

North East Derbyshire District Council

Cabinet

14 December 2016

North East Derbyshire Local Plan – Authority Monitoring Report 2015 and 2016

Report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment

This report is public

Purpose of the Report

- To inform Cabinet of the North East Derbyshire Authority Monitoring Report (AMR11 and 12) and the five year housing land supply position.
- To seek approval of the contents of AMR11 for the period of 1st April 2014 – 31st March 2015 and AMR 12 for the period of 1st April 2015 – 31st March 2016 for their publication on the Council's website.

1 Report Details

- 1.1 The Localism Act (2011) requires the production of an **Authority Monitoring Report (AMR)** to cover a period;
- Which the authority considers appropriate in the interests of transparency,
 - Which begins with the end of the period covered by the authority's most recent report, and
 - That is not longer than 12 months.
- 1.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out that a local planning authority's AMR should contain the following information:
- Details of the title of the plans or documents specified in the local development scheme and their progress in relation to the adopted timetable.
 - Detailed reports on policy implementation
 - Details of net additional dwellings and net additional affordable dwellings in the local planning authority's area in the period in respect of which the report is made and since the policy was first published, adopted or approved.
 - Details of the preparation of any neighbourhood development order or neighbourhood development.
 - Details of any income and expenditure generated through the implementation of the Community Infrastructure Levy (CIL)

- Details of actions taken to co-operate with other bodies as prescribed by the Duty to Co-operate.
- 1.3 In addition to the above the Localism Act allows authorities to choose which targets and indicators to include in the report as long as they are in line with the relevant UK and EU legislation. Their primary purpose is to share the performance and achievements of the planning service with the local community.
- 1.4 AMR11 and 12 include the monitoring of key policies of the Local Plan (adopted in November 2005) which were saved on the 28th November 2008, in accordance with the Secretary of State's Direction under paragraph 1(3), schedule 8 of the Planning and Compulsory Purchase Act, 2004. Both periods also include information on the progress of the emerging Local Plan, Housing Supply (including affordable housing), Infrastructure Delivery, Gypsy and Traveller provision, Strategic sites and the Duty to Co-operate. However, this AMR does not include any updated information on employment which was not available in time. This data set complies with the statutory requirements along with additional information so local residents can understand what North East Derbyshire District Council has achieved through planning for the monitoring period.
- 1.5 AMR11 covers the financial year from 1st April 2014 to 31st March 2015 and AMR12 covers the period of 1st April 2015 to 31st March 2016. Due to resource issues the Local Plan Steering Group (LPSG) approved on 23rd September 2015 the approach of combining the 2014/15 and 2015/16 Housing Land Availability monitoring into a single survey.
- 1.6 The key findings of AMR11 & 12 are summarised below;
- The net completion of new dwellings for the period 2014/15 was 262 houses, which is slightly lower than the emerging Local Plan target of 300 dwellings per annum (DPA). For the period 2015/16 431 houses were completed; this is substantially above the emerging Local Plan target.
 - During the 2014/15 period 77% of all new housing was built upon previously developed (brownfield) land and in the 2015/16 period 47%. The first figure shows an increase on AMR10 when it was 57%. A core planning principle of the NPPF is to encourage the effective use of land by reusing land that has been previously developed (brownfield), provided that it is not of high environmental value.¹
 - Within the period of 2014/15 net completion amounted to 129 affordable dwellings. During 2015/16 this figure increased further to 165 net completed affordable units.

¹ There is no longer a national target for development on previously developed land which was previously set at 60%

Five year housing land supply

- 1.7 The final five year housing land supply calculation concludes that the Council has **3.8yrs** supply, taking into account the backlog and the 20% buffer. Overall, there is still an undersupply of 606 dwellings within the next five years. Although, the supply figure is significantly higher than during the last period the Council does not have a five year housing land supply at 1st April 2016 as required by the National Planning Policy Framework (NPPF). This triggers paragraph 49 of the NPPF which states that the relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. Therefore, housing applications should be considered in the context of the presumption in favour of sustainable development. This has significant implications for the way applications for new housing are considered by the Council and, if they are refused, on appeal.
- 1.8 Work on the new Local Plan is aiming to secure a five year housing land supply from the date of adoption in 2018, by allocating sites for housing development. However a 5 year supply of housing may be achieved ahead of this if significant levels of housing development are approved in the meantime.

2 Conclusions and Reasons for Recommendation

- 2.1 This report sets out the key findings of the eleventh and twelfth Authority Monitoring Reports (AMR11 & AMR 12). Its publication will fulfil the Council's statutory duty to prepare and publish an AMR. AMR11 covers the period of 1st April 2014 – 31st March 2015 and AMR 12 the period of 1st April 2015 – 31st March 2016. Both reports include the monitoring of information on the progress of the emerging Local Plan, Housing Supply (including affordable housing), Infrastructure Delivery, Gypsy and Traveller provision, Strategic sites and the Duty to Co-operate. However, this AMR does not currently include any updated information on employment which was not available at the time of preparing this report. However this information will be appended to the AMR when it becomes available early in 2017.
- 2.2 The key findings of AMR11 (2014/15) and AMR 12 (2015/16) are:
- 262 net housing completions for the period 2014/15 and 431 net housing completions for the period 2015/16
 - The Council does not have a five year supply of housing
 - In 2014/15 77% of all new housing was built upon previously developed (brownfield) land and in 2015/16 47%
 - 129 affordable dwellings net completed for the period of 2014/15 and 165 net completed affordable units for the period 2015/16

3 Consultation and Equality Impact

- 3.1 There is no requirement for carrying out consultation on the AMR. There are no implications for equalities issues. The AMR assesses the implementation of policies, rather than setting policies. However, the monitoring provides the opportunity to assess the impact of policies and development upon equalities issues.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council has a statutory duty to prepare an AMR and report on a selection of key issues (see paragraph 1.2 above). Any additional monitoring is done at the Council's discretion. Given the current priority to deliver a Local Plan at the earliest opportunity it was considered inappropriate to focus additional resources on unnecessary monitoring. However the scope of the monitoring framework is likely to increase once the new Local Plan is adopted to ensure that the plan is being implemented effectively and to inform the need for further work.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 The AMR involves the statutory requirement to maintain an up to date monitoring framework. The CDP Smart monitoring system is used to generate reports to monitor planning policies in the District. CDP Smart has an annual maintenance charge in the region of £800.00 which is accommodated within existing budgets.

5.2 Legal Implications including Data Protection

- 5.2.1 The Council has a statutory duty to prepare an AMR. The Planning and Compulsory Purchase Act (2004), The Localism Act 2011, and the Town and Country Planning Regulations 2004 set out the statutory procedures for preparing AMRs. These procedures have been followed in the preparation of the North East Derbyshire AMR.
- 5.2.2 There are no specific environmental, crime and disorder, design or community safety considerations arising out of the preparation of the AMR. Monitoring the effectiveness of the Council's planning policy will however enable the Council to assess the impact of policies and development on these issues.

5.3 Human Resources Implications

- 5.3.1 There is a need to ensure that resources in the planning service are sufficient to carry out monitoring for the AMR and on an ongoing basis.

6 Recommendations

- 6.1 It is recommended that Cabinet:
- a) Approve the content of the eleventh and twelfth North East Derbyshire Authority Monitoring Report (AMR11) for the period of 1st April 2014 – 31st March 2015 and AMR 12 for the period of 1st April 2015 – 31st March 2016 and for its publication on the Council's website.
 - b) Delegate authority to the Assistant Director for Planning and Environmental Health in consultation with the Portfolio Holder for Planning to approve the employment evidence base for inclusion in the published AMR when it becomes available in the new year.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	None
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
Appendix 1	Authority Monitoring Report 2015 & 2016
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Helen Fairfax Planning Policy Manager	(01246) 217168