

**EXETER CITY COUNCIL**  
**PLANNING MEMBER WORKING GROUP**  
**5 NOVEMBER 2013**

**EXECUTIVE**  
**26 NOVEMBER 2013**

**FUTURE DEVELOPMENT IN THE CITY**  
**OVERARCHING REPORT**

**1 PURPOSE OF REPORT**

- 1.1 To brief Members on the context for, and show the relationships between, the forthcoming strategic planning documents which will guide future development in the city:
- Development Delivery Development Plan Document (DPD)
  - The Strategic Housing Land Availability Assessment (SHLAA)
  - The Housing Land Review
  - The Revised Development Delivery Policy Statement

**2 BACKGROUND**

- 2.1 The Council adopted the Core Strategy in February 2012. The Core Strategy set out the vision, objectives and strategy for the spatial development of the city up to 2026. At the same time the Council adopted a 'Development Management Policy Statement' that set out the actions City Development would take to deal with any shortfall in the provision of a five year housing land supply (as recommended by the Inspector examining the Core Strategy).
- 2.2 Subsequently initial consultation has been carried out on the 'Site Allocations and Development Delivery DPD' (now proposed to be called the 'Development Delivery DPD'). This document will allocate land for development, designate land for protection and provide policies that will be used to determine planning applications. Together with the Core Strategy these two documents will form the Council's new 'Local Plan'.
- 2.3 The Development Delivery DPD draws heavily on the Strategic Housing Land Availability Assessment (the revised version of which is due to be published in December 2013) to identify land suitable to deliver housing over the plan period. The SHLAA also performs an important function in establishing whether the Council has a five year housing land supply.
- 2.4 To address longer term issues with housing land supply a 'Housing Land Review' has also been undertaken. Meeting a commitment made in Policy 7 of the 'Development Management Policy Statement', the 'Housing Land Review' looks at the longer term potential of land outside the strategic areas of growth to deliver sustainable housing development.

**3 THE CHALLENGE**

- 3.1 The biggest forward planning challenge for City Development in the next few years will be to ensure the continued delivery of good development in accordance with the spatial strategy.
- 3.2 The National Planning Policy Framework (NPPF) requires local planning authorities to identify and keep up-to-date a deliverable five year housing land supply. Without this,

even recently adopted planning policies for the supply of housing will be considered out of date (NPPF paragraph 49). The Planning Inspectorate has made it clear that in determining appeals the authority's position in regard to a five year land supply will be paramount. Numerous appeal decisions have demonstrated the hard line the Inspectorate is taking when he or she believes that the authority has not demonstrated a five year supply. Sites have been released for development, despite opposition from the public and council, with the Inspectorate only having regard to whether the site is considered sustainable, routinely dismissing other concerns.

- 3.3 Whilst the SHLAA shows that there is a five year supply (and there are adequate sites to meet the strategic requirement for 12,000 dwellings) a challenge on this is expected. One site where this is known to be the case is the Home Farm land in Pinhoe. The agents have already suggested that the five year supply calculation is not robust and have also criticised the Council for not having undertaken an assessment of land not currently allocated for housing, as promised by the 'Development Management Policy Statement'.
- 3.4 To put the Council in the strongest position to rebut these suggestions and to ensure a robust policy basis for delivering good development, City Development have reviewed the Development Delivery DPD, produced a revised 2013 SHLAA, undertaken a 'Housing Land Review' to look at the potential of land not currently allocated, and revised the Development Management Policy Statement (now proposed to be called the 'Development Delivery Policy Statement').

#### **4 A STRONG EVIDENCE BASED RESPONSE**

- 4.1 A brief summary of each of the documents is presented below:

##### **Development Delivery DPD**

- 4.2 The Development Delivery DPD will:
- i. Allocate land for development.
  - ii. Designate land for protection, safeguarding, or where specific policies apply.
  - iii. Contain 'development management' policies that will be used to determine whether planning applications submitted to the Council should be granted permission.
  - iv. Include a Proposals Map that will show allocations and designations.
- 4.3 The initial 'Have your say' consultation on this document was undertaken last year. The findings from the 'Have your say' consultation and the results of the revised 2013 SHLAA (see below) have been taken into account in preparing the consultation draft.
- 4.4 The name change, from 'Site Allocations and Development Management' document to 'Development Delivery' document, has been suggested to reflect City Development's primary objective to deliver good development. The purpose and content of the document have been reviewed by the re-design team to ensure that it fits with the new principles. Changes have been made to the content of the document where it was considered that this would help deliver good development.
- 4.5 The policies, site allocations and designations are described in the detailed report.
- 4.6 The proposed timetable for taking the document forward is as follows:
- Consult from start December to mid February (allowing for the Christmas Break)
  - Exhibitions to raise public awareness at locations around the City in January
  - Consider consultation responses March/April
  - Re-draft final document for Pre-submission Representations stage Summer 2014

- Submit to Planning Inspectorate Autumn 2014
- Examination late 2014
- Adopt start 2015

## SHLAA

- 4.7 The ability of sites to deliver housing development is assessed principally through the Strategic Housing Land Availability Assessment (SHLAA) the latest version of which will be published in December 2013. It is this document which forms the starting point for the Council's primary objective of delivering good development.
- 4.8 It is also the SHLAA that assesses whether or not the Council has a five year land supply. The Revised 2013 SHLAA concludes that the Council has a five year and three months land supply and has adequate sites to meet its strategic requirement to deliver 12,000 dwellings (established by the Core Strategy). However, as already suggested, the conclusions of the SHLAA, in particular the five year land supply, are open to challenge by the development industry (as discussed in the detailed report). The most likely challenge will come in relation to the following issues:
- The judgement that Exeter has not got a record of persistent under delivery of housing and therefore only needs to provide a 5% buffer (rather than a 20% buffer which is required where there has been a record of persistent under delivery)
  - Taking the so-called Liverpool approach which spreads any past under-provision over the remaining plan period (rather than meeting under-provision within the next five year period, the so-called Sedgefield approach)

The inclusion of certain types of student accommodation and the assumptions about the timing of delivery on other sites could also be questioned. It should be noted that the Council will not have a five year housing land supply if the 'sites of note' listed in paragraph 4.5 above are not identified as suitable for housing development.

- 4.9 One of the main reasons that the city is not in a better position with regard to the five year supply is due to the reliance on development coming forward in the strategic allocations. Authorities in this position often experience a lag in housing delivery at the start of the plan period due to complexities of bringing such sites forward (in terms of land assembly, infrastructure provision etc). However, the Council is now delivering housing in the strategic allocations and a number of significant sites in Monkerton/Hill Barton are close to having their S106 agreements signed. This would suggest that the five year supply position will become stronger in the next few years. Working against this is the on-going economic malaise and the reduction in the density at which sites are coming forward.
- 4.10 At the time of the Core Strategy work was based on the Regional Spatial Strategy (RSS) guidance which required average densities of 50 dwellings per hectare to be achieved. However, the RSS has now been abolished and government guidance no longer stipulates what densities development should achieve, but suggests that local authorities should set out their own approach to housing density to reflect local circumstances. Whilst the Core Strategy requires development to achieve the highest appropriate density, what is 'appropriate' can sometimes be open to debate. The SHLAA currently assumes an average density range of 24-33 dwellings per hectare based on what has been achieved over recent years, but if higher densities could be achieved the supply position would improve. It is therefore important that careful and innovative design is used to achieve the highest appropriate density in a particular location.
- 4.11 Demonstrating a five year supply of land is likely to remain challenging. This means that the focus needs to remain on being pro-active in delivering housing at the highest appropriate density on allocated sites and on windfall sites within the urban area (see

Development Delivery Policy Statement below).

- 4.12 The SHLAA, which will be maintained up-to-date, will be used to monitor the situation. In the longer term (which will be reached sooner if current densities continue) it may be that to meet the strategic requirement to deliver 12,000 dwellings, sites outside the strategic locations for growth need to be considered for development. The 'Housing Land Review' (see below) will help inform where any such release of land may occur.

### **Housing Land Review**

- 4.13 Policy 7 of the Development Management Policy Statement committed the Council to undertake a detailed appraisal of significant land within the city boundary not currently, or proposed to be, allocated for housing to assess the longer term potential of such land to provide additional housing development.
- 4.14 The Council has now carried out this assessment for sites over 1 hectare adjacent to the urban area submitted as part of the SHLAA, but found to be unsuitable for development on strategic planning grounds.
- 4.15 The 'Housing Land Review' assigns a sustainability score to each site, which allows a ranking of all those sites assessed. The Housing Land Review concludes that those sites within the Topsham Gap are likely to be the most sustainable for housing development. The sites to the west and north west are considered the least sustainable. Home Farm, referred to as 'Land North and South of Church Hill' in the assessment, is ranked 11<sup>th</sup> of the 17 sites assessed.
- 4.16 It is important to understand that this document does not indicate that any of these sites are suitable for development. The Revised 2013 SHLAA has already concluded that all these sites are unsuitable for development because they are outside the strategic locations for growth. The development of any of these sites would result in the loss of land that is considered important to the setting of the city. However, it is important that the Council can meet the strategic housing requirement and in doing this it may become necessary, in the longer term, to release additional land for development.
- 4.17 If at any stage the SHLAA concludes that more land needs to be allocated outside the strategic locations for growth, reference will be had to the 'Housing Land Review'. However, it is through the SHLAA that the development potential of the sites will be fully assessed (including an assessment of site specific factors that may affect development potential). Any such release of land would of course need to be the subject of public consultation and approval by Executive.
- 4.18 The completion of the 'Housing Land Review' means that the Council cannot be accused of failing to comply with Policy 7 of the Development Management Policy Statement. This work also means that if challenged it can be demonstrated to an Inspector that a forward looking approach has been taken that considers which areas of land around the city are most likely to be sustainable for development in the future.

### **Development Delivery Policy Statement**

- 4.19 City Development is also taking this opportunity to revise the 'Development Management Policy Statement' (and change its name to 'Development Delivery Policy Statement' to reflect City Development's primary objective to deliver good development). This document sets out what City Development is doing to deliver housing in Exeter. It gives a number of commitments to ensure development comes forward at the earliest opportunity. The policies in the 'Development Delivery Policy Statement' are central to ensuring that a five year supply is kept.

4.20 Policy statements in the 'Development Delivery Policy Statement' commit to:

- Keeping the SHLAA up-to-date and ensuring adequate land to deliver the strategic housing requirement
- Proactive engagement with land owners and developers
- Monitoring and review of infrastructure provision
- Promoting Council owned land for development where appropriate
- Fast tracking applications for housing development
- Partnership working with public, stakeholders, developers and other LPAs

4.21 Achieving these commitments means fully embracing the new principles introduced by the re-design. All staff need to understand the importance of delivering housing and need to work together as a team to ensure this is achieved. Working pro-actively to deliver housing development requires adequate resources. The proposed draft new structure aims to minimise waste work so that resources can be directed to meet this objective.

## **5 THE WAY FORWARD**

5.1 This is a significant and complex set of documents whose relationships are not always immediately apparent. This report sets the role each document has to play in ensuring the successful future development of the city. In the short term City Development will progress towards the adoption of the Development Delivery DPD and focus on overcoming the barriers to bringing forward development in the strategic allocations and delivering good development at appropriate density throughout the city. In the longer term some difficult decisions may need to be made with regard to the release of land outside the strategic areas of growth. Taking a strong evidenced based approach ensures that if and when that time comes the Council is in the best position to make the right decisions.

## **6 ADVICE SOUGHT/RECOMMENDATION**

6.1 That Planning Member Working Group agrees to the contents of the four documents to guide future development of the city and support the suggested way forward.

6.2 That Executive agrees to the publication of the Development Delivery DPD for public consultation, the adoption of the Development Delivery Policy Statement, and the use of the SHLAA and the Housing Land Review to guide the future development of the city.

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**Local Government (Access to Information) Act 1985 (as amended)**

**Background papers used in compiling this report:**

None