there are within the housing monitoring system, 2,572 applications of interest which are housing related, accounting for 10,676 dwellings. These can be categorised showing which sites have been completed, those active with construction ongoing, those with a ‘live’ permission and those which have not been implemented and are deemed to be expired.

There are 184 applications which appear not to have been implemented accounting for 382 dwelling units, out of a potential number of 10,676 units that could be built, giving a non-implementation of 3.5%.

It is of note that out these 116 applications, just 6 are sites of 10 units or more dwellings, accounting for 92 dwellings, accounting for just 24% of the lost dwellings. The vast majority of expiries are for smaller sites where 110 permissions have lapsed. Therefore the Council's use of a non-implementation rate for small sites is considered to be justified.

Q6. What allowance has been made for windfall sites as part of the anticipated supply? Is there compelling evidence to suggest that windfall sites will come forward over the plan period, as required by paragraph 70 of the Framework?

Council's response

- **The Windfall Element of Housing Supply**

The Housing Assessment Update (SD21) sets out housing supply as:

Total Housing Supply	4,900 dwellings
Windfall	1,261 dwellings

As at March 2020, windfall accounts for 25.7% of Hambleton’s housing supply. These are from unallocated sites with planning permission. There is no made allowance for new future windfall permissions in the anticipated supply.

- **Track Record of new Windfall permissions**

There is proven track record of new windfall applications gaining permission; for the period 1st April 2004 to March 2020 dwellings from windfall permissions made up the majority of permitted dwellings:

Site Type	No. Dwellings Permitted
LDF Allocated Sites	3,549
Windfall Permissions	6,972
Total Dwellings Permitted - 1/4/04 to Mar’20	10,521

Just over two thirds of dwelling numbers permitted were windfalls (66.3%), this averaged out at 435 dwellings per year.

- **Delivery Lapse rates are low**

As set out above the lapse rate for Hambleton is very low, with just 3.5% of dwellings on sites where planning permission has expired, therefore, the majority of windfalls gaining permission would be expected to be delivered.

Q7. Having regard to the questions above, will there be a five-year supply of deliverable housing sites on adoption of the Plan?

Council’s response

Yes, there is a very healthy five year supply of deliverable sites; in March 2020 the total supply amounted to 3,554 dwellings. This represents 10.7 years supply (3,554 dwellings divided by 331dpa (315 with 5% buffer)).

Responding to the Inspectors’ request for a breakdown of sites which make up the different components of future supply the Council submits the spreadsheet ‘Hambleton Housing Supply – submitted version – 2019-20 – April 2020 based’. This sets out across a series of worksheets the different components of supply.

Q8. What is the justification for suggested modification M12? Is this necessary for soundness?

Council's response

Yes, proposed modification M12 is considered necessary; to more closely align with national policy for the Housing Delivery Test.

Issue 3 – Future Supply and Flexibility

Q1. The response to the *Inspectors' Initial Questions* confirms that delivery of housing in the later years of the Local Plan will decline from an initial peak. Does the Local Plan therefore identify an adequate supply of specific, developable sites or broad locations for growth for years 6-10, and where possible years 11-15, as required by paragraph 67 of the Framework?

Council's response

The proposed allocations and identified capacity of each sites amount to more dwelling than are necessary to meet housing need over the plan period. As such the Local Plan allocation policies identify specific and deliverable sites for the whole plan period.

The majority of sites are expected to come forward in years 1-5. The council has not applied phasing to any of the allocation sites because there are not considered to be justifiable reasons for such phasing.

The local plan is therefore considered to be consistent with paragraph 67 of the Framework.

Q2. What flexibility does the plan provide in the event that some of the allocated sites do not come forward in the timescales envisaged?

Council's response

As set out in the council's response to the Inspectors' initial questions (see table on page 20) housing development from completions to date and commitments during plan period is expected to be 6,174 dwellings. The same table also shows that housing development from allocations is expected to total 1,413 dwellings. This means that in total 7,587 dwellings are expected to be delivered in the plan period. This is 972 dwellings more than the identified housing requirement of 6,615 dwellings. This is sufficient additional supply to make up for any one of the allocation sites or a significant number of them not coming forward.

In addition to the existing commitments and allocations further windfall sites would be expected to come forward during the plan period. While no allowance has been made for dwellings from this source, as illustrated above their contribution to overall housing delivery could be significant.

The council therefore considers there to be a high degree of flexibility provided by the plan.

Q3. In response to the *Inspectors' Initial Questions*, the Council has produced information setting out the expected phasing of delivery. How has the Council arrived at the figures for years 6-10 and 11-15?

The expected delivery for years 6-10 & 11-15 were informed using the principles outlined above, based on build rates and progress for each site.

Q4. Is it necessary to have a review mechanism in the Local Plan to consider progress against allocated sites, and to identify any appropriate steps to increase supply if required?

Council's response

The local plan includes a section on addressing delivery (Paragraphs 3.23 to 3.25). This sets out how delivery will be monitored and sets out a sequence of actions that will be taken should under-delivery occur.