

**North East Derbyshire District Council**

**Cabinet**

**19 September 2024**

**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

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**PURPOSE / SUMMARY**

- To inform Members of the key findings of the following annual monitoring reports:
  - Authority Monitoring Report: 1<sup>st</sup> April 2023 – 31<sup>st</sup> March 2024 (AMR)
  - Brownfield Land Register: 2024 Update (BLR)
  - Infrastructure Funding Statement: 1<sup>st</sup> April 2023 – 31<sup>st</sup> March 2024 (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 Reports (AMR) for the period of 1st April 2023 – 31st March 2024 and approve their 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

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**IMPLICATIONS**

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**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

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**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	
<b>Is the decision a Key Decision?</b> 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: <b>NEDDC:</b> <b>Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></b> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> <b>Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/></b> <b>SAMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/></b> <b>Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></b>	Yes  Details: Click here to enter text.
<b>Links to Council Plan priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.</b>	
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, require 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 2023 – 31 March 2024. 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:
- No employment land was lost or gained.

- District wide net gain of 176m<sup>2</sup> of retail and social infrastructure floorspace, comprising a gain in Ashover and some losses in Dronfield, Eckington and Shirland through conversions to residential use.
- Five former public houses were converted to residential use and planning permissions granted for the conversion of a further 2 former public houses.
- Net completions of new dwellings for the period 2023/24 was 543.
- The Council can demonstrate a 5.55 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 2024.
- 98 affordable homes (net) have been delivered through the planning system during 2023/24.
- A further 489 affordable homes have planning permission, 246 of which are expected to come forward in the next five years.
- At 31<sup>st</sup> March 2024, there were outstanding commitments for:
  - 35 age-designated housing or housing with care schemes.
  - 2 care homes for 91 bedrooms in total.
  - 147 accessible and adaptable homes (M4(2)<sup>1</sup>), and
  - 10 dwellings for wheelchair users (M4(3)<sup>2</sup>).
- 17 self and custom build dwellings were granted planning permission during the base period 31 October 2022 - 30 October 2023. On 30 October 2023, there were 146 entries on the Self and Custom Build Register. Overall, there is a shortage of 17 self and custom build plots to meet the demand on the Register.
- 7 new pitches on 2 traveller sites (Danesmoor, Clay Cross and Park Lane, Shirland), were completed in 2023/24. 1 new planning application for 5 pitches at Padley Wood Lane, Pilsley<sup>3</sup>
- 33% of new housing built in 2023/24 was built upon previously developed (brownfield) land, (186 dwellings of the total 553 built).
- During the monitoring period the Brampton Parish Neighbourhood Plan was subject to referendum and the Plan was 'Made' in November 2023, making

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

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

<sup>3</sup> Scheme was approved in April & will be reported as a gain in the next AMR.

a total of 7 'Made' Neighbourhood Plans in the District. Progress was also made on the Shirland and Higham Neighbourhood Plan, which is scheduled for Referendum in September 2024.

- 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. Areas of concern relate to a lack of employment land take up on strategic sites in the District, delivery against targets for housing mix and tenure and the future supply of housing land. These issues were also highlighted as potential issues in last year's AMR.

Employment Land take up:

- 2.4 The Council is still working to secure the provision of employment uses on the Avenue and Biwaters Strategic Sites, in line with policy. Despite this, during the monitoring period planning permission was approved for additional housing on the Biwaters Site, which reduces the level of employment land on this strategic site by 3.64ha (although the land will only be counted as a loss once a start is made on site). The decision to approve the proposal was based upon detailed evidence around site conditions and lack of viability for employment use. This is an issue that will inform future plan-making.

Housing Land Supply:

- 2.5 The latest 5-year land supply position demonstrates that the Council has a supply of 5.55 years, current information predicts that future housing land supply will fall below the required 5 years by April 2025. This is a significant factor that remains under close scrutiny by the Local Plan Working Group and will be a key driver for decision making over the timetable for a review of the Local plan.

Affordable Housing:

- 2.6 Overall, the affordable housing policies in the Plan are operating slightly below targets. The outturn for this monitoring period was 18% compared to 20% target based on the location of relevant permissions within the low value area where 20% affordable housing is required. Although the long term average is 20%. More work is required to understand the reasons for this year's figure and this will be undertaken for next year's AMR.

Housing Type & Mix:

- 2.7 In terms of appropriate dwelling sizes, monitoring shows that the recommended size mix in the Local Plan is not being met. Delivery over the last few years has included an undersupply of 1bed and 2bed market houses

and an over-provision of 4+ bed market houses. For affordable properties (both rent and ownership) there has been a general undersupply of both 1 bed and 4 bed properties. The only exception to this being first homes, of which there was an oversupply. This suggests that it would be necessary to strengthen future housing policies to encourage delivery of smaller market housing, and secure increased provision of 1bed and 4+bed affordable homes.

#### Specialist Housing Needs:

- 2.8 Since 2014 the Council has not met the District's need for either accessible and adaptable and wheelchair user homes (M4(2) & M4(3)) or specialist homes for older people or people with additional care needs. In the 2023/24 monitoring year, only 1 M4(3) adaptable home was completed, compared to a policy requirement for 20% accessible and adaptable homes (M4(2)) in developments of 10 or more dwellings.
- 2.9 Importantly, the Council has only been able to apply this requirement since the Local Plan was adopted in November 2021. In the 28 months since adoption of the Local Plan, planning permission has been granted for ten residential schemes of 10 or more dwellings, six of which included accessible and adaptable homes. These are expected to deliver 147 M4(2) homes and will come forward in the next few years. The policy is now being applied consistently and is starting to show results.
- 2.10 In terms of other specialist housing, whilst the policy encourages provision and includes an exception policy, interest from landowners and developers has also been low. Future AMRs will continue to monitor the effectiveness of the policy and the finding will inform policies in a future Local Plan.

#### Self & Custom Build:

- 2.11 There is a shortfall of 17 self and custom build permissions to meet the demand on the register at 30 October 2023. This is projected to increase in subsequent years without the supply of further self and custom build permissions. As mentioned in last year's AMR it is expected that the matter will be addressed in part by the Council's wider activities as part of a review of its Asset Management Strategy, which is still ongoing. It is also a policy area that should be addressed proactively with any future review of the Local Plan.
- 2.12 These matters will be considered by the Local Plan Review Working Group, which will report its findings to Cabinet in due course.

## Brownfield Land Register

- 2.13 The Council's Brownfield Land Register was first published in December 2017 and was last updated in September 2023 when it included a total of 26 brownfield sites with a capacity of up to 1,814 dwellings.
- 2.14 The 2024 Brownfield Land Register update has involved a review of all sites on the 2023 register. A total of 4 sites have been removed from the register (comprising 1.52ha with capacity for 26 dwellings) because they were fully built out during the 2023/24 monitoring period. The review has also included consideration of new sites identified from planning permissions (including those allowed on appeal) and applications at 31<sup>st</sup> March 2024. Three new brownfield sites have been added to the register this year (see table below). Additionally, a new planning application (23/00986/FL) was submitted to the Council in November 2023 on the BLR site 'Commercial Inn, Bridge Street, Pilsley'. The application proposes the demolition of the public house and the construction of a block of 12no. 1 and 2 bed apartments. This application increases the potential capacity of the site from 5 dwellings to 12.

Site Ref	Site name & Address	Site size	Capacity
22/00638/RM	56 Top Road, Calow, S44 5SY	0.59	9
23/00034/OL	Hornthorpe Cottage, Setcup Lane, Eckington, S21 4FN	0.28	5
23/00510/OL	36 Chesterfield Road, North Wingfield, S42 5LG	0.26	9
<b>TOTAL</b>		<b>1.13</b>	<b>23</b>

*Table 1: Extract from the Brownfield Land register showing the new sites*

- 2.15 Taking account of the above, the updated 2024 Brownfield Register identifies a total of 25 brownfield sites (Net), which comprise approximately 97ha of housing land and could accommodate up to 1,818 dwellings.
- 2.16 Site sizes range from 0.02 ha (6 dwelling yield) to 36.5 ha and include the former Biwaters site and part of the Avenue site. Sites that have been 'removed' from the register remain visible on the register but are given an end date and the site area and dwelling yield figures are excluded from the totals. **Appendix 2 (TO FOLLOW)** provides a summary of the information on the Brownfield Land register.
- 2.17 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)

2.18 The IFS 2022/23 attached at **Appendix 3** covers the reporting period 1 April 2023 to 31 March 2024 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 2023, was £1,937,860.33.
- ii) The Council received a total of £1,213,150.00 towards affordable housing, open space, transport, healthcare, libraries, habitat creation and enhancement during 2023/24. Of this some £50,992.62 is earmarked for the long-term maintenance of open space and recreation.
- iii) The total amount of monies spent on, or transferred to other bodies, for infrastructure projects during 2023/24 was £229,017.87. These projects relate to affordable housing, open space and recreation improvements, library provision, and public realm improvements as follows:

Type	Project	Amount
Affordable Housing	Affordable rent housing scheme at Market Street, Clay Cross <sup>4</sup>	£125,000.00
	<b>Sub-total</b>	<b>£125,000.00</b>
Open space	Installation of new footpaths, teen shelter and fencing and gates to play area at Shirland Village Hall <sup>5</sup>	£34,146.18
Open space	Boundary and pitch preparation/establishment works in connection with new football pitch at Pilsley Sports Ground	£7,144.00
	<b>Sub-total</b>	<b>£41,290.18</b>
Open Space Maintenance	Maintenance of various play areas and recreation grounds in the District	£57,252.50
	<b>Sub-total</b>	<b>£57,252.50</b>
Library	Transferred to Derbyshire County Council	£3,775.19
	<b>Sub-total</b>	<b>£3,775.19</b>
Public Realm – Eckington Town Centre	Public realm improvements – Market Street, Eckington	£1,700.00
	<b>Sub-total</b>	<b>£1,700.00</b>
	<b>Total</b>	<b>£229,017.87</b>

- iv) The total amount of s106 monies held at the end of the reporting year i.e. the closing balance at 31 March 2024 was £2,921,992.46.
- v) In addition, the Council entered into further s106 agreements associated with new housing development and with a potential total value of

<sup>4</sup> Case Study 1 – IFS 2023/24

<sup>5</sup> Case Study 2 – IFS 2023/24



£167,310.09 during 2023/24 i.e. to be collected by the Council as, and when, development takes place. This includes contributions towards affordable housing, open space and recreation improvements and healthcare provision.

### **3 Reasons for Recommendation**

3.1 This report sets out the key findings of the 2024 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.

## **DOCUMENT INFORMATION**

<b>Appendix No</b>	<b>Title</b>
Appendix 1	Annual Monitoring Report - 2024
Appendix 2	Brownfield Land Register – 2024 Update (summary of web info) – <b>NOW PUBLISHED</b>
Appendix 3	Infrastructure Funding Statement - 2024
<b>Background Papers</b> (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	