

Councillors Briefing Note No. 278

Service: Economic Development and Planning

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THE ROLE OF HOUSING LAND SUPPLY IN DECISION MAKING

Following the publication of the Council's Housing Land Supply Statement in September 2015, the subject of Councillor Briefing Note 258, this note has been prepared to provide an overview of the role of housing land supply in decision making by the Council as Local Planning Authority (LPA).

The National Planning Policy Framework (NPPF) requires LPAs to identify a supply of specific deliverable sites to demonstrate five years of housing against their housing requirements, with an additional buffer of 5% (equating to 5.25 years in total) to ensure choice and competition in the market for land. This is done through the preparation of assessments of housing land supply on an annual basis, which considers the available supply of housing at 1 April. The resultant reports are, therefore, snapshots in time and can only be based upon the information available at the time of publication. The Council produced a Housing Land Supply Statement (HLSS)¹ in September 2015 and the Councillor briefing note referred to above was issued to notify members of its publication.

The definition of deliverable, in the context of housing land supply, has been scrutinised considerably through local plan examination, appeals and legal challenges. The NPPF makes it clear² that where a LPA cannot demonstrate a five-year housing land supply of deliverable sites, relevant policies for the supply of housing should not be considered up to date. This does not mean that in these circumstances all proposals for housing should be permitted, only that policies related to the supply of housing should be given less weight in decision making, particularly Core Policy 2 in relation to settlement boundaries. Cases where adverse impacts would significantly and demonstrably outweigh the benefits can, and should, still be refused. However, where applications are being considered for sites at settlements³ but outside the defined settlement boundaries there may be the opportunity to improve housing supply by favorably considering proposals where appropriate. This would depend on the judgements made as to where the planning balance lies and considerations may include limited impacts and benefits to local communities that arise from the proposal.

Where evidence used to support the inclusion of sites in the Council's housing land supply is brought into question through the outcomes of examination of local plans, appeals or legal

¹ <https://cms.wiltshire.gov.uk/documents/s109691/Briefing%20Note%20258%20-%20Wiltshire%20Housing%20and%20Supply%20Statement%202015%20Update.pdf>

² Paragraph 49 of the NPPF

³ Principal Settlements, Market Towns, Local Service Centres and Large Villages as defined by the Core Strategy

processes, the housing land supply position must be reconsidered in that context. It is not surprising then that developers seek to challenge the Council's published housing land supply position, particularly where the housing land supply position is close to the 5.25 year target.

Housing land supply is assessed on a Housing Market Area (HMA) basis. Wiltshire currently has three HMAs (East, North & West and South), and the Council presents a separate housing land supply position for each HMA. The outcome of a planning appeal in one HMA should not, therefore, impact on the housing land supply position in the other two.

The Council's HLSS included the proposed allocations in the Chippenham Site Allocations Plan (CSAP). This was a reasonable approach and the inclusion of these sites has previously been endorsed by the Wiltshire Core Strategy Inspector and recent appeal decisions. However, the Examination of the CSAP has now been suspended and the Council is undertaking further work in response to the Inspector's concerns regarding site selection. Currently, therefore, the Council cannot rely on the proposed allocations contributing towards the deliverable supply.

In the circumstances that these sites cannot be considered to contribute to the housing land supply, the position for the North and West HMA is reduced to below 5.25 years. This will need to be taken into account in decision making on housing proposals in the North and West HMA.

The Council will be commencing the next assessment of housing land supply on 1 April⁴ and will take into account planning permissions granted for housing up to that date. During this interim period, careful consideration will need to be given to decisions on housing proposals in the North and West HMA. This means balancing the need to boost housing supply with the harm of the proposal when considered against the development plan as whole and material considerations on a case by case basis. This will need to take into account the reduced weight to be given to policies relating to housing supply.

⁴ The assessment involves surveying all development sites in Wiltshire with an extant planning permission to determine housing completions, consulting developers for expected build rates for sites and discussion with Wiltshire Council officers.