

North East Derbyshire District Council

Cabinet

23 November 2023

Planning Policy Annual Monitoring Reports for Publication

Report of Councillor S Pickering Portfolio Holder for Environment and Place

Classification: This report is public

Report By: Planning Policy & Environment Manager

Contact Officer: Helen Fairfax

PURPOSE / SUMMARY

- To inform Members of the key findings of the following annual monitoring reports:
 - Authority Monitoring Report: 1st April 2022 – 31st March 2023 (AMR)
 - Brownfield Land Register: 2023 Update (BLR)
 - Infrastructure Funding Statement: 1st April 2022 – 31st March 2023 (IFS)
- To seek approval for the publication of these documents on the Council's website to fulfil the Council's statutory duties to prepare and publish monitoring data.

RECOMMENDATIONS

1. To note the contents of the Annual Monitoring Report (AMR19) for the period of 1st April 2022 – 31st March 2023 and approve its publication on the Council's website. Once published on the council's website this will fulfil the Council's statutory duty to prepare and publish an AMR.

Approved by the Portfolio Holder – Cllr Pickering

IMPLICATIONS

Finance and Risk: Yes No

Details:

There are no specific financial or risk implications arising directly from these monitoring reports.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Council has a statutory duty to prepare these monitoring documents and to publish them on the Council's website. The statutory procedures for preparing these documents are set out section 1 of the report, these procedures have been followed.

There are no specific environmental, crime and disorder, design or community safety considerations arising out of the preparation of these monitoring documents. 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.

On Behalf of the Solicitor to the Council

Staffing: Yes No
Details:

There are no adverse staffing implications directly arising from the content of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Click here to enter text.
Links to Council Plan priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.	
All	

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

1.1 The Localism Act (2011) requires the annual production of an Authority Monitoring Report (AMR) to cover a period that is not longer than 12 months. The Town and Country Planning (Local Planning) (England) Regulations, 2012 set out the required content of AMRs, which include details of:

- the plans or documents specified in the local development scheme and their progress in relation to the adopted timetable;
- the net additional dwellings and affordable dwellings in the monitoring period and since the policy was first published, adopted or approved;
- the preparation of any neighbourhood development plan.
- actions taken to co-operate with other bodies as prescribed by the Duty to Co-operate.

1.2 The Town and Country Planning (Brownfield Land Register) Regulations 2017 require each local planning authority to maintain a register of previously developed (brownfield) land that is considered to be appropriate for residential development. The register should be reviewed at least annually and should be published by 31 December each year. For land to be included on the register it should be at least 0.25 hectares or capable of supporting at least 5 dwellings, be available and suitable for residential development and be achievable. The register can include sites with and without planning permission. The regulations set out specific requirements for the publication of the Brownfield Land Register in a range of formats that can be downloaded from the website.

1.3 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019, requires the Council to prepare and publish an Infrastructure Funding Statement (IFS) each year, that sets out information on the funds it receives and spends from developer contributions secured through s106 planning obligations. The IFS should be updated annually and published on the Council's website by 31 December each year to fulfil the Council's obligations under the Regulations

2. **Details of Proposal or Information**

Authority Monitoring Report

2.1 The AMR 2023 is attached at **Appendix 1** and covers the period 1 April 2022 – 31 March 2023. It includes data on a range of information in compliance with the statutory requirements along with additional information explaining what the Council has achieved through planning during the monitoring period.

2.2 The key findings of the AMR for this period are summarised as follows:

- A new Local Development Scheme was approved in March 2023.
- A revised Statement of Community Involvement was drafted and was subject to public consultation in February/March 2023.

- 0.75 ha of allocated employment land was developed over the monitoring period and zero employment land was lost.
- District wide there was a loss of 12m² of retail and social infrastructure floorspace, but 28m² retail floorspace was gained in Dronfield. Clay Cross, Eckington and Killamarsh had no gains or losses.
- Planning permission was granted for the conversion of 7 former public houses. A start has been made on 3 of these sites. The conversion of one former public house (the Fleur De Lys in Unstone) to residential was completed in March 2023.
- 776 new dwellings (net) were completed.
- The Council can demonstrate a 5.76 year's supply of land for housing. This supply is set against the adopted Local Plan requirement of 330 dwellings and is further explained in the Council's [Five Year Housing Land Supply Statement 2023](#).
- 138 affordable homes (net) were delivered through the planning system.
- A further 496 affordable homes have planning permission, 264 of which are expected to come forward in the next five years.
- At 31st March 2023, there were no outstanding commitments for either age-designated housing or housing with care schemes.
- At 31st March 2023 there were 2 outstanding commitments for care homes for 37 bedrooms in total.
- At 31st March 2023, there were 145 outstanding commitments for accessible and adaptable homes (M4(2)¹), and 10 outstanding dwelling commitments for wheelchair users (M4(3)²).
- 15 self and custom build dwellings were granted planning permission during the base period 31 October 2021 - 30 October 2022. On 30 October 2022, there were 124 entries on the Self and Custom Build Register. Overall, there is a shortage of eight self and custom build plots to meet the demand on the Register.
- 1 new Traveller site for 2 pitches at Staveley Road, Long Duckmanton, was granted planning permission and 1 new planning application for 2 pitches at Park Lane, Shirland, was submitted.
- 44% of new housing built in 2022/23 was built upon previously developed (brownfield) land, (351 dwellings of the total 806 built).
- At 31st March there were 6 'Made' Neighbourhood Plans in the District. During the monitoring period consultation and examination took place on modifications to the Made Ashover Neighbourhood Plan 2018. Progress was also made on the Brampton and Shirland Neighbourhood Plans. In March 2023 the Council designated Killamarsh Parish as a neighbourhood area.

¹ The Building Regulations 2010, as amended, M4(2): Accessible and adaptable dwellings

² The Building Regulations 2010, as amended, M4(3): Wheelchair user dwellings

- 2.3 Overall, the Council's monitoring framework indicates that the policies in the Local Plan are performing well, with a limited number of areas that require further scrutiny. Of the twenty two indicators in the monitoring framework the majority (fourteen) are being implemented effectively, seven require further consideration and one is a cause for concern. Of the seven indicators, three relate to the economy objectives and reveal a lack of employment land take up on strategic sites in the District. However, given we are only half way through the Plan period this is not too concerning, but it is an area to be kept under review.
- 2.4 A further four indicators relate to the delivery of housing on the strategic sites, housing for older people and people with disabilities, and the future achievement of the 5-year housing land supply. Of these factors the most concerning is the 5-Year Housing Land Supply. Although our most recent statement was published in July 2023 and shows the Council has a supply of 5.76 years, current information predicts that future housing land supply will fall below the required 5 years by April 2025. This is a significant factor which should be kept under close scrutiny, given its role in maintaining control over the location of development and the lead in times for preparation of a new or updated Local Plan.
- 2.5 The remaining indicator relates to the provision of Self and Custom Build plots. Currently the Council is not able to demonstrate the availability of sufficient plots to meet the demand on the Self and Custom Build Register. This is a matter that may be addressed in part by the Council's wider activities as part of a review of its Asset Management Strategy. It is also a policy area that should be addressed proactively with any future review of the Local Plan.
- 2.6 These matters are currently under consideration with the Local Plan Review Working Group, which will report its findings to Cabinet in due course.

Brownfield Land Register

- 2.7 The Council's Brownfield Land Register was first published in December 2017. Since then, the register has been updated by the Council at least annually and most recently in October 2022 when it included a total of 31 brownfield sites with a capacity of up to 1,880 dwellings.
- 2.8 The Brownfield Land Register - 2023 update has involved a review of all sites on the 2022 register along with consideration of new sites identified from planning permissions (including those allowed on appeal) and applications at 31st March 2023. Two new brownfield sites have now been added to the register this year (see table below).
- 2.9 The 2023 Brownfield Register identifies a total of 26 brownfield sites, which comprise approximately 97ha of housing land and could accommodate up to 1,814 dwellings. This includes the former Biwaters site and part of the Avenue site. **Appendix 2** provides a summary of the information on the Brownfield Land register.

Site Ref	Site name & Address	Site size	Capacity
22/00161/RM	3, Woodall Road, Killamarsh, S21 2EW	0.89	1
22/00657/CUPDMA	"Sidness Farm, Smithy Moor, Stretton, DE55	1.33	2
	TOTAL	2.22	3

2.10 It is important to note that this exercise is separate from the need to produce a Local Plan and maintain a 5 year supply of available and deliverable housing land and in no way replaces these requirements.

Infrastructure Funding Statement (IFS)

2.11 The IFS 2022/23 attached at **Appendix 3** covers the reporting period 1 April 2022 to 31 March 2023 and reports the following:

- i) The total amount of monies received before the start of the reporting year and available to spend on affordable housing and infrastructure i.e. the opening balance at 31 March 2022, was £1,839,458.50.
- ii) The council received a total of £634,092.99 towards affordable housing, open space, transport, healthcare, waste, public realm, and ecological mitigation during 2022/23.
- iii) The total amount of monies spent on, or transferred to other bodies, for infrastructure projects during 2022/23 was £535,691.16. Of this, monies were transferred to East Midlands Housing for affordable housing, and Derbyshire County Council for libraries and education provision. In addition, just under £170K was spent on the following public realm and open space infrastructure projects during 2022/23.

Type	Project	Amount
Public Realm	Public realm improvements, Eckington town centre	£20,654.00
	Sub-total	£20,654.00
Open space	New play equipment, safety surfacing & fencing, Elvaston Rd, North Wingfield	£27,781.14
Open space	Improvements to playing field including drainage works and new football goals & installation of new play equipment, Shirland Recreation Ground. Restoration of floor, Shirland Village Hall.	£47,409.94

Open space	New play equipment & safety surfacing, Kenning Park, Clay Cross	£7,363.99
Open space	New play equipment, Stonebroom Play Area, Birkinstyle Lane, Stonebroom ³	£5,100.40
Open space	New footpaths and associated signage, Adlington Avenue Recreation Area, Wingerworth	£46,139.68
Open space	New play equipment and safety surfacing, Crofters Close Play Area, Killamarsh	£15,265.00
Sub-total		£149,060.15
Total		£169,714.15

iv) The total amount of s106 monies held at the end of the reporting year i.e. the closing balance at 31 March 2023 was £1,937,860.33.

v) In addition, the council entered into further s106 agreements associated with new housing development with a potential value of £684,747.99 during 2022/23. This will be collected by the council as, and when, development takes place.

3 Reasons for Recommendation

3.1 This report sets out the key findings of the 2023 Authority Monitoring Report, Brownfield Land Register Update and Infrastructure Funding Statement. This enables the Council to understand the effectiveness of its policies and trends over time. Publication of these documents on the council's website will fulfil the Council's statutory duties to prepare and publish the required annual monitoring datasets.

4 Alternative Options and Reasons for Rejection

4.1 The Council has a statutory duty to prepare these documents and there is no reasonable alternative.

³ Case Study 3 – IFS 2022/23

DOCUMENT INFORMATION

Appendix No	Title
Appendix 1	Annual Monitoring Report -2023
Appendix 2	Brownfield Land Register – 2023 Update (summary of web info)
Appendix 3	Infrastructure Funding Statement - 2023
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)	
None	