

**I8/503135/OUT Land West of Barton Hill Drive, Minster-on Sea**

This update report has been prepared as a result of the Government's publication of its (delayed) Housing Delivery Test (HDT) on 19 February 2019.

Paragraphs 4.10-4.13 of the original report set out the Council's five-year housing land supply position as at the time of writing the report. It made clear that the Council's 5.3 year land supply position was subject to influence from the then pending publication of the HDT, the date of publication of which had been delayed since November 2018. The HDT is relevant to the land supply position because it has the potential to increase the 'buffer' from 5% to 20% that would need to be added to housing shortfalls against the Council's annualised housing requirement. Paragraph 4.13 of the report indicated the likelihood that once published, application of the HDT buffer would lead to a reduction in the land supply to 4.6 years. In that event, paragraph 4.14 of the report indicated that an update on the position would be provided for the meeting.

Publication of the HDT on 19 February has indeed confirmed the need for the Council to apply a 20% buffer, which has confirmed the Council's land supply as 4.6 years. This means that as of 19 February 2019, the Council can no longer demonstrate a five-year supply of housing land. This is a change from the conclusion reached at paragraph 4.14 of the original report.

Whilst it remains the case, as set out in paragraphs 8.10-8.17 of the report, that certain elements of the scheme are not in accordance with the Local Plan, the basis for the recommendation made to Members, as set out in paragraphs 9.01-9.08, has changed in the light of the new land supply situation.

The basis for the recommendation in original report is one where officers acknowledge that elements of the proposal are not in accordance with the statutory purpose of the development plan, but where nevertheless it is considered that material considerations apply that justify departing from it, i.e. a grant of planning permission. The lack of a five-year supply now changes this to one where paragraph 11d) of the NPPF would now applies.

In effect, NPPF paragraph 11d) means that the most important Local Plan policies for determining the application are judged as being 'out of date'. This does not mean that they carry no weight in decision making; rather that to refuse planning permission, the proposals would need to either clearly offend policies that protect areas or assets of particular importance, as set out by the NPPF (paragraph 11d)i, or that the weight given to the benefits of the scheme (including any housing provision) is significantly and demonstrably outweighed by adverse impacts (NPPF paragraph 11d)ii).

Paragraphs 9.07-08 of the officers original report already confirms that neither of these matters can be justified in the case of this application.

A matter not specifically considered by the original report, but which is now relevant in the light of the HDT, is the contribution that the application site is envisaged as making to the five-year supply. In arriving at its land supply position for 2017/18 (i.e. the 4.6 years), the Council has assumed a contribution from the site of 100 units within the five year supply. If planning permission is refused, this contribution could not be made. This could result in future pressure on the Council's five year housing land supply position. Members should therefore also view this as a matter in favour of granting planning permission.

The effect of this update report is that officer's recommendation to Members in the original report remains unchanged.