

Councillors Briefing Note No. 311

Service: Economic Development and Planning

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HOUSING LAND SUPPLY CALCULATION

Following the publication of the Council's Housing Land Supply Statement in November 2016, this briefing note has been prepared to provide clarification as to how the Council's housing land supply is compiled, the various sources of supply, and how the monitoring period used by the Council defines which sites are included in the supply.

Context

The National Planning Policy Framework (NPPF) requires Local Planning Authorities (LPAs) to identify a supply of specific deliverable sites to demonstrate five years of housing against their housing requirements, with an additional buffer of either 5% (equating to 5.25 years in total) or 20% (equating to 6 years in total) if an LPA have a record of persistent under-delivery of housing in a particular Housing Market Area (HMA). In each of the three HMAs in Wiltshire, the 5% buffer applies.

The Council produced its 2016 Housing Land Supply Statement (HLSS)¹ (with a base date of April 2016) in November 2016 and a Councillor Briefing Note² was issued to notify members of its publication.

Sources of supply

The 5-year housing land supply is made of a large number of specific deliverable sites, which are from the following sources:

- Strategic Sites within the adopted Wiltshire Core Strategy,
- Sites with planning permission or prior approval³,
- Sites with resolutions to grant planning permission subject to a Section 106 agreement,³
- Saved Local Plan allocations (that have been reviewed and carried forward as part of the Wiltshire Core Strategy),

¹ <http://www.wiltshire.gov.uk/hsg-land-supply-statement-2016-november.pdf>

² Cllrs Briefing Note No.307

³ Including those granted on Greenfield land outside of settlement boundaries

- Made (i.e. Adopted) neighbourhood plan allocations,
- Emerging neighbourhood plan allocations (where the neighbourhood plan has reached the formal consultation stage),
- a windfall allowance (in accordance with paragraph 48 of the NPPF).

Housing land supply monitoring period

The NPPF requires LPAs to update its housing land supply position on an annual basis. The annual update is an extensive exercise which requires surveying all sites with planning permission to determine how many dwellings have been newly completed, or whether the permission has expired without being implemented. It also requires liaison with land owners, developers and Officers to determine whether a specific site is deliverable and the likely quantity of housing delivery from the site in the forthcoming 5-year period. This takes into account the lead-in time following planning permission being granted before a development is likely to commence.

The Council's monitoring period runs from 1 April to 31 March each year. As such, sites which were granted permission or received a resolution to grant permission up to and including **31 March 2016** qualified for inclusion in the housing land supply set out in the 2016 Housing Land Supply Statement⁴.

It is recognised that the Council has also granted permission, and passed resolutions to grant permission, for a number of large housing sites from 1 April 2016 to the present day. Many of these permissions and resolutions are considered 'windfall' sites as they are not allocated in the Wiltshire Core Strategy or a neighbourhood plan, and have unexpectedly come forward for development.

These 'post-April 2016' large sites are referenced in Table 3 of the 2016 Housing Land Supply Statement to demonstrate the Council's commitment to maintaining a 5-year housing land supply in the future. These sites will contribute to the 5-year housing land supply when the next monitoring period is completed and the Housing Land Supply Statement, with a base date of April 2017, is published.

Housing land supply is not an exact science and essentially represents a snapshot in time. During planning appeals appellants will often seek to identify sites with the aim of suggesting they are not delivering in line with the Council's trajectories to reduce the housing land supply position below 5 years. In response, the Council would seek to defend its position and will also bring to the attention of the inspector those large sites that have been granted planning permission since 1 April. However, whilst acknowledging the measures that the Council has taken to maintain a healthy housing land supply, inspector's will ultimately apply the base date of the latest published report in their assessment.

Windfall allowance

The NPPF allows LPAs to include an allowance for windfall sites in its 5-year housing land supply. It states that LPAs should have "*compelling evidence that such sites have consistently been available in the local area and will continue to be a reliable source of supply*". This allowance represents anticipated housing delivery during the forthcoming 5-year period from sites which have not been granted planning permission at the base date for the assessment (e.g. at 1 April 2016 in the current Housing Land Supply Statement). It is essentially an

⁴ Allocated sites in the Wiltshire Core Strategy, and 'made' and emerging neighbourhood plans are also included in the housing land supply where it is considered the site is deliverable within the forthcoming 5-year period.

estimate of what will happen in the future based on historic delivery and the policies in the Wiltshire Core Strategy.

The Council's approach to calculating the windfall allowance has been tested at numerous planning appeals and found to be robust. The approved method is based on past housing permissions on **brownfield sites only**⁵. This is consistent with the definition of windfall in the NPPF which states "*They normally comprise previously-developed sites that have unexpectedly become available*". Although the NPPF does not dismiss greenfield land (other than residential gardens) as a potential source of supply in calculating a windfall allowance, emphasis is placed on previously-developed or brownfield land. For Wiltshire, only brownfield sites are used when calculating the windfall allowance because such land can reasonably come forward for development consistent with both the NPPF and Wiltshire Core Strategy and therefore the allowance can be considered to be a "*reliable source*".

It is recognised that greenfield sites outside of settlement boundaries do come forward for development. These would fall under the first part of the definition of windfall as set out in the NPPF i.e. "*sites which have not specifically been identified as available in the Local Plan process.*" However, these cannot be considered to be a reliable source when calculating an allowance for future windfall permissions as they would be contrary to the development plan. It would be inconsistent to declare that the housing land supply partially relies on sites that are contrary to policy set out in the Wiltshire Core Strategy being approved in the future.

The above approach does not preclude unallocated greenfield sites making a contribution to housing delivery. All planning permissions granted prior to the base date for the housing land supply assessment (in this case 1 April 2016) that are considered deliverable, including greenfield windfall development, are counted in the housing land supply.

⁵ This is detailed in Appendix 5 of the 2016 Housing Land Supply Statement.