

Annual refresh of the application for exemption to the duty to permit etc. Period 5.

The purpose of this note is to assess if Broads Authority will still be exempt to the duty to permit for base period 5.

The NPPG says¹:

Paragraph: 030 Reference ID: 57-030-20170728

- a) A relevant authority may make an application for an exemption if for any base period (see the section on [what having a 'duty to grant planning permission etc' means](#)) the demand for self-build and custom housebuilding is greater than 20% of the land identified by that relevant authority as being available for future housing.
- b) As relevant authorities have 3 years in which to permission sufficient land to match demand, demand should be assessed over 3 base periods. For this purpose demand is the aggregate number of new entries on Part 1 of the register in that base period and the 2 preceding base periods. For the first 2 years, there will not be 3 base periods so relevant authorities should rely on the current base period and any previous base period (if applicable).
- c) Land availability is the total number of new houses on land in the area of the relevant authority, assessed by that authority as being deliverable in that base period, the 2 preceding base periods, and the 2 subsequent base periods.

Paragraph: 031 Reference ID: 57-031-20170728

- d) For subsequent and concurrent base periods relevant authorities must continue to calculate at the end of each base period demand on their register as a percentage of the deliverability of housing over the next 3 years. Where this continues to be over 20% that authority is deemed to still be exempt and does not need to apply again to the Secretary of State.

The percentage of the deliverability² of housing is the result of a calculation based on the following data: land availability and demand from the register. This percentage is compared to the 20% threshold noted in the NPPG.

i. Land availability

Land availability method 1: According to c) above, land availability is to be taken to be the total number of new houses on land in the area of the relevant authority, assessed by that

¹ <https://www.gov.uk/guidance/self-build-and-custom-housebuilding>

² Please note that in July the NPPG was updated in relation to 'deliverability'. The changes to the NPPG have been considered when determining if a site is deliverable or not.

authority as being likely to be deliverable in that base period, the two preceding base periods, and the two following base periods. For the assessment for base period 5, the following base periods need to be taken into consideration:

- Base period 3: 31 October 2017 to 30 October 2018
- Base period 4: 31 October 2018 to 30 October 2019
- Base period 5: 31 October 2019 to 30 October 2020
- Base period 6: 31 October 2020 to 30 October 2021
- Base period 7: 31 October 2021 to 30 October 2022

Land availability method 1a includes only those schemes assessed as being self-build.

Land availability method 1b includes all dwellings, but not tourist accommodation.

Land availability method 2: As stated in d) above, in relation to proving that the 20% threshold continues to be exceeded, the land availability for the next three years should be used.

Land availability method 2a includes only those schemes assessed as being self-build.

Land availability method 2b includes all dwellings, but not tourist accommodation.

The calculations for methods 1a, 1b, 2a and 3b are carried out in this note.

In terms of deliverability, the NPPF states that: *'To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years'.*

The following assumptions have been taken to measure land availability:

- i. For land availability method 1a and 2a, the schemes considered as deliverable are based on emerging allocations/permissions that could come forward as self-build
- ii. For land availability method 1b and 2b, all allocations/permissions for all dwellings is included.
- iii. The delivery timescales are estimated, if not known (see previous sections of AMR)
- iv. The numbers include replacements and net new dwellings.

- v. Holiday accommodation is not included.

The land availability is therefore considered a best case scenario (in reality could be much less) which is a conservative approach for the calculation of the percentage of deliverability of housing.

- Allocations in the Local Plan for the Broads

Regarding allocations in the emerging Local Plan, it is anticipated that the allocation at Stokesby may deliver dwellings in the next 3 years and as the landowner intends to build them himself they are considered as self-build.

Site	2020/21	2021/22
STO1	2	2
Total	2	2

- Extant planning permissions

The following table shows the sites with extant planning permission. This includes replacement dwellings and net new dwellings. It is assumed that these extant planning permissions will be delivered in the next three years. This is effectively the 'best case' scenario but in reality the land availability could be less. The first table sets out the schemes that are self-build and the second sets out net new and replacement schemes that are and are not self-build.

Please note that this data is different to that in the 5 year land supply (later in this document) because this data goes up until 30 October 2020 whereas the five year land supply data is up to 31 March 2020. Also the self-build data includes replacements (as discussed above) but not holiday accommodation and so is different to the five year land supply data (which includes net new market and holiday dwellings).

Applications that are for self-build only – methods 1a and 2a.

Application Number	Decision date	Number of Dwellings	Is the application for self-build/custom-build?	Net new or replacement	Status as at April 2020	Estimated completion
BA/2016/0065/FUL	2016/05/03	1	Yes	Net new	Started	End 2020
BA/2017/0151/FUL	2017/07/03*	1	Yes	Net new	Not started	End 2022%
BA/2017/0474/FUL	2018/03/12	2	Yes	Net new	Started	End 2021
BA/2018/0374/FUL	2019/04/18	1	Yes	Net new	Not started	End 2021
BA/2015/0426/FUL	2016/07/01	1 ^x	Yes	Net new	Started	End 2021
BA/2020/0006/FUL	2020/07/17	1	Yes	Replacement	Not started	End 2022%
BA/2019/0044/FUL	2019/06/20	1	Yes	Replacement	Not started	End 2022%
BA/2019/0410/FUL	2020/02/05	1	Yes	Replacement	Not started	End 2022%

Total: 9

*Due to COVID19 lockdown, unimplemented planning permissions with time limits for implementation which were due to lapse between 19 August 2020 (when the provisions came into force) and 31 December 2020 are extended to 1 May 2021.

^x This scheme is for four dwellings, but only one is self-build.

[%] The potential timeline for delivery is not known, so end of 2022 has been assumed for the purposes of this calculation.

Applications that are for all net new and all replacement dwellings. Self-build totals from above table, included in row towards bottom of this table – 1b and 2b.

App No	Type	No. dwellings	2020/21	2021/22	2022/23	2023/24	2024/25	After 2025
BA/2012/0271/FUL	Net new	76				10	20	46
BA/2015/0277/FUL	Net new	3	3					
BA/2015/0426/FUL	Net new	4	4					
BA/2016/0065/FUL	Net new	1	1					
BA/2017/0103/OUT [%]	Net new	16			3	3		
BA/2017/0151/FUL	Net new	1		1*				
BA/2017/0191/FUL	Net new	1		1*				
BA/2017/0474/FUL	Net new	2	2					
BA/2017/0484/FUL	Net new	1	1					
BA/2018/0374/FUL	Net new	1		1				
BA/2019/0112/FUL	Net new	3	3					
BA/2019/0118/FUL	Net new	7		7*				
BA/2018/0359/FUL	Net new	3		3*				
BA/2020/0006/FUL	Replacement	1		1*				
BA/2020/0042/CUPA	Net new	1		1*				
BA/2019/0458/CLEUD	Net new	1		1*				
BA/2019/0294/FUL	Replacement	1		1*				
BA/2020/0026/FUL	Replacement	1		1*				
BA/2019/0391/FUL	Replacement	1		1*				
BA/2019/0314/FUL	Replacement	1		1*				
BA/2019/0044/FUL	Replacement	1		1*				
BA/2018/0504/FUL	Replacement	1		1*				
Total			14	22	3	13	20	46
Add self-build (from previous table)			5	4				
Grand total			19	26	3	13	20	46

[%] This scheme is for 6 dwellings and 10 holiday homes. Only the 6 market dwellings are included.

* This date is an estimate for the purposes of this calculation

- Total land availability

	Method 1 Using the five base period		Method 2 Using the next three years	
	Self-build plots (1a)	All plots (1b)	Self-build plots (2a)	All plots (2b)
Local Plan allocations	4	4	4	4
Extant planning permissions	9	45	9	48
Total	13	49	13	52

ii. Demand from the Register

The Self-Build Register is made up of the following numbers of people³:

- Base period 1, April 2016 to 30 October 2016: **42** people on the self-build register.
- Base period 2, 31 October 2016 to 30 October 2017: **62** people on the self-build register.
- Base period 3, 31 October 2017 to 30 October 2018: **55** people on the self-build register.
- Base period 4, 31 October 2018 to 30 October 2019: **50** people on the self-build register.
- Base period 5, 31 October 2019 to 30 October 2020: **39** people on the self-build register.

Demand method a): The total numbers on the register for base period 5 is 39. This was correct as at 31 October 2020. So the demand as per requirements of a) above is 39.

Demand method b): According to b) above however, the calculation should be based on the base period in question and the preceding two base periods. This is therefore for base periods 3, 4 and 5. The demand would therefore be 144.

iii. Demand and land availability calculation for base period 5

Due to the uncertainties in the NPPG about how to calculate the demand, each combination of demand and land availability is calculated as follows:

³ Previous AMRs have quoted base period 1 as 49, base period 2 as 60, and base period 3 as 59. However due to double counting, the numbers have been checked and the correct figures are used in this AMR.

Demand method	Availability of land method	People on the register (demand)	Divided by land availability	X100	=
a	1a	39	13	X100	300%
a	2a	39	13	X100	300%
a	1b	39	49	X100	79.6%
a	2b	39	52	X100	75%
b	1a	144	13	X100	1107.7%
b	2a	144	13	X100	1107.7%
b	1b	144	49	X100	293.9%%
b	2b	144	52	X100	276.9%

The figures all exceed 20% and therefore the exemption continues for base period 5. It is confirmed that the Broads Authority will still be exempt and will not need to apply to the Secretary of State.