**TOWN AND COUNTRY PLANNING ACT 1990**

Planning Inspectorate ref. APP/J4423/W/20/3258555

Sheffield City Council ref: 19/03143/FUL

Appeal by

**Avant Homes Central**

Against

The refusal of planning permission forerection of 74 no. dwellings, formation of access road, associated landscaping works, open space works and flood storage works.

Site at

LAND AT MOORTHORPE WAY, SHEFFIELD

# SHEFFIELD CITY COUNCIL

**PROOF OF EVIDENCE of LAURA STEPHENS**

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# LIST OF APPENDICES REFERRED TO

**APPENDIX SCC1** 5 Year Housing Land Supply Monitoring Report (2019) and associated appendixes 1A, 2A, 3A, 4A

**APPENDIX SCC2** 5 Year Housing Land Supply Monitoring Report (2020) and associated appendixes 2A, 3A

**APPENDIX SCC3** Housing and Economic Land Availability Assessment and Site Schedule (2020)

Sheffield City Council City Growth Service Howden House

1 Union Street Sheffield

S1 2SH 15th December 2020

# 1.0 Introduction

* 1. This proof of evidence is prepared in respect of the appeal by Avant Homes Central against the decision of Sheffield City Council to refuse planning permission for land off Moorthorpe Way, Sheffield for ‘*erection of 74 no. dwellings, formation of access road, associated landscaping works, open space works and flood storage works’.*  It addresses the issue of 5 year housing land supply.
  2. My name is Laura Stephens. I am a Planning Officer at Sheffield City Council; a position I have held for 16 years.
  3. I have an MA in Town and Regional Planning from the University of Sheffield (2004).
  4. I confirm that the evidence I give which I have prepared and provided in relation to 5 year housing land supply for this appeal are my true and professional opinions.
  5. This proof of evidence sets out the position that the Council can demonstrate a 5 year housing land supply against the requirement as required by paragraph 73 of the NPPF.  The position I set out relates to the evidence available at the current time (December 2020).
  6. At the time the application was determined the Council was able to demonstrate a 5.1 year supply of deliverable housing land, using a base date of 1 April 2019.  The Council’s position has changed, as further annual monitoring of the housing land supply has subsequently taken place and the evidence updated.  Using the base date 1 April 2020 the Council can now demonstrate a 5.4 year deliverable supply of housing land.

# 2.0 Planning Policy Context

**National Planning Policy Framework (NPPF)**

2.1 The current version of the NPPF was published in February 2019. In relation to housing land supply, the following sections are relevant.

2.2 Paragraph 73 of the NPPF states that:

*‘Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.  The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:*

1. *5% to ensure choice and competition in the market for land; or*
2. *10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
3. *20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.*

2.3 Furthermore, paragraph 70 notes that:

*‘Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply.  Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.*

2.4 Annex 2 defines ‘deliverable’ and in essence sets out the scope of sites that can be included within the assessment of 5 year deliverable housing land supply and the evidence required to support inclusion.

2.5 The definition of deliverable is as follows:

*‘To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.  In particular:*

1. *sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
2. *Where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.’*

**Planning Practice Guidance (PPG) – Housing supply and delivery**

2.6 The PPG was published on 22 July 2019.  It contains further guidance on how a 5 year housing land supply should be calculated and how it can be demonstrated with respect to the definition of deliverable contained in the NPPF.

2.7 Paragraph 007 sets out that for small sites with planning permission, and large sites with full planning permission, the presumption is that those sites will be included in the 5-year supply, unless there is evidence to the contrary.  This may be where they are no longer viable, there is no longer demand for the type of units or sites have long term phasing plans.

2.8 For sites with outline planning permission for major development, that have been allocated in the development plan, have permission in principle, or are on the brownfield register, the burden of proof is different and the onus is on local planning authorities to demonstrate that there is clear, specific evidence that housing completions will begin on site within five years such as:

* *current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
* *firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*
* *firm progress with site assessment work; or*
* *clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.*

**Planning Practice Guidance (PPG) – Housing and economic needs assessment**

* 1. The PPG was last updated on 22 July 2019.  It contains the standard method for assessing local housing needs, setting out the formula used to identify a minimum annual housing need figure.
  2. Paragraph 004 provides the steps used to calculate the local housing need figure as well as the specific data inputs to be used in terms of demographic baseline and adjustment for affordability.

**Development Plan Context**

2.11 Sheffield’s Core Strategy was adopted in 2009.  Policy CS22 sets out the scale of the requirement for new housing over the period 2004/05 to 2025/26.  Given that the housing requirement in the adopted strategic policies is more than five years old then under the NPPF paragraph 73 the housing requirement for the purposes of the five year supply derives from the  local housing need figure calculated using the Government’s standard method as set out in Housing and Economic Needs Assessment PPG (last updated 22 July 2019).

**Other documents referred to**

* 1. The Council’s housing land supply position as at 1 April 2019 is set out in the 5 Year Housing Land Supply Monitoring Report, published May 2020.  This is attached as Appendix 1.
  2. The Council’s current position with respect to 5 year housing land supply, as at 1. April 2020 is set out in the 5 Year Housing Land Supply Monitoring Report (‘the Monitoring Report’), December 2020.  This is attached with its associated appendixes as Appendix 2.
  3. The Housing and Employment Land Availability Assessment (HELAA) (Appendix SCC3) was published in September 2020 and was not available for use at the point the application was determined.  It does not include an assessment of the 5 year Housing Land Supply.  The HELAA Site Schedule includes all the sites that have been assessed for inclusion within the supply, which have been drawn from its associated database. The HELAA also sets out the methodology for assessing windfall capacity.

# 3.0 Sheffield City Council’s 5 Year Housing Land Supply – Methodology

3.1 The Council’s approach is to publish a 5-year Housing Land Supply Monitoring Report (the ‘Monitoring Report’) to set out the assessment of the deliverable supply of land for housing in Sheffield. This meets the requirements of paragraph 73 of the Framework to identify a supply of specific and deliverable sites sufficient to provide a minimum of five years’ worth of housing against the housing requirement.  The Monitoring Report is prepared in accordance with the Framework; specifically in relation to paragraph 73 which determines how the need should be quantified, and Annex 2 which defines ‘deliverable’.

3.2 My role in the preparation of the Monitoring Report is to determine which sites should be considered for inclusion in the deliverable supply, and collate the different sources of evidence which are used to assess deliverability of the sites included within it.  The document has been prepared in accordance with the Framework and guidance contained in the NPPG.  In particular, there has been liaison with the development community in relation to the deliverability of individual sites.

**Requirement**

3.3 NPPF paragraph 73 specifies that, where strategic policies are more than five years old, local housing need should be used to inform the housing requirement.  This does not include strategic policies that have been reviewed and found not to require updating (footnote 37).  That is not the position here, and therefore the local housing need figure, calculated using the standard method set out in national planning practice guidance, is used to determine the 5 year housing land requirement.

3.4 The Monitoring Report sets out the calculation that is used to determine the local housing need figure following the Government’s standard methodology in Planning Practice Guidance.  The figure for 2020 is 2,131 net additional homes per year.  This figure uses the 2014-based household projections as the demographic baseline, taking the annual average rate of household growth over the 10 year period 2020 to 2030.  It is then adjusted taking account of the affordability ratio for median house prices in relation to median earnings, as provided by the Office for National Statistics in March 2020.

3.5 The most recent (2019) Housing Delivery Test results were published in February 2020; these showed Sheffield’s delivery was 112%.  This provides evidence that there is no significant under delivery in Sheffield and therefore the 5% buffer to ensure choice and competition applies as required by part (a) of NPPF paragraph 73.

3.6 Sheffield’s net housing requirement for the 5-year period 2020/21 to 2024/25 is therefore:

|  |  |
| --- | --- |
| Current local housing need figure | 2,131 |
| 5-year requirement (2020/21 to 2024/25): 5 years @ 2,131 per year | 10,655 |
| Plus 5% buffer to ensure competition and choice | 533 |
| **Total net 5-year requirement** | **11,188** |

**Supply position as at 1 April 2020**

3.7 The Council’s position at 1 April 2020 is that it can demonstrate a 5.4 year deliverable housing land supply, based on the following key information:

* A base date of 1 April 2020, and a 5 year period 1 April 2020 to 31 March 2025 inclusive
* A total 5 year requirement of 11,188 homes, comprising 2,131 net additional homes per year plus a 5% buffer to ensure competition and choice (533 homes)
* A net 5 year deliverable supply of 12,131 dwellings.

3.8 The draft 5 year deliverable supply is broken down as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Category[[1]](#footnote-1)** |  | | **5-year supply** |
| A | Large sites with **full** planning permission | | 9,489 |
| Under construction | 4,864 |
| Not started | 4,168 |
| Construction suspended | 457 |
| Small sites with planning permission | | 1,000 |
| B | Large sites with **outline** planning permission | | 366 |
| Development plan allocations | | 0 |
| Sites with permission in principle | | 0 |
| Sites identified on the brownfield register | | 1,526 |
| **Gross Supply** | | | **12,381** |
| Minus estimated losses | | | 250 |
| **Net Supply** | | | **12,131** |
| **Net Requirement** | | | **11,188** |
| 5-year deliverable supply | | | **5.4 years** |

**Sources of supply**

3.9 Schedules listing the sites that comprise the categories referred to in the supply table above are included in the 5 Year Housing Land Supply Monitoring Report that is appended to this proof of evidence.

3.10 The supply is broken down into two categories that reflect the definition of deliverable as set out in Annex 2 of the Framework.  Category A includes those sites that should be considered deliverable unless there is clear evidence that homes will not be delivered within five years.  Category B includes sites that should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

3.11 The Monitoring Report sets out the assumptions that have been used for estimating build rates for developing large sites where the developers own estimates are not available, with reference to the HELAA (Monitoring Report, table 3). Where available we have taken account of the developer’s estimates but considered those estimates in the context of the methodology. This may mean that in some cases our estimates are lower than that provided by the developer.

**Category A**

3.12 The largest element of the 5 year supply is large sites with full planning permission, representing around three quarters of the gross supply.  Over half of these are on sites that are already under construction.

3.13 The 5 year housing land supply includes a figure of 1,000 homes, or 200 homes per year, on small sites.  The Monitoring Report (paragraphs 3.14 to 3.19) includes a more detailed discussion of the evidence that underpins this figure, with reference to paragraph 70 of the Framework, and provides the necessary compelling evidence that they will be a reliable source of supply.

**Category B**

3.14 The approach to sites in category B meets the test of deliverability in respect of the definition provided in Annex 2 of the Framework. For each site included, I am satisfied that there is site specific, clear evidence that housing completions will begin on site within 5 years.

3.15 Two sites with outline planning permission are included within the 5 year supply.  Evidence of deliverability has been provided for both sites in the form of signed pro forma.

3.16 No housing site allocations in Sheffield’s Unitary Development Plan are included within the supply.  Only a small number of allocations remain, including the appeal site.

3.17 The largest element of supply within category B is sites identified on the brownfield register.  This category comprises 17 sites that either form part of the business plan for the Sheffield Housing Company or are within the Council’s Stock Increase Programme.  Further detail is provided in the Monitoring Report relating to the operation of these two schemes and the evidence is provided that enables these sites to be included within the deliverable 5 year supply. For each site I am satisfied that there is clear evidence of deliverability, with a signed pro forma provided for each.

3.18 As at 1 April 2020, the supply of deliverable housing land has increased from 5.1 years (at 1 April 2019) to 5.4 years.  This represents an increase of homes in the supply chain.  The two elements which have increased are large sites with full planning permission and sites identified on the brownfield register.  The impact of Covid 19 has been considered, taking account of the views of the development industry, both through the HELAA working group and through direct correspondence with developers with active sites in the 5 year supply. Paragraphs 3.8 and 3.9 in the Monitoring Report identify the key issues and implications raised through dialogue with the development industry.

# 4.0 Conclusion

4.1 In conclusion, I am satisfied that sites included within the 5 year housing land supply, and set out in the Monitoring Report, meet the definition of deliverable in Annex 2 of the Framework. The position as at 1st April 2020 is that Sheffield City Council can demonstrate a 5.4 year supply of deliverable housing land, with reference to the housing requirement.

1. As noted below these categories reflect those used in the NPPF’s definition of deliverable in Annex 2. [↑](#footnote-ref-1)