

## North Devon Council and Torrige District Council

Report Date: 8<sup>th</sup> December 2023

Topic: North Devon and Torrige Housing Five Year Housing Land Supply update

Report by: Planning Policy Officers (TDC/NDC)

### 1. INTRODUCTION

1.1. This report provides an update on the North Devon and Torrige joint five-year housing land supply position at a base date of 1<sup>st</sup> April 2023.

### 2. RECOMMENDATIONS

2.1. This Committee notes the confirmation of the current five-year housing land supply position and the intention to publish future statements on an annual basis.

### 3. REASONS FOR RECOMMENDATIONS

3.1. The recommendations reflect the findings of the updated five-year land supply assessment.

### 4. BACKGROUND

4.1. The requirement to demonstrate a five-year housing land supply is set out in national planning policy (NPPF). The five-year housing land supply calculation provides an assessment of whether the projected supply of land for new homes is sufficient to meet identified requirements over the next five years.

4.2. At the point of adopting the Local Plan in October 2018, the Inspector concluded that the Councils could demonstrate a five-year housing land supply. However, this position was challenged through a planning appeal heard in January 2020 relating to a proposed residential development for up to 181 homes at Caddywell Lane/Burwood Lane, Great Torrington where the Inspector's decision concluded in March 2020 that the Councils could only clearly demonstrate a housing land supply equivalent to 4.23 years.

4.3. Following a period during which the Councils were unable to demonstrate a five-year housing land supply, an updated five-year housing land supply statement was published in April 2023 (base date of 1<sup>st</sup> April 2022) which demonstrated a joint housing supply in excess of the minimum requirement for the five-year period 2022 - 2027. The position established by the April 2023 statement was again, subject to challenge through a planning appeal

heard in July 2023 relating to proposed residential development for up to 161 homes at St Andrews Road, Fremington.

4.4. The Inspector's decision, issued 11th September 2023, dismissed the appeal and endorsed the overall conclusions set out in the April 2023 statement. The Inspector was satisfied that the Councils are able to demonstrate a deliverable supply of about 6,261 dwellings in the 5 year period. This is in excess of the requirement as calculated by either methodology (Liverpool + 20% [6,150] or Sedgefield + 5% [6,070]). The Inspector has also confirmed that the shortfall in provision and future requirement should properly be dealt with over the plan period remaining (8 years), with a 20% buffer.

4.5. Therefore, the conclusions of the April 2023 five-year housing land supply statement, as confirmed by the subsequent September 2023 appeal decision, re-established a position whereby the North Devon and Torrige Local Plan and its housing policies are considered 'up-to-date' for the purposes of determining planning applications for housing development

4.6. Following the re-establishment of the five-year housing land supply position, officers have undertaken an updated assessment, at a base date of 1st April 2023, based on the latest available data and evidence. This follows the approach to the assessment of five-year housing supply set out in the April 2023 statement, incorporating the recommendations made by the St Andrews Road appeal Inspector.

## 5. OUTCOMES OF UPDATED FIVE-YEAR SUPPLY

5.1. The published five-year housing land supply statement concludes that the supply of housing from deliverable sites in North Devon and Torrige exceeds the minimum requirement over the next five years. The statement demonstrates a five-year housing land supply equivalent to 5.18 years, which represents 104% of the five-year requirement. Accordingly, the policies of the Local Plan for the supply of housing are considered to up-to-date for decision making purposes.

## ON GOING ASSESSMENT OF HOUSING SUPPLY

5.2. The NPPF requires local planning authorities to identify and update annually the five-year housing land supply position. The Councils will seek to publish a statement annually each autumn to update the housing land supply position at a base date of the previous April. Therefore, the Councils will be working towards a housing land supply update to a position as at 1<sup>st</sup> April 2024 in due course.

## 6. RESOURCE IMPLICATIONS

6.1. The assessment of five-year supply and the wider monitoring of housing supply and delivery forms part of the planning policy teams' existing work

programme. Any associated cost in respect of document production, notification and publication will be shared across the Councils.

## 7. EQUALITIES ASSESSMENT

7.1. No impact identified.

## 8. ENVIRONMENTAL ASSESSMENT

8.1. The demonstration of a five year housing land supply enables the Councils to apply a plan-led approach in the determination of planning applications, allowing the policies of the local plan to be applied in better manage the balance of enabling development against the protection and enhancement of the environment.

## 9. CONSTITUTIONAL CONTEXT

9.1. Schedule 2, paragraph 1.1.1-1.1.3 of the North Devon Council and Torrige District Council Joint Planning Policy Agreement.

## 10. STATEMENT OF CONFIDENTIALITY

10.1. This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

11.1. The following background papers were used in the preparation of this report:

- Planning and Compulsory Purchase Act 2004
- National Planning Policy Framework (NPPF) 2023
- Planning Practice Guidance (Housing supply and delivery)
- North Devon and Torrige Housing and Economic Land Availability Assessment Methodology 2022
- North Devon and Torrige Local Plan 2011 - 2031 (adopted 2018)
- Planning Inspectorate appeal decision: Land at Caddywell Lane/Burwood Lane, Great Torrington (APP/W1145/W/19/3238460)
- Planning Inspectorate appeal decision: Land north of St Andrews Road, Fremington (APP/X1118/W/23/3318751)
- North Devon and Torrige Five Year Housing Land Supply Statement (April 2023)

- North Devon and Torrige Five Year Housing Land Supply Statement (November 2023)

(The background papers are available for inspection and kept by the author of the report).

## 12. CORPORATE PRIORITIES

- 12.1. The North Devon Council and Torrige District Council Corporate Priorities have been considered in the drafting of the report.

## 13. STATEMENT OF INTERNAL ADVICE

- 13.1. The author confirms that advice has been taken from all appropriate Councillors and Officers:

- (1) Cllr M Prowse, Lead Member for Economic Development and Strategic Planning Policy; Deputy Chair of Joint Planning Policy Committee (NDC)
- (2) Cllr R Hicks, Lead Member for the Economy; Chair of Joint Planning Policy Committee (TDC)
- (3) Helen Smith, Planning Manager (TDC)
- (4) Sarah- Jane Mackenzie-Shapland, Head of Place, Property and Regeneration (NDC)