

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**

DATE: **TUESDAY, 16 JUNE 2015**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **DEVELOPER GUIDANCE NOTE: SPECULATIVE HOUSING DEVELOPMENT PROPOSALS**

1.00 PURPOSE OF REPORT

1.01 To seek Cabinet approval for planning guidance to be issued to developers in the event that they are proposing to submit speculative applications for housing development due to a lack of a 5 year housing land supply.

2.00 BACKGROUND

2.01 Members will be aware that according to the method for calculating housing land supply set out in Welsh Government Technical Advice Note 1 Joint Housing Land Availability Studies, Flintshire does not have a 5 year land supply. This, the recent revisions to TAN1 made by the Welsh Government, and the implications for Flintshire were the subject of a report to the Planning Strategy Group in February of this year, followed up by a Member/officer training session.

2.02 As Members know, one of the main consequences from the previous consideration of this issue is the pressure for speculative housing development that Flintshire is facing, and will continue to face until it adopts a Local Development Plan, and/or can demonstrate a 5 year housing land supply.

2.03 The guidance note has been produced in order to ensure that if developers are considering the submission of applications because of the land supply position, then they must fully justify their case that their proposal warrants making an exception to the UDP, and represents a sustainable form of development.

3.00 CONSIDERATIONS

3.01 The content of the guidance note is hopefully self-explanatory and is specifically designed to ensure that developers provide full information to justify their proposals in order that the Council can give their applications appropriate consideration, given that they are essentially exceptions to the development plan.

- 3.02 It is not considered that the requirements are particularly onerous in that they are essentially part of what is required now from both Planning Policy Wales and the UDP. However in the context that these are speculative applications submitted on the basis of a lack of housing land supply, it is important that the applicant provides a fully designed and justified proposal up front in order that the Planning Authority can fully consider the proposal. This includes information to show that the proposal is both sustainable, is viable (and will not lead to later challenges to delivering Council obligations once permission is granted), and is deliverable (in the sense that the proposal is designed to meet an 'urgent' need for housing).
- 3.03 The requirements are also in line with the critical paragraph within TAN1, paragraph 6.2, which states that "*The housing land supply figure should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5-year requirement or where the local planning authority has been unable to undertake a study the need to increase supply should be given considerable weight when dealing with planning applications **provided that the development would otherwise comply with development plan and national planning policies***". (My emphasis in bold)
- 3.04 In order for the Planning Authority to assess whether a speculative application "otherwise complies with the development plan and national planning policies", full information is therefore required to support the application as otherwise either the submission of an outline application and/or failure to provide the information requested in the guidance note will make it very difficult for the LPA to properly assess the merits of the application, which may therefore lead to a reason for refusal.
- 3.05 Once issued the guidance note can potentially be applied to existing applications not yet determined with the authority as well as providing guidance for those yet to be submitted.

4.00 RECOMMENDATIONS

- 4.01 That Members approve the content of the Developer Guidance Note attached in appendix 1 for use in supporting the Development Management process in dealing with applications for speculative development, made on the basis of a sub 5 year land supply.
- 4.02 That delegated authority is given to the Chief Officer Planning and Environment to make any necessary changes to allow the guidance note to be finalised for publication.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None.

6.00 ANTI POVERTY IMPACT

6.01 None.

7.00 ENVIRONMENTAL IMPACT

7.01 None.

8.00 EQUALITIES IMPACT

8.01 None.

9.00 PERSONNEL IMPLICATIONS

9.01 None.

10.00 CONSULTATION REQUIRED

10.01 None.

11.00 CONSULTATION UNDERTAKEN

11.01 None.

12.00 APPENDICES

12.01 Appendix 1 Developer Guidance Note: Speculative Housing
Development Proposals

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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