

High Peak Interim Housing Policy Statement



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1 Preface

This document is intended to clarify the Council's interim approach to residential applications in light of the emerging Regional Spatial Strategy for the East Midlands, in particular the Secretary of State's Proposed Changes released in July 2008. The interim period covers the interval between the current 'High Peak Saved Local Plan Policies' document and the adoption of our 'Core Strategy' (May 2011). An accompanying document entitled '5 Year Housing Land Supply' provides details of housing completions and permissions in the Borough for the period 2007/08, and estimates the supply of housing land as of 1st April 2008.

This document does not represent an alteration in policy – but it does signal a change in way that Development Plan policy is interpreted and applied in parts of High Peak.

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Executive Summary

1.1 Policy H1 was introduced in the High Peak Local Plan March 2005 as a policy to explain the general principles of housing locations but also includes a provision to reduce the potential oversupply of houses. This policy was subsequently saved in March 2008. The policy will remain in force but the way the final section relating to potential oversupply is interpreted will change.

1.2 In 2008 the East Midlands Regional Plan was published with updated and increased housing targets to 2026. This means that there is no longer an oversupply of dwellings in the High Peak Plan area and that the way policy H1 is interpreted needs to change. These regional figures of 7,700 new dwelling by 2026, replace the Derbyshire Structure Plan. It is therefore this target which will determine whether there is an oversupply of housing land in the High Peak Plan area.

1.3 The other difference is that the Regional Plan figure is not broken down into sub areas. The actual breakdown of where the new houses will go will be determined in the Core Strategy, the replacement for the Local Plan. This is due to be adopted in May 2011.

1.4 This document then goes on to explain the Council's requirements for the submission of planning applications for residential development and a guidance note explaining current criteria which the Council needs to consider when determining applications. This includes

- The suitability of the site for housing
- Ensuring the land is used effectively and efficiently
- Ensuring the development reflects the need and demand for housing
- Ensuring there is a good mix of housing
- Achieving high quality housing

2 Background

Background to Policy H1

2.1 Policy H1 was introduced in the adopted High Peak Local Plan (March 2005) and is the Local Planning Authority's principal policy for new housing in the Borough. It was consequently saved and brought forward in the High Peak Saved Local Plan Policies document (2008) and is the current policy approach to new housing up until the Core Strategy is adopted as part of the new Development Plan in 2011.

H1 - Principles of Housing Provision

Planning Permission will be given for new housing, giving priority to:

- the redevelopment of previously developed land in built up areas
- conversions and sub division of existing urban buildings

Residential development on Greenfield land (including renewals) will not be permitted except for dwellings approved under policies OC7, H2, H4 and H10.

And where an adequate supply of housing exists within a sub area to meet the Structure Plan housing provision, new residential development will only be permitted where it falls within one of the exceptional categories.

2.2 The exception categories outlined in the above policy are as follows:

- Schemes comprising at least 90% affordable housing
- Dwellings permitted by policies H7, H8 and H10
- Replacement dwellings
- Dwellings forming an integral part of comprehensive development schemes permitted under policies TC11, TC13, and EMP9
- The re-use of a listed building or significant building within a conservation area where housing is the only proven viable alternative to dereliction or demolition

2.3 The Structure Plan targets for the three sub-areas for the period 1991-2011 are shown in the table below:

Sub-Area	Derbyshire Structure Plan Target (1991-2011)
Glossopdale	2000 dwellings
Central	1400 dwellings
Buxton	2100 dwellings

Table 1

2 Background

2.4 The High Peak Local Plan (March 2005) identified that both the Glossopdale and Central sub-areas had already exceeded these targets, and therefore a policy of restraint has been active for the past three years allowing only developments that suitably meet the exception categories to be permitted.

2.5 When the Direction was issued by the Government Office for East Midlands (GOEM) to extend the lifespan of Local Plan policies, an additional letter was issued highlighting their concerns with Policy H1. However the policy was allowed to remain on the basis that any interpretation of 'oversupply' was linked to the Regional Plan (rather than the Structure Plan) and the principle of maintaining a 5 year supply of land.

Emerging Regional Spatial Strategy

2.6 The Derbyshire Structure Plan has since been superseded by the Regional Spatial Strategy (RSS) for the East Midlands. This document forms part of the Development Plan along with the emerging Local Development Framework (LDF) and provides the Regional Policy Framework for the period 2001-2026. High Peak is considered as part of the Peak Sub Region along with Derbyshire Dales and Peak District National Park.

2.7 The RSS is responsible for identifying the housing requirement for each Local Authority. In the Proposed Changes, published in July 2008, the housing requirement, as part of Policy 13, put forward for High Peak is 7,700 dwellings between the period 2001-2026. This is implemented in four phases as outlined below:

Peak, Dales & Park Housing Market Area	2001-06	2006-11	2011-16	2016-26	Total
High Peak	340 p/a ⁽¹⁾	330 p/a	310 p/a	280 p/a	7,700
Derbyshire Dales	160 p/a	170 p/a	190 p/a	220 p/a	4,800
Peak District National Park	0	0	0	0	0
Total	500 p/a	500 p/a	500 p/a	500 p/a	12,500

Table 2

1. p/a = per annum

2.8 The housing figures are a material consideration when determining planning applications. On 17 October 2008 the East Midlands Regional Assembly launched a further review of the Regional Plan, looking ahead to 2031. Housing will be a key feature of this review and revised figures may emerge from it.

2 Background

Planning Policy Statement 3: Housing

2.9 Planning Policy Statement 3 sets out the national planning policy framework for delivering the Government's housing objectives.

"A principal aim of the new PPS3 is to underpin the Government's response to the Barker Review of Housing Supply and the necessary step-change in housing delivery, through a new, more responsive approach to land supply at the local level." (PPS3, para 2)

2.10 In determining housing applications, PPS3 states in paragraph 68:

"Local Planning Authorities should take into consideration the policies set out in the Regional Spatial Strategies and Development Plan Documents, as the Development Plan, as well as other material considerations. When making planning decisions for housing developments after 1st April 2007, Local Planning Authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing Development Plans."

5 Year Housing Land Supply

2.11 As part of PPS3, Local Planning Authorities are required to assess and demonstrate the extent to which their existing development plans, in our case the 'High Peak Saved Local Plan Policies' document, fulfil the regional housing requirements. This is achieved through identifying and maintaining a rolling five-year supply of deliverable land for housing based on the RSS figures.

2.12 The 5 Year Housing Land Supply takes into consideration sites already being built, those with existing planning permission but not yet started and those sites allocated in the High Peak Saved Local Plan Policies Document, March 2008. ⁽ⁱ⁾

2.13 High Peak can demonstrate a 5 year supply for the current period (2008-2013) based on the current housing requirements (270 per annum) outlined in the adopted RSS (2005). However the forward supply of housing is starting to tail off in the Borough. If a 5 year supply is to be maintained in future years, action needs to be taken now to encourage modest housing growth.

i Further information can be found in the 5 Year Housing Land Supply 2008 document

3 Interim Approach to Residential Applications

3.1 High Peak Borough Council is currently in the early stages of developing a Core Strategy as part of the LDF, with adoption outlined in the Local Development Scheme to be 2011. The Core Strategy will provide a number of strategic policies for the development of the Borough up to the year 2026, of which a key policy will relate to the delivery of housing. However, it is desirable to clarify the approach for the period 2008-11 to assist in the release of land for development to comply with National and Regional requirements.

3.2 Policy H1 is designed to set out the main principles for housing provision in the Borough and to regulate its supply. Its restrictive elements only apply so long as there is an “oversupply” of housing in any given area. If that excessive supply changes – so does the rationale for any restraint on house building.

3.3 Policy H1 is linked to the housing targets outlined within the Derbyshire Structure Plan 1991-2011. This document has since been superseded by the RSS. PPS3 states that "Local Planning Authorities should have regard to the level of housing provision as proposed in the relevant emerging Regional Spatial Strategy" as a key consideration when determining housing applications. For this reason, policy H1 should now have regard to the RSS in place of the Structure Plan.

3.4 The requirement for High Peak as outlined earlier in this document is 7,700 dwellings over the period 2001-2026. The number of completions to date is 2,670 which means the requirement for 2008-2026 is 5,030 dwellings.

3.5 To demonstrate that the LPA is meeting the housing requirements outlined in the RSS, it is a national requirement to produce a 5 Year Housing Land Supply on an annual basis. The current 5 Year Supply for the period 2008-2013 demonstrates that the Council can meet the requirement based on current Regional Plan figures. However, it is now clear that High Peak no longer has an “over supply” of housing against strategic housing totals.

3.6 Accordingly the need to restrict housing supply through the operation of Policy H1 has now gone. This means that in Glossopdale and the Central area, a policy of housing restraint (the housing ‘moratorium’) need no longer apply. In its place the Council will operate the remaining provisions of Policy H1, combined with other relevant development plan policies – having regard also to national policy guidance. As a result the policy that currently operates in Buxton (which has never been in a position of oversupply) will now apply to the whole of the Borough.

Submitting an Application

3.7 In accordance with the requirements of the Planning Acts, the Development Plan remains the primary policy instrument. In particular Policy H1 (Principles of housing provision - restrictive aspects aside) and Policy H5 (housing in Built up areas) will be of particular importance. However to aid preparation of housing applications, a housing checklist will also be prepared. This checklist is based on the findings of the following documents:

- High Peak Saved Local Plan Policies document (March 2008)
- Peak Sub Region Housing Market Assessment
- Peak Sub Region Housing Needs Survey
- High Peak Residential Design SPD (December 2005)

3 Interim Approach to Residential Applications

- Planning Policy Statement 1: Delivering Sustainable Development
- Planning Policy Statement 3: Housing

3.8 If an application can demonstrate that it meets the criteria outlined in the Housing Justification Checklist, it will be looked upon favourably by the LPA and is likely to be considered for approval.



4 Housing Justification Checklist - Guidance Note

4.1 PPS3 states that in deciding planning applications for housing, the Local Authority should have regard to five key criteria outlined below as material considerations which may supersede the policies in existing Development Plans.

1. The suitability of a site for housing, including its environmental sustainability
2. Using land effectively and efficiently
3. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives
4. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people
5. Achieving high quality housing

4.2 The Housing Justification Checklist is based on the above criteria, and also has regard to Regional and Local guidance and evidence. Potential applicants may find it useful to refer to the following information when completing the checklist.

The suitability of a site for housing, including its environmental sustainability

4.3 PPS3 provides guidance on identifying suitable locations for housing (paragraph 36-39).

- Housing should be developed in suitable locations that offer a range of community facilities, with good access to jobs, key services and infrastructure.
- The priority for development should be previously developed land, in particular vacant and derelict sites and buildings.
- Any physical, environmental, land ownership, land-use, investment constraints or risks associated with broad locations or specific sites e.g. contamination, stability, flood risk should be taken into account

4.4 The Saved Local Plan supports this approach and details that housing sites will be assessed for suitability by considering the following criteria:

- The availability of previously developed land
- Their location and accessibility in relation to jobs, shops and services
- The capacity of transport, utility and community infrastructure
- Their ability to build sustainable communities
- The physical and environmental constraints on the land

4.5 Potential applicants should have regard for policies outlined in the Saved Local Plan Policies, in particular **H1**.

4.6 An Employment Land Review was carried out in 2008 to assess each of the current employment sites within the borough. As part of this study, it has been highlighted that certain allocations would be better suited to alternative uses. For applications that come in on these allocations under the Saved Local Plan Policy **EMP9**, the Council recognises the role that housing plays as part of mixed use developments.

4 Housing Justification Checklist - Guidance Note

4.7 The Council are currently awaiting the final version of a Strategic Housing Land Availability Assessment (SHLAA) which will identify potential housing land for development. As part of this study, the Council will obtain an Appraisal Matrix which can be used to assess the potential of sites that may come forward in the interim period but have not been covered by the SHLAA.

Using land effectively and efficiently

Effective Use

4.8 PPS3 outlines (in paragraph 40) that a key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed. The national annual target is that at least 60% of new housing should be provided on previously developed land.

4.9 When identifying previously developed land for housing development, the Local Planning Authority needs to consider sustainability issues as some sites will not necessarily be suitable for housing.

4.10 The emerging RSS shows support for the national target of 60% of new housing development being on previously developed land, and states that it should also apply at the regional level across the East Midlands (paragraph 3.1.19). In addition to using land for new housing and buildings for conversion, better use of the existing dwelling stock is encouraged to help meet housing requirements. Local Authorities are encouraged to address the under use of housing stock in a co-ordinated and rigorous manner.

4.11 The Saved Local Plan policy **H1** identifies that priority will be given to either the redevelopment of previously developed land in built up areas, or conversions and sub division of existing urban buildings. However, in the light of PPS3 advice, where greenfield land comes forward in sustainable locations within the built up area, it should be considered for development, subject to the usual detailed policy considerations.

Efficient Use

4.12 PPS3 indicates that a density of 30 dwellings per hectare (net) should be used as a national indicative minimum to guide policy development and decision-making until local density policies are in place (paragraph 47).

4.13 The emerging RSS states that much higher densities are achievable within the central areas of cities and large towns, which are well served by public transport and accessible to a wide range of services.

4.14 The Saved Local Plan Policy document takes account of the Government guidance of a minimum of 30 dwellings per hectare in the preamble to policy **H11**.

Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives

4 Housing Justification Checklist - Guidance Note

Housing Objectives

4.15 It is a principal aim of the Council to provide adequate and affordable homes for all High Peak residents. Government guidance stresses there should be a greater choice of housing that recognises the needs of all the community. It also promotes sustainable patterns of development by making better use of previously developed land and locating new housing close to existing services. It is important that all potential sources of housing supply are examined before further development of greenfield sites is contemplated.

4.16 The Council seeks to provide sufficient housing to meet the needs of the area, in line with the RSS. It is important to make adequate provision for new housing to ensure that all sections of the community have access to a decent home and to maintain the momentum of economic growth.

Wider Policy Objectives

Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people

4.17 PPS3 provides guidance on achieving a good mix of housing (paragraphs 20-35). In particular, it is noted that the mix of housing should be based upon the findings of local evidence, with specific reference being made to the Strategic Housing Market Assessment. Applicants should be aware of the findings of this document (2008) and should also take into consideration the outcomes of the Council's Housing Needs Survey (2006).

4.18 PPS3 states that developers should bring forward proposals for market housing which reflect demand and the profile of households requiring market housing, in order to sustain mixed communities. Proposals for affordable housing should reflect the size and type of affordable housing required.

Achieving High Quality Housing

4.19 PPS3 provides guidance on achieving high quality housing (paragraphs 12-19). Paragraph 16 in particular provides a list of considerations that the LPA should take into account when assessing design quality:

- Is the proposed development easily accessible and well-connected to public transport and community facilities and services?
- Is it well laid out so that all the space is used efficiently, is safe, accessible and user-friendly?
- Does it provide, or enable good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies?
- Is it well integrated and complementary to neighbouring buildings and the local area in terms of scale, density, layout and access?
- Does it facilitate the efficient use of resources, during construction and in use, and seek to adapt and reduce the impact of, and on, climate change?
- Does it take a design-led approach to the provision of car-parking space, that is well-integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly?

4 Housing Justification Checklist - Guidance Note

- Does it create or enhance a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity?
- Does it provide for the retention or re-establishment of the biodiversity within residential environments?

4.20 Applicants should also show regard for policies outlined in the High Peak Saved Local Plan Policies document, in particular **GD4, GD5, BC5, H11, H12, H15** and Appendix 2 as well as the Residential Design Supplementary Planning Document.