

## EAST RIDING OF YORKSHIRE COUNCIL

Report to: The Cabinet  
18 October 2006

Wards: All wards

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### Fourth Annual Update on the Position with the 'Managed Release of Residential Development Sites'

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Report of the Director of Corporate Policy and Strategy

#### A. Executive Summary

The report highlights that the number of dwellings completed in the East Riding in 2005 (financial year) was substantially above the housing provision requirement. This was the case in three of the four sub areas set out in the Joint Structure Plan (JSP).

The report then:

- assesses the level of provision in each sub area against the housing requirement for the initial seven years of the JSP;
- finds that the proportion of completions on previously developed land decreased slightly from 49.6% in 2004 to 43.6% in 2005;
- reviews the number of houses completed on previously developed windfall and small sites and re-assesses the allowances made for those likely to come forward in the future; and
- analyses the number of houses granted on the various 'pragmatic exceptions'.

In light of the housing supply/completion position at the end of the 2005 financial year, the report then considers whether the prevailing approach to the managed release of residential development sites, as set out in the Council's adopted Interim Policy Guidance, should be revised.

The report suggests the release of further greenfield sites in the Western Joint Structure Plan sub area. Three sites in Goole are identified for release.

#### B. Shared Priorities

A Well Managed Authority.  
Safer and Stronger Communities.  
Sustainable Communities and Transport.

#### C. Portfolio

Strategy, Policy and Partnerships.

## **D. Recommendation and Reason for Recommendation**

It is recommended that:

- (a) with the exception of recommendation (b), the prevailing approach to the release of residential development sites as set out in the Council's adopted Interim Policy Guidance (IPG) on the 'The Managed Release of Residential Development Sites' October 2003 be reaffirmed;
- (b) Local Plan allocations S16E, S16F and S16G in Goole be released as the most sequentially preferable sites to meet the strategic housing supply requirement in the Western Joint Structure Plan sub-area;
- (c) the release of sites S16F and S16G under (b) above is subject to the completion of a site specific Flood Risk Assessment completed within 6 months of the date of this report that shows the risk of flooding can be managed satisfactorily over the lifetime of the development. This should be undertaken at the owner's expense. If this cannot be shown for site S16F, or if a report is not completed for site S16F by that date, then site S16B should be released instead;
- (d) the release of greenfield sites under the 'pragmatic exceptions' categories continue to be kept under close scrutiny and only those applications that fully comply with the exception definition and the Development Plan should be approved; and
- (e) a further monitoring report be submitted to The Cabinet on the housing supply/completion position at the end of the 2006 financial year on whether the prevailing approach to the managed release of residential development sites should be revised.

### **1. Background**

- 1.1 The Full Council adopted Interim Policy Guidance (IPG) on the 'The Managed Release of Residential Development Sites' on 15 October 2003 (min 1032). This included an approach on how all planning applications for residential development will be treated.
- 1.2 The approval was given subject to an annual monitoring report being submitted to The Cabinet on the housing supply/completion position. This was to allow consideration of whether the prevailing approach to the release of sites should be revised.
- 1.3 The Cabinet has considered three previous annual monitoring reports. The first was on 9 December 2003 that reviewed the position at mid-2003 (min 1717). The second was on 21 July 2004 that reviewed the position at 1 April 2004 (min 1978). In each of these first two reports the approach set out in the IPG was reaffirmed.
- 1.4 The third report on 14 July 2005 recommended that major greenfield sites with the approximate capacity of 365 dwellings be released in the Western Joint Structure Plan (JSP) sub area (min 2340). This was a response to the calculated supply/requirement position in that sub-area which indicated that there was approximately 2.5 years supply.

- 1.5 Subsequently, a report was taken to the Cabinet meeting on 13 December 2005 which finalised a ‘sequential approach’ for selecting which greenfield sites should be released in the Western sub-area (min 2491). The Cabinet agreed that the following six greenfield sites should be released for residential development:

<b>Goole</b>	<b>Ref</b>	<b>Approx. Capacity</b>
Land South of Carr Lane	S16C	83
Land South of Maple Walk	S16H	55
Land North of Oak Avenue	S16K	196
<b>Howden</b>		
Land South of 17-21 Hull Road	S22F	22
Land at Gas House Lane	S22G	15
Land East of 67-69 Hailgate	RC10	33
		<b>404<sup>1</sup></b>

- 1.6 This report reviews the approach again in the light of the number of house completions in 2005 (financial year), the housing supply position at 1 April 2006 and the strategic housing requirement set out in the Joint Structure Plan (JSP). It then considers whether the current approach to ‘Managed Release’ should be revised.

## 2. House completions

### *Numbers completed*

- 2.1 The table below sets out the number of house completions there has been in each of the four JSP sub areas in the 2005 financial year (ie 1 April 2005 to 31 March 2006). These numbers are compared with the housing provision requirement in the JSP. A map of the sub areas is attached at Appendix A.

*Table 1: Housing Completion Numbers 2005*

<b>JSP sub-area</b>	<b>Number of houses completed 2005/06</b>	<b>JSP housing requirement</b>	<b>Completions as a % of the requirement</b>
Northern	338	200	169
Central	580	450	129
Eastern	259	200	130
Western	195	250	78
Total	1372	1100	125

<sup>1</sup> The sites released actually provide a total of 404 dwellings rather than the 365 dwellings recommended.

- 2.2 The table shows that in the East Riding there was an overall 25% over-provision in the housing numbers compared with that planned. This involved over-provisions of 69%, 29% and 30% in the Northern, Central and Eastern JSP sub-areas respectively. However, there was an under-provision in the Western JSP sub-area amounting to a shortfall of some 55 houses.
- 2.3 The completion figures are compiled from the final certificates submitted by this Council, the National Home Builders Council and other inspectors. The completion date is taken as the date of the final inspection, as set out on the certificate. The East Riding Home Builders Group was invited to conduct their own survey (of houses completed with the roof in place) and a number of agreements have been reached in particular circumstances to verify the number of completions.
- 2.4 The 2005 figures are compared with those for previous years in Table 2 below. The earlier years' figures differ from those published in Appendix 7 of the IPG as they have been adjusted to full financial year figures (from mid-year figures). The completion figures in the City of Hull and the overall JSP requirement have also been included.

*Table 2: Annual housing completions 1998/99 to 2005/06 by Joint Structure Plan Sub-Area*

<b>Year</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
Northern	400	321	460	495	505	399	441	338
Central	996	690	546	628	637	888	501	580
Eastern	273	165	287	307	185	354	296	259
Western	122	59	82	136	215	275	249	195
Totals	1791	1235	1375	1566	1542	1916	1487	1372
Total ER JSP requirement	1200	1200	1200	1200	1200	1200	1150	1100

Hull	603	545	550	743	660	553	352	615
Total JSP completions	2394	1780	1925	2309	2202	2469	1839	1987
Total JSP requirement	2050	2050	2050	2050	2050	2050	2050	2050

- 2.5 It is interesting to note that house completions for 2005 decreased in three of the four sub areas in comparison to the previous year. Nevertheless, the table shows that the total number of completions has been substantially above the total JSP housing requirement figure in each of the eight years except 1999.
- 2.6 The number of completions within the city boundary has dramatically increased since last year, from 352 to 615 dwellings. However, completions in Hull are still short of the 950 dwellings requirement set out in the JSP. The overall housing completion rate for the whole of the JSP area is almost on target for 2005.
- 2.7 Government guidance advises that local planning authorities should manage the land supply to meet the annual average strategic housing requirement each year. While there may be a

variation in the level of delivery from year to year, it is important that the overall levels set for the plan period are being met. Table 3 below gives the total number of houses that have been completed in each of the four JSP sub areas between 1998 and 2005 compared with the total strategic housing requirement.

*Table 3: Housing completion numbers between 1998 and 2005*

JSP sub area	Total number of houses completed 1998 - 2005	Strategic housing requirement in JSP for 1998 - 2005	Over (+)/ Under(-) Provision	
			(no.)	%
Northern	3,359	2,250	+1,109	+49
Central	5,466	4,250	+1,216	+29
Eastern	2,126	1,600	+526	+33
Western	1,333	1,350	-17	-1%
Total ER	12,284	9,450	+2,834	+30
Total JSP area	16,905	16,400	+505	+3

2.8 This table illustrates that the total provision over the last eight years in the Western JSP sub area has been almost that planned for, with an under-provision of only 17 houses (-1%). However there has been a considerable over-provision in each of the other three JSP sub areas involving: 526 houses (33%) in the Eastern JSP sub area, 1,109 houses (49%) in the Northern JSP sub area and 1,216 houses (29%) in the Central JSP sub area.

2.9 Policy H1 of the Joint Structure Plan requires a review to be undertaken in 2006 to assess the need for any adjustments, which may be necessary where there is a 'shortfall' in actual completions in Hull from the level of provision set out in Regional Planning Guidance 12 (now RSS). Furthermore, it states,

*“A shortfall will arise if, in the period from 1998 to 2006, the actual completions in the Hull administrative area, when added to the JSP level of provision for the East Riding, fall short of the aggregate of the RPG average annual provision for the whole of the JSP area during that period.”*

The JSP continues to state that the identified shortfall will be added to the level of provision allocated to the Central sub-area for the remainder of the plan period.

2.10 The implications of this policy are currently being assessed within the context of the latest completion figures and in due course it may be necessary to identify (through the process of preparing the Housing DPD) additional land for housing to meet any identified shortfall. However, the rationale of the JSP, and the implementation of this particular policy, will be tested by the ongoing Regional Spatial Strategy's Examination in Public. A response will be provided in light of the outcome of this process.

#### ***% of completions on previously-developed land***

2.11 One of the key objectives of managing the release of residential sites is to maximise the proportion of dwellings built on 'recycled' land. Analysis of the housing completions in 2005 shows that 43.6% were on previously developed land. This is a slight decrease compared with that recorded last year, as shown in Table 4. Although Policy H2 of the Joint Structure Plan sets a target that 'at least 30% of new dwellings in the East Riding should be on previously developed land and buildings', Government advice in PPG3 makes it clear that it is committed to maximising the use of previously developed sources. Hence, whilst this recycling level above

the JSP target should be welcomed, it should not lead to a diminution in the commitment to increase it further, providing, that this does not conflict with other material considerations (e.g. the need to prevent development in unsustainable locations or to maintain an appropriate supply of employment land).

*Table 4: Proportion of houses completed on previously developed land, 2001 to 2005*

	2001	2002	2003	2004	2005
Proportion of completions on previously developed land (%)	20.1	18.3	32.0	49.6	43.6

### ***Previously-developed windfall sites***

- 2.12 An analysis has been made of the numbers of dwellings granted permission on previously developed windfall<sup>2</sup> sites in 2001 to 2005. These are set out in Table 5 below. They give an updated basis to that used in the original IPG for estimating the number of dwellings that may be granted consent on such sites in addition to those already identified in the 2006 Housing Land Position Statement (HLPS). By restricting the calculation to previously developed sites only, it ignores any consents granted on the ‘pragmatic exception’ sites (dealt with separately in paragraph 2.17 below).

*Table 5: Dwellings granted on previously-developed windfall sites 2001 to 2005*

Sub area	2003 IPG allowance (pa)	2001	2002	2003	2004	2005	Totals	Average
Northern	25	38	192	196	182	247	855	171
Central	50	120	176	297	127	356	1076	215
Eastern	30	49	88	119	243	225	724	145
Western	15	51	44	79	96	138	408	82
Total	120	258	500	691	648	966	3063	613

- 2.13 The table shows that the total number of dwellings granted on these previously developed windfall sites in each of the JSP sub areas has been significantly higher than that allowed for in the adopted IPG in all five years. The average of the total granted each year (613) is over 5 times that allowed for in the IPG (120).
- 2.14 It is clear that the emphasis on the re-development of previously developed land introduced by PPG3 has been a major influence in this significant increase as has the Council’s IPG. Government advice in ‘Planning to Deliver’<sup>3</sup> recognises that windfall sites make an important contribution to housing supply and that their impact should not be under-estimated.
- 2.15 Last year’s update provided an assessment of the proportion of dwellings completed on previously developed windfall sites over a four year period from the determination of the application. For 2001, 91% of the dwellings that were approved were completed by March

<sup>2</sup> Those sites not allocated in the Local Plan but involve 0.25 hectares or more or involve 5 dwellings or more

<sup>3</sup> Planning to Deliver – The Managed Release of Housing Sites, DETR, July 2001.

2005. Using 2005 as the baseline this figure steadily decreases so that for 2002 applications, only 60% of approved dwellings were complete by March 2005. For the 2003, the figure was just 37%.

- 2.16 The report proposed that the allowance for those dwellings that will come forward on previously developed windfall sites, be based on 70% of the average annual number of houses that have been granted in the JSP sub areas in the previous five years. A three-year allowance (for 2006, 2007 and 2008) of that figure would then be taken in expectation that few of those sites granted consent in 2009 and 2010 will have been completed by 31 March 2011. This calculation would therefore result in figures for each of the sub areas of: 360 for the Northern sub area; 450 for Central; 300 for Eastern and 170 for Western<sup>4</sup>.
- 2.17 An analysis of the completions on previously developed small<sup>5</sup> sites in 2001 to 2005 is set out in Table 6 below. It gives an updated basis to that used in the original IPG for estimating the completions that may be achieved on such sites. These would be completions in addition to those already identified in the HLPS or that may arise as windfall sites. By restricting the calculation to previously developed sites only, it eliminates any distortion in the calculations from completions on greenfield sites through ‘old’<sup>6</sup> consents and any ‘pragmatic exceptions’.

*Table 6: Annual dwelling completions on previously-developed small sites 2001 to 2005*

	<i>Amended IPG allowance (pa)<sup>7</sup></i>	2001	2002	2003	2004	2005	Totals	Average
Northern	40	27	41	40	52	62	222	44
Central	40	28	25	33	70	49	205	41
Eastern	45	41	55	40	45	20	201	40
Western	20	21	21	10	28	35	115	23
Total	145	117	142	123	195	166	743	149

- 2.18 The overall number of completions on previously developed small sites in 2005 was in line with the amended IPG allowance (149 compared with 145 respectively). However, last year saw an under provision by more than half in the Eastern sub-area (20 completions compared with an allowance 45), and an over provision in the Western sub-area (35 completions compared with an allowance 20). Nevertheless, the allowance appears to be a reasonable assessment based on the averages over the last five years.

### ***Pragmatic exceptions***

<sup>4</sup> For example this involves 82 average per annum (see table 5) x 70% x 3 years.

<sup>5</sup> Those sites not identified in the Housing Land Position Statement that involve less than 0.25 hectares or 5 dwellings.

<sup>6</sup> Consents granted prior to the introduction of the restrictions on the release of greenfield sites.

<sup>7</sup> The small sites allowance figure was amended as part of last year’s report to Committee.

2.19 Members will recall that as part of the Managed Release approach there are a number of ‘pragmatic exceptions’ to a complete moratorium on greenfield development. The number of applications and dwellings that have been approved under each exception in 2005 are set out in Table 7 below, alongside those granted in 2003 (which was the first year of such exceptions) and 2004.

*Table 7: Pragmatic exceptions approved in 2005 (compared with 2003 and 2004)*

Pragmatic exception type (IPG para 55)	2005		2004		2003	
	No. of Apps	No. of Dwellings	No. of Apps	No. of Dwellings	No. of Apps	No. of Dwellings
A) Completion of largely developed sites	7	26	7	54	12	40
B) Wholly affordable housing	0	0	0	0	0	0
C) Housing for special housing needs	0	0	0	0	0	0
D) Infilling	8	15	16	31	15	21
E) Essential to mixed use development	0	0	0	0	0	0
F) Re-use and adaptation of rural buildings	8	13	9	10	12	20
G) Redevelopment of agricultural buildings	5	35	11	117	3	31
<b>TOTALS</b>	<b>28</b>	<b>89</b>	<b>43</b>	<b>212</b>	<b>42</b>	<b>112</b>

2.20 This table shows a reduction in the number of applications approved as pragmatic exceptions and, more significantly, a reduction in the number of dwellings approved compared to the previous year. The figure of 89 dwellings represents 8% of the total housing provision requirement for 2005.

2.21 No applications were approved for categories B, C or E in any of the last three years. The most significant exception types involve the re-development of agricultural buildings (Type G - 35 dwellings approved in 2005). Exception types A, D, and F involve applications for relatively small numbers of dwellings.

### 3. Housing Supply

3.1 The housing supply position in each of the four JSP sub areas at 1 April 2006 is derived from the housing land information <sup>8</sup>. Schedules of the sites have been placed in Group offices <sup>9</sup>. The final four columns in each schedule show the:

- number of houses on sites with planning permission where development had commenced;

<sup>8</sup> This information forms the basis of the Housing Land Position Statement that is published annually following discussion with representatives of the house building industry.

<sup>9</sup> Schedules of the sites involved are available on request from Asset Strategy.

- number of houses on sites with planning permission where development had not yet commenced;
- area (hectares) of previously developed land that would be identified in the 2006 Housing Land Position Statement that did not have planning consent; and
- area (hectares) of greenfield land that would be identified in the 2006 Housing Land Position Statement that did not have planning consent.

3.2 The number of houses that could be expected to come forward on the sites in the first three categories (i.e. excluding the greenfield sites) is then combined with those that can be expected to be developed on additional ‘windfall’ and small previously developed sites to give the total supply.

3.3 In addition, last year’s review led to the release of major greenfield sites with the approximate capacity of 404 dwellings in the Western Joint Structure Plan sub area (see paragraphs 1.3-1.6 of this report). Since that recommendation, a number of applications have been submitted for the released sites. The following table provides an update of the latest situation regarding the released sites:

*Table 8: Status of Released Sites as of August 2006*

<b><i>Goole</i></b>		
Land South of Carr Lane	S16C	Application approved for 84 dwellings on 10/07/06
Land South of Maple Walk	S16H	Application for 54 dwellings pending consideration
Land North of Oak Avenue	S16K	Outline application approved for 65 (14/03/06) & 3 dwellings (replacement application of the 3 dwellings for 9 pending consideration) – these only cover part of the overall allocation
<b><i>Howden</i></b>		
Land South of 17-21 Hull Road	S22F	Pre-application enquiry for residential development.
Land at Gas House Lane	S22G	No interest so far
Land East of 67-69 Hailgate	RC10	Outline application pending – dwelling numbers not known at this time.

3.4 It is evident that significant progress is being made on these sites and it is anticipated that they will be developed in the next five years. Their capacity has therefore been added to table 9 below.

3.5 Table 9 below shows the housing supply position in each of the JSP sub areas for a 5-year period 2006 to 2010 (1 April 2006 to 31 March 2011). It is based on Table A in the adopted IPG.

*Table 9: Housing supply position within Joint Structure Plan Sub Areas from April 2005*

<b>Sub area</b>	<b>Northern</b>	<b>Central</b>	<b>Eastern</b>	<b>Western</b>	<b>Totals</b>
Sites with consent and started	340	1,204	645	154	2343
Sites with consent but not started (70% of total capacity)	292	453	516	232	1492
Brownfield land in HLPS without consent (50% of total capacity)	65	83	38	56	241
Brownfield windfall sites allowance <sup>10</sup>	360	450	300	170	1280
Brownfield small sites allowance <sup>11</sup>	200	200	225	100	725
Greenfield site released previously	0	0	0	336*	404
<b>Total April 2006 supply</b>	<b>1,257</b>	<b>2,390</b>	<b>1,724</b>	<b>1,048</b>	<b>6,487</b>
<i>Total April 2005 supply</i>	<i>1,198</i>	<i>2,380</i>	<i>1,585</i>	<i>627</i>	<i>5,790</i>

\*68 dwellings (or at least 70% of) for S16K have already been counted in the row headed, 'Sites with consent but not started (70% of total capacity)' (404 – 68 = 336).

3.6 This Table shows that despite a further year's completions the total supply has in fact increased in all the sub areas (intentionally with respect to the Western JSP sub area). This, like the last two years, is primarily a result of two factors. Firstly, previously developed windfall sites coming forward at very high levels. Secondly, sites with consent being started and so their full capacity can now be counted instead of an allowance of only 70%. This is particularly the case in the Eastern sub area. These factors are undoubtedly a direct result of the restrictions being applied to greenfield sites through the IPG.

3.7 Table 10 below gives the total supply compared with the total housing numbers expected to be provided in the five years 2006 to 2010 in the JSP (this represents an updated version of Table B in the adopted IPG). The table also shows the number of years provision that that housing supply would represent (and compares it with that of last year).

*Table 10: Housing provision and supply position for the JSP sub areas*

<sup>10</sup> See paragraph 2.14 for the basis of the calculation (Average completions on PDL windfall sites x 70% x 3 years).

<sup>11</sup> See table 6 for the basis of the calculation.

<b>Sub area</b>	<b>Northern</b>	<b>Central</b>	<b>Eastern</b>	<b>Western</b>
Joint Structure Plan housing provision figure to 2006-10	1,000	2,000	1,000	1,250
Total supply at April 2006	1,257	2,390	1,724	1,048
Number of years supply at April 2006	6.3	6.0	8.6	4.2
<i>Years supply at April 2005</i>	<i>6.0</i>	<i>5.8</i>	<i>7.9</i>	<i>2.5</i>

3.8 The table highlights that the number of years supply has increased in all the JSP sub areas (to 6.3 years for Northern, 6.0 for Central, 8.6 for Eastern and 4.2 for Western) in comparison with the strategic housing requirements set out in the JSP.

#### 4. Discussion

4.1 Government advice states that as part of the 'Plan, Monitor and Manage' approach introduced by PPG3, local planning authorities should: “control the pattern and speed of urban growth, ... and deliver the local authority's recycling target”. This is set out in the Council’s IPG as one of its key objectives. Each of these three aspects is discussed below in the light of the house completion and supply position set out in sections 2 and 3 above.

##### *Pattern of urban growth*

4.2 The Regional Spatial Strategy and the Council’s recently adopted Joint Structure Plan set out the locational principles and strategy for development in the East Riding. Together they:

- establish the four functional sub areas and their respective priorities, and
- identify those settlements that are to be the focus of most development.

4.3 The JSP sets out the following approach for housing provision in each of the four sub areas (see Plan at Appendix A):

- a **Northern** sub area that is largely rural based on the Vale of York and parts of the Yorkshire Wolds where there will be a reduced level of development to achieve a slower rate of growth;
- a **Central** sub area that surrounds, and is heavily influenced by, the City of Hull where development will be focused on the City to support urban regeneration initiatives there;
- an **Eastern** sub area including the whole of the coastal strip from Flamborough Head to Spurn Point where development will be maintained to support regeneration and market renewal in the absence of any likely significant employment growth; and
- a **Western** sub area based on the port of Goole and surrounding towns where there will be increased development in response to the strategic economic and regeneration focus on the area.

- 4.4 The JSP has introduced a fundamental change to the existing settlement hierarchy from the previous Humberside Structure Plan by seeking to focus development on a limited number of settlements that are identified in JSP policies DS1 to DS3.
- Cottingham, Anlaby/Willerby/Kirkella and Hessle are identified, together with the City of Hull, as the ‘Sub-Regional Urban Area’ (DS1);
  - Beverley, Bridlington and Goole are identified as Principal Towns (DS2); and
  - Driffield, Elloughton/Brough, Hedon, Hornsea, Howden, Market Weighton, Pocklington, Snaith and Withernsea are identified as Towns (DS3).
- 4.5 The Forward Planning team is preparing to publish the Council’s preferred options ‘Smaller Settlements’ Development Plan Document (DPD) for public consultation. This proposes to designate a number of ‘market villages’ where limited development will be allowed where it is demonstrated that this meets local needs. Elsewhere, only proposals for affordable housing will be allowed under policy DS5 of the JSP.
- 4.6 As mentioned in 4.4, this pattern of development marks a fundamental change from the previous dispersed pattern of development encouraged by the former Humberside Structure Plan. A substantial number of houses that benefit from extant consents granted under the previous approach will continue to be completed outside the DS1-DS3 settlements. However, it is important that this concentrated pattern of development is implemented through the determination of planning applications, Local Development Framework (LDF) documents and any method for the release of sites, such as this report.

### ***Speed of urban growth***

- 4.7 PPG3 states that local planning authorities “*should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes. In doing so they do not need to consider all the land in their area: they should not extend the search further than required to provide sufficient capacity to meet the agreed housing requirement*”. This was confirmed in the Kitchen Lane appeal decision of January 2004 that concluded the release of the greenfield site relatively close to the centre of Beverley “*would not accord with national and regional guidance and the thrust of emerging local policy and that there is no necessity for its release at this time*”. The Government Office has also made it clear that it does not wish to see greenfield releases in areas where take up has been at a higher rate than envisaged as this would prejudice the strategy in RPG and the JSP.
- 4.8 Table 3 shows that development rates over the first seven years of the JSP have been significantly above the strategic housing requirement in three of the four East Riding JSP sub areas. Only in the Western sub area have completions been close to the requirement (-1%). The over provision has been substantial in each of the others with 29% in the Central sub area, 33% in the Eastern and 49% in the Northern.
- 4.9 If this level of over supply continues then there is a significant risk that the RSS/JSP strategy (see paragraphs 4.2 to 4.5 above) will be prejudiced. Over-provision of new housing can have a particular adverse impact on demand for the existing housing stock (a key factor in the aspirations for the regeneration of the City of Hull<sup>12</sup> and the East Riding towns such as Bridlington, Goole and Withernsea) and on creating unnecessary car journeys if housing is supplied in the wrong locations.

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<sup>12</sup> Being addressed through a number of initiatives, notably the Gateway Housing Market Renewal Pathfinder

- 4.10 A judgement therefore needs to be made on whether the total existing supply, including the rate that consents will come forward on unidentified sites, is sufficient to result in the annual housing provision requirements in the JSP being met. If so, then no further greenfield sites need be released.
- 4.11 The number of consents being granted on unidentified previously developed windfall and small sites (Tables 5 and 6) will assist in achieving the housing provision requirement and realistic account needs to be taken of the likely levels of the rate that non-allocated consents/completions are occurring. This is important as the level of previously developed windfall and small sites in recent years has been significant. Adjustments were therefore made last year to those allowances for each of the sub areas in comparison to those originally set out in the IPG.
- 4.12 The number of dwellings granted on windfall sites (966) and completed on small sites (166) in 2005 represents 103% of the housing provision requirement (of 1,100). If the number granted on the pragmatic exceptions (89, Table 7) is also added, then the total of consents granted on non-allocated sites in 2005 represented 111% of the requirement for that year. Whilst there might not be any objection to these sites individually against the Council's present approach under the IPG, it must remain a concern that if each year's completions is being consumed by consents on non-allocated sites then the sizeable existing 'pool' of consents will not be reduced. This substantially reduces the Council's ability to control the speed of urban growth.
- 4.13 The level of supply in the **Northern, Central and Eastern** sub areas at 1 April 2006 all remain substantial with 6.3, 6.0 and 8.6 years respectively. Indeed, the total supply in all the sub areas has increased from the previous year despite a further year's completions (see Table 9). In addition, provision in the Northern, Central and Eastern sub areas over the first 8 years of the JSP period has been significantly above the requirement, with a 49%, 29% and 33% over-provision respectively (see Table 3).
- 4.14 It is therefore proposed that no change be made to the present approach on the release of major greenfield sites in the Northern, Central and Eastern sub areas.
- 4.15 The need to release greenfield sites in the **Western** sub area was demonstrated in last year's annual update report. Although the six sites were only released in December 2005, table 8 illustrates a high degree of interest and it is anticipated that they will be developed within the next five years.
- 4.16 This provides the sub area with an estimated supply of 4.2 years in comparison with the strategic housing requirements set out in the JSP. The consultation draft of Planning Policy Statement 3: Housing (PPS3) sets out how local authorities should manage the delivery and development of residential sites. Although it is a draft version, it is anticipated a final version will be published in late 2006 with much of the general content remaining the same as drafted.
- 4.17 Paragraph 13 of PPS3 states that, "*Site allocation development plan documents should always include at least five years supply of land for development from the date they are adopted. The five year supply should be allocated land that is deliverable, taking account of a windfall allowance where this is appropriate.*" Annual monitoring reports and reviews, similar to this, should inform the decision on whether or not to release land for residential development.

4.18 The Western sub area does not have a calculated supply of 5 years and the figure of 4.2 years translates as a shortfall of around 200 dwellings (1,250 required provision minus 1,048 dwellings supply). Therefore, it is recommended that additional major greenfield sites with the approximate capacity of 200 dwellings be released in the Western Joint Structure Plan sub area.

#### ***Release of Sites in the Western sub area***

4.19 Following last year's annual update when it was agreed by Cabinet to release a number of sites, a further report was submitted in December 2005 (see paragraph 1.5) detailing a 'sequential approach' methodology.

4.20 The sequential approach used a number of factors to determine the most appropriate sites to release for development. These factors included:

- Joint Structure Plan development strategy
- Infill or extension sites
- Site availability
- Ability to build communities
- Relationship to services and facilities

4.21 It is appropriate to use this sequential approach again to identify those sites to be released from the remaining undeveloped greenfield sites to improve the supply in the Western sub area.

4.22 The most sustainable locations for residential development in the Western sub area under the JSP development strategy are Goole, in the first instance, followed by Snaith and Howden. As there are no undeveloped greenfield sites remaining in Snaith, it can be discounted.

4.23 The sequential approach for this sub area set out in JSP policy H3 indicates that suitable infill sites in settlements should be developed before extensions to Goole, and that both these should be developed before extensions to Howden. Only one allocated greenfield site remains undeveloped in Howden and this is clearly an extension site (S22A). Therefore, as Goole has both undeveloped infill and extension sites, these should be the priority for development.

4.24 At 1 April 2006 there were five 'unreleased', allocated greenfield sites in Goole, of which three are infill sites (S16E, S16F, S16G) and two are extensions (S16B and S16D). These sites are illustrated in Appendix B. The approximate capacities of the five sites are 147, 131, 40, 100 and 58 houses respectively. The two extension sites can be discounted at this stage in line with the requirements of the sequential approach.

4.25 The three infill sites are now believed to be available. S16E already has an outline planning application held in abeyance following the adoption of the Managed Release IPG. S16G is surplus education land and the Council has indicated a willingness to develop this site. Part of S16F is also owned by the Council, and there are believed to be two other owners. One of these owners has contacted the Council recently wishing to pursue residential development.

4.26 None of the sites are within an environmental designation, though they are all within an area identified by the Environment Agency (EA) at risk from flooding. A more sophisticated flood risk analysis is being conducted by consultants for the Council. They have identified a number of areas within the East Riding that are at greatest risk of flooding. Sites S16G and S16F are located within one of those areas of potentially greatest risk and current guidance from the

Environment Agency stresses that these sites would be the least preferred from the flood risk perspective.

- 4.27 Allocation S16E is not within one of those areas of greatest risk of flooding. The estimated capacity of this site, taking into account open space requirements, is approximately 147 dwellings. If this is added to the calculated supply in Table 10, then the Western sub area can be reviewed as having an estimated supply of housing for approximately 4.8 years (1048+147).
- 4.28 This provides a shortfall of around 50 dwellings against the requirements of PPS3 (at least a five year supply). It is therefore necessary to re-examine the other four sites already mentioned. The main issue here is the relative strength of each part of the sequential approach. The release of either 'extension site' (S16B or S16D) before the infill sites (S16F or S16G) would be contrary to the approach in PPG3 and the JSP (policy H3). However, to release either S16F or S16G would involve releasing a site identified as the least preferred by the Environment Agency.
- 4.29 However, discussions with the Environment Agency have indicated that they would not object to the development of S16F or S16G if a detailed, site specific Flood Risk Assessment completed to their satisfaction found that the risk of flooding could be managed satisfactorily over the lifetime of the development. This should be undertaken at the owner's expense.
- 4.30 A further consideration with the development of site S16G is that the Local Plan policy requires "access will need to be via site S16F and not via Millhouse Lane". However, the supporting justification does not clarify the reasoning for this requirement. It is thought its purpose may have been to prevent an access being made to Fountayne Street (where it would cause conflict with the primary school entrance) or to protect the pedestrian/cycle users of Millhouse Lane from conflict with vehicles. Nevertheless, preliminary highway studies have shown that vehicular access to sites S16F and S16G can be gained from Wentworth Drive satisfactorily and without causing undue disruption to the pedestrian/cycle use of Millhouse Lane.
- 4.31 It is therefore proposed that sites S16F and S16G should be released provided that it can be shown by site specific Flood Risk Assessments completed within 6 months of the date of this report that the risk of flooding can be managed satisfactorily over the lifetime of the development. If this cannot be shown, or if the report is not completed for site S16F by that date (site S16G alone not being sufficient to increase the supply to 5 years), then site S16B should be released instead.

### ***Recycling target***

- 4.32 The proportion of housing completions achieved on previously developed land (sometimes referred to as 'recycled' or brownfield' land) in 2005 has decreased slightly compared to last year. However, the achieved figure of 43.6% remains substantially above the target set out in the JSP (30%) and is above the draft Regional Spatial Strategy (RSS) target of 40%.
- 4.33 The recommendation not to release any further greenfield development sites in three of the four JSP sub areas and the continuation of the prevailing approach within the IPG will aid the Council's ability to meet and surpass these targets.

### ***Greenfield 'pragmatic exceptions'***

- 4.34 In view of the Government Office advice on not risking the RSS/JSP strategy and the substantial over-provision of new dwellings in 2003, it was agreed that the number of dwellings granted on the 'pragmatic exception' sites should be "kept under close scrutiny in future and that only those applications that fully comply with the exception definition and are in sustainable locations for the scale of the development proposed should be approved". Despite this close scrutiny, almost twice the number of dwellings was granted on these 'exception' sites in 2004 as in 2003. However, in 2005 the number of dwellings granted (89) returned to around the 2003 level (112).
- 4.35 Table 7 shows that no dwellings were approved in 2005, as in the previous years, for wholly affordable housing (IPG para. 55B), for specialist housing needs (IPG para. 55C) or for housing essential to the viability of mixed use developments (IPG para. 55E), yet they remain potentially necessary exceptions to the restrictions to secure other important objectives and should therefore be retained.
- 4.36 IPG paragraph 55A allows for the completion of the remaining portions of allocated sites or sites with lapsed planning consent that are largely complete and where it would be beneficial to the character and/or amenity of the area if the development was completed. When this exception was included it was intended that it would be used to allow small numbers of dwellings to complete a site that was almost finished. Whilst 5 of the applications approved involved a total of 7 dwellings, 2 applications (both in Driffield) involved 10 and 9 dwellings each.
- 4.37 IPG paragraph 55D allows for infilling within development limits. 31 dwellings were approved on such plots in 2004 on 16 sites (an average of 2 dwellings per site). Similarly, IPG paragraph 55F allows for the re-use of agricultural buildings within or contiguous with development limits and 10 dwellings were granted in 2004 on 9 small sites.
- 4.38 35 dwellings were approved on just 5 sites involving the redevelopment of agricultural buildings (IPG para 55G). The most significant scheme, in terms of the number of dwellings, was in Preston (18). A reserved matters application, for 9 dwellings in Anlaby, was also approved and the remaining other 3 sites accounted for the residual 8 dwellings.
- 4.39 In 2004, the number of pragmatic exceptions was of concern as they accounted for 18% of the East Riding's housing requirement for that year. However, this year that proportion has dropped to 8%.
- 4.40 The decrease in the number of pragmatic exceptions is likely to be attributed to the implementation of the Joint Structure Plan that was adopted in June 2005. As stressed in previous paragraphs, this promotes a much stricter approach to the location of development. This is the first year that the JSP has been given full weight as part of the Development Plan for the East Riding and this has contributed to the reduction in the number of pragmatic exceptions granted this year.

4.41 It is therefore proposed that no changes be made to the categories of ‘pragmatic exceptions’. However, they should be kept under continued close scrutiny and only those applications that fully comply with the exception definition and the Development Plan should be approved.

## **5. Conclusion**

5.1 The number of completions in the Northern, Eastern and Central sub areas once again exceeded the JSP housing provision requirement for 2005. Only in the Western sub area did the number of actual completions fall short of the requirement. In total, there was a 25% over provision for the East Riding.

5.2 In addition, despite a further year’s completions, the total available supply is still substantial in the Northern, Eastern and Central sub areas. Despite the release of greenfield sites last year in the Western sub area, the supply of housing land has not increased to an appropriate level according to the latest Government guidance in draft PPS3.

5.3 It is therefore concluded that additional greenfield land release at this stage in the Northern, Eastern and Central JSP sub areas will risk exacerbating the prevailing substantial level of over-provision of house completions in the East Riding. This would be contrary to national advice and will prejudice the strategy in the RSS and the JSP.

5.4 However, the supply in the Western JSP sub area is only 4.2 years despite the releases last year and the latest Government guidance is indicating that at least a five year supply should be maintained. It is therefore proposed that, in accordance with the mechanism for the release of sites agreed previously, sites S16 E, S16F and S16G be released. However, the release of sites S16F and S16G is subject to the completion of satisfactory detailed Flood Risk Assessments within 6 months. If such an Assessment is not completed for site S16F by that date, then site S16B should be released instead.

5.5 The use of the pragmatic exceptions as part of the Managed Release IPG remains an essential element of the Council’s ‘plan, monitor, manage’ approach. It is proposed that no changes be made to the categories of ‘pragmatic exceptions’ at this time, but that they should continue to be kept under close scrutiny and only those applications that fully comply with the exception definition and the Development Plan should be approved.

## **6. Recommendation and Reasons for Recommendation**

It is recommended that:

- (a) with the exception of recommendation (b), the prevailing approach to the release of residential development sites as set out in the Council’s adopted Interim Policy Guidance (IPG) on the ‘The Managed Release of Residential Development Sites’, October 2003 be reaffirmed;

- (b) Local Plan allocations S16E, S16F and S16G in Goole be released as the most sequentially preferable sites to meet the strategic housing supply requirement in the Western Joint Structure Plan sub –area;
- (c) the release of sites S16F and S16G under (b) above is subject to the completion of a site specific Flood Risk Assessment completed within 6 months of the date of this report that shows the risk of flooding can be managed satisfactorily over the lifetime of the development. This should be undertaken at the owner’s expense. If this cannot be shown for site S16F, or if a report is not completed for site S16F by that date, then site S16B should be released instead;
- (d) the release of greenfield sites under the ‘pragmatic exceptions’ categories continues to be kept under close scrutiny and only those applications that fully comply with the exception definition and the Development Plan should be approved; and
- (e) a further monitoring report be submitted to The Cabinet on the housing supply/ completion position at the end of the 2006 financial year on whether the prevailing approach to the managed release of residential development sites should be revised.

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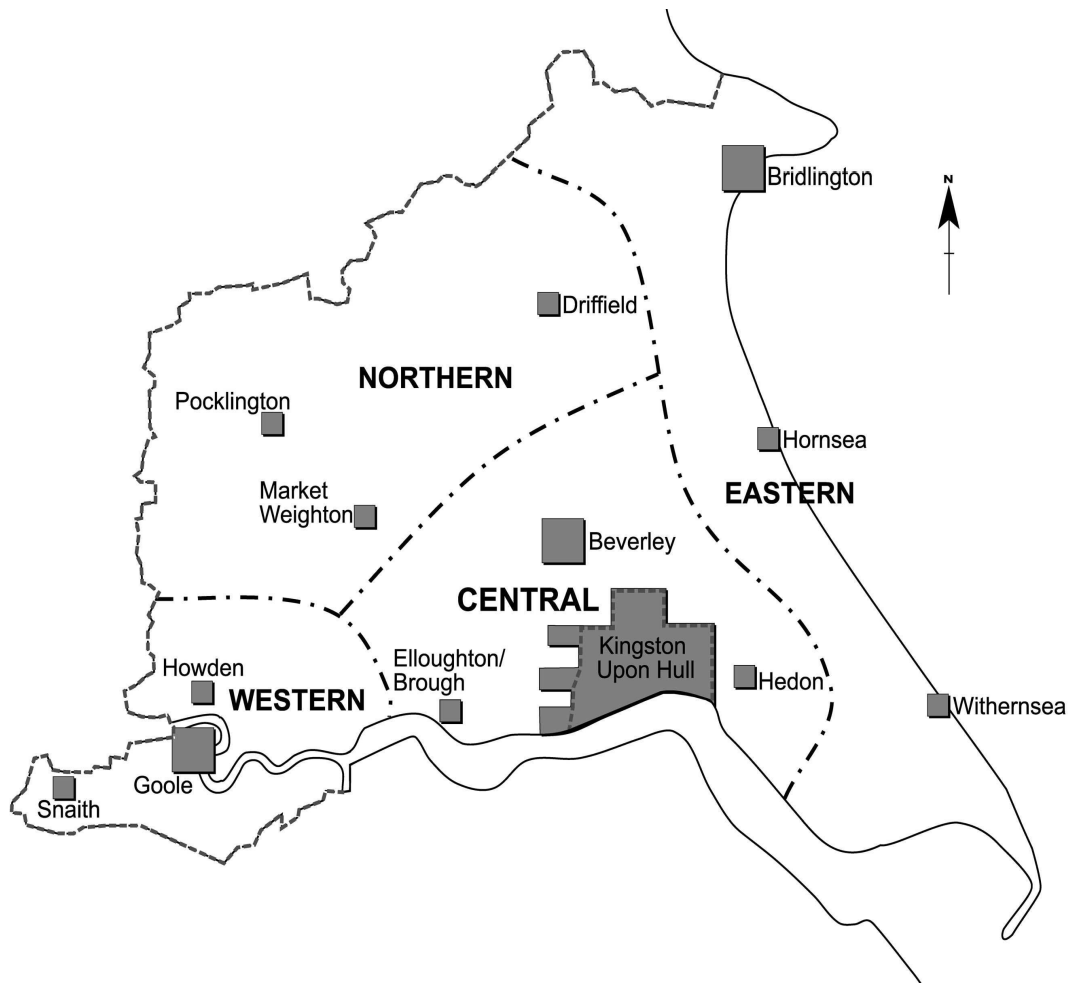
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### Background Papers

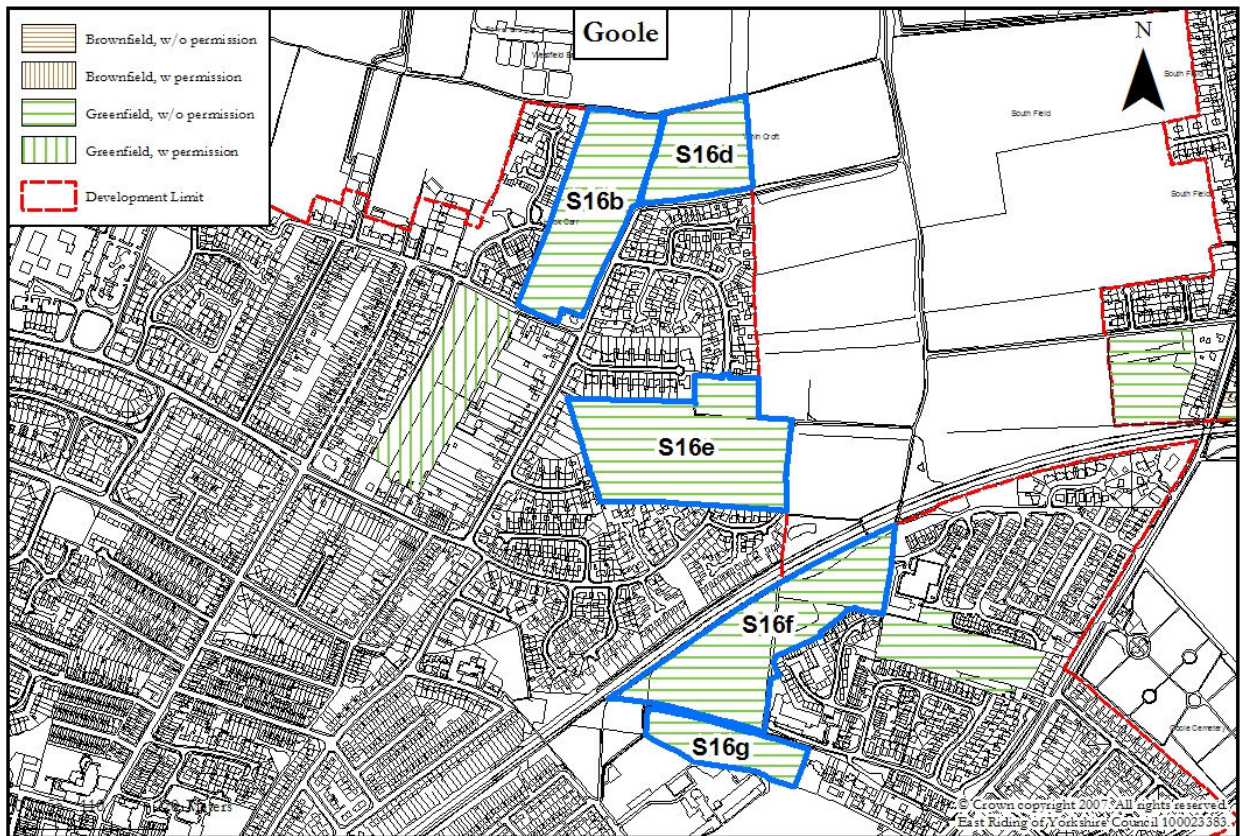
1. Interim Policy Guidance on the Managed Release of Residential Development Sites, October 2003.
2. Planning Policy Statement 1 ‘Delivering Sustainable Development’, 2005
3. Planning Policy Guidance Note 3 ‘Housing’, 2000
4. Planning to Deliver, DETR, 2001
5. Draft Regional Spatial Strategy for Yorkshire and the Humber (RSS12), 2005
6. Joint Structure Plan for Hull and the East Riding, 2005
7. Third annual update on the position with the ‘Managed Release of Residential Development Sites’, Report to Cabinet 14 July 2005
8. A Sequential Approach to the Managed Release of Greenfield Residential Development Sites -Response to Consultation and application to the Western Joint Structure Plan sub area, Report to Cabinet 13 December 2005



Joint Structure Plan Areas in the East Riding



### Five Remaining Greenfield Sites in Goole



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