

Appendix 1

Planning Policy Statement 3 'Housing' – Issues for Dudley

The following paragraphs set out the issues for Dudley arising from the new PPS3.

1. Do the policies set out in PPS3 deliver the Government's housing objectives?

It is considered that the policies set out within PPS3 are appropriate to meet the 'Strategic housing policy objectives' and 'Planning for housing policy objectives' set out in the introduction to the guidance.

The guidance no longer seeks to target new housing development in areas of high demand as was suggested by the draft PPS3. This is positive as it is felt that this policy implied a 'one solution' approach for all areas, when it is clear that not all regions are the same. For example a policy approach like that might well have been effective in the South East would not necessarily in the West Midlands.

2. Are the arrangements for delivering PPS3 clearly set out in relation to:

-Working in sub-regional housing markets

There is some concern over which housing market area the Dudley Borough may fall into. It is feared that the Borough may still be included in a sub-regional housing market area that may suit only some parts of the Borough but not all.

Associated with this method of working there are some concerns over the impact on staff resources. Collaborative working can put strain on the capacity of local authority officers.

-Determining the regional level of housing provision and its distribution

In assessing the appropriate level of housing provision for an area the new guidance requires that local planning authorities and regional planning bodies take into account market information identified through Strategic Housing Market Assessments (which are to be prepared collaboratively with stakeholders). Whilst there are no major issues with this approach there are concerns about the ongoing pressure on staff resources/capacity.

-Allocating and releasing land for housing

PPS3 requires local authorities to make more appropriate sites available for housing by planning 15 years ahead and by providing a rolling five-year supply of sites. Whilst it is accepted that there is a need to allocate sufficient land and buildings for housing to deliver the first 5 years of the housing trajectory it is felt that to plan for a further 10 years may create issues for Dudley. Dudley's concerns are as follows;

. • Having a rolling 5 year supply of housing land could lead to pressure for backland development and development at higher densities (which may not always be appropriate). Similarly there may be pressure to develop greenfield or greenbelt land if a 5 year rolling supply of land cannot be readily identified.

. • It will be difficult to identify sites further than 10 years in advance of the start of the development plan document without having to identify specific sites or areas that are currently in use for other means, e.g. employment land or greenbelt. Allocating sites either specifically or on a broad basis in the Core Strategy is likely to have political and/ or economic implications, especially where jobs are at stake.

. • There is a tension between allocating brownfield land and sites being deliverable, i.e. certain sites may be subject to contamination issues, therefore it will take time and money to remediate them.

. • Work is due to commence on the Housing Development Plan Document in 2008. Once adopted this DPD will designate new housing sites to meet the 5 year and 15 year supply. It will therefore be important to have this Local Development Document (LDD) in place at the earliest possible time.

. • Finally it is disappointing for the Council that windfalls (i.e. sites that are not specifically allocated in the Development Plan) are no longer allowable in the five or ten to fifteen year supply as a significant proportion of Dudley's completions are from windfall sites.

-Making efficient use of land

The new guidance gives local planning authorities the discretion to set out a range of densities across the plan area rather than one broad density range (as suggested by the draft). This is positive for the Council as one broad density range could be detrimental to the character and distinctiveness of the Borough. The new PPS, like the draft, specifies that densities should not fall below 30 dwellings per hectare.

A key policy objective carried over from PPG3 and the draft PPS3 is that local planning authorities should continue to make effective use of land by re-using land that is previously developed. Local authorities are required to provide a target and 'trajectory' for achieving the Government's target of 60% of housing on previously developed land, and to demonstrate annually that its trajectory is being held.

Allocating sufficient housing on previously developed land will ensure protection of the Borough's environmental assets and promote economic regeneration. Local Development Documents should include a local previously developed land target and trajectory and strategies for bringing previously – developed land into housing use.

Finally, of significance to Dudley, it should be noted that Paragraph 42a of PPG3 which supported the use of land previously in industrial or commercial use (if no longer required for that use) is not included within PPS3. PPS3 relies on a more plan led approach, except where local planning authorities cannot demonstrate an up to date five-year land supply.

-Planning for mixed communities

Proposals put forward in draft PPS3 suggested that it was the role of the RSS, RHS and local housing strategy to determine the appropriate mix of housing for different household types. There was some concern that this approach would result in the Council being over prescriptive when determining the housing mix for an area, especially in the short term. The new guidance requires, based on the findings of Strategic Housing Market Assessment and other local evidence, that local authorities set out in their Local Development Documents;

- . •the likely requirement for market or affordable housing (in % terms);
- . •the likely profile of housing types requiring market housing (in % terms);
- . •the size and type of affordable housing required.

This approach allows slightly more flexibility than setting specific targets.

PPS 3 requires developer contributions towards affordable housing on smaller sites where appropriate. The minimum thresholds for when affordable housing will be required will be cut from the current 25 dwellings to 15 dwellings. The broader policy approach will help to ensure that an increased level of affordable housing is provided within the Borough. However, in Dudley's case, given that most housing developments are on previously developed land, which may in some cases require remediation, it is important that site viability issues are taken into account when considering the level of affordable housing provision required and justified. Finally it should be noted that low cost market housing no longer falls within the definition of affordable housing. This now refers specifically to social rented and intermediate housing.

The issues of housing mix, housing need and affordable housing thresholds will need to be picked up and addressed in the Affordable Housing SPD.

-Designing for quality

The new PPS3 reinforces the importance that major housing developments should be well served and have good access to green open spaces and outdoor recreational areas, including play areas and informal play space. This policy approach will help to ensure that development proposals are acceptable in land use planning terms. It will also assist in "greening" the urban environment, in promoting sustainable development and will assist in improving the communities' health and well-being by ensuring that there is an adequate supply of publicly accessible recreational open space areas close to where people live.

-Greening for the residential environment

The 'Greening for the Residential Environment' section, included in the draft PPS, has been removed from the final document. This is disappointing for the Council, however

paragraph 16 of the new guidance does require that accessibility to open space and the retention/ re-establishment of biodiversity to be taken into account when considering planning applications.

-Managing delivery and development

Government guidance suggests that maximum use should be made of 'Core Strategies' as a means of setting out the approach for housing development, and of planning, monitoring and managing a 5-year supply of deliverable sites. The guidance also recommends that in some instances site allocation development plan documents (DPDs) may be needed.

The local planning authority accepts the approach set out in the guidance for managing the delivery of the housing supply, it is felt that further information would be useful to establish the procedures authorities will have to go through when allocating new sites. For example, will the Council be required to go out to public consultation every time a new housing site is allocated as part of the overall 15 year supply and produce a rolling programme of DPDs?

When making planning decisions for housing developments after the 1st April 2007, Dudley officers will be required to have regard to the policies in PPS3 as material considerations. Furthermore the PPS will at this point supersede the housing policies set out in the existing Development Plan.

3. Are the definitions set out in annex A clear?

It is considered that the definitions set out in Annex B of the guidance are clear.

There are no significant changes from the draft guidance, however the updated definition of 'previously developed land' is welcomed. In particular the confirmation that *"There is no presumption that land that is previously developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed"*. This offers more flexibility to officers when considering proposals to redevelop the curtilages of existing residential plots for further housing development.