

Briefing Note on Housing Land Supply No. 20-20

Service: Economic Development and Planning
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Further Enquiries to: Chris Roe (01225 713979) or Georgina Clampitt-Dix (01225 713472)

WILTSHIRE HOUSING LAND SUPPLY AND DECISION-TAKING

This Briefing Note provides information and an update on the five year housing land supply position for Wiltshire.

Government policy

The National Planning Policy Framework (NPPF) (February 2019) requires:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ supply of specific deliverable sites against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old⁹⁷.” (Paragraph 73)

Wiltshire’s housing land supply position

As the Wiltshire Core Strategy is now five years old, the housing requirement to be used in the five-year housing land supply calculation is Wiltshire’s Local Housing Need (LHN), based on the Government’s method¹.

The current LHN for Wiltshire is 2,024 homes per annum compared to the Core Strategy figure of 2,100 homes per annum over the period 2006 to 2026.

When the next update to the housing land supply position is published, this will be presented against the county-wide LHN figure. In accordance with the NPPF, this is the figure that will be used for the assessment of the Council’s five-year housing land supply.

The supply of sites should include a buffer to ensure choice and competition in the market for land. The buffer that is applied depends on the Government’s Housing Delivery Test, which measures housing delivery for each Local Planning Authority against its housing requirement over the past three years. The Council is required to apply a 5% buffer to its five-year housing land supply (as set out in the latest [Housing Delivery Test](#)).

The council recently won an appeal during which housing land supply was considered. The published HLSS formed the basis for the evidence presented. However, during the appeal the Council’s ability to demonstrate five-year supply was challenged and as a result the Council accepted that it could only demonstrate **4.62 years** supply.

¹ <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>
Government confirmed in February 2019 that they would be reviewing the methodology in the next 18 months (i.e. by July 2020).

Until the five-year housing land supply can be recovered, the council will need to favourably consider the determination of applications in the interim period (as has happened in the past) in line with Government policy. This is discussed further below.

Five-year housing land supply and decision-taking

For applications involving the provision of housing, the NPPF, at paragraph 11 states: “... where the local planning authority cannot demonstrate a five year supply of deliverable sites (with the appropriate buffer) ...” then “policies which are most important for determining the application are out of date”, and permission should be granted unless:

- i) There is a clear reason for refusal due to protection policies as listed in footnote 6 e.g. Green Belt; Local Green Space; Area of Outstanding Natural Beauty; designated heritage assets; or
- ii) Any adverse impacts would significantly and demonstrably outweigh the benefits

This does not mean that in these circumstances all proposals for housing should be permitted, only that the most important policies including Core Policy 2 in relation to settlement boundaries and the relevant Community Area Strategy policy in the Wiltshire Core Strategy should not have full weight applied to them in decision making. The weight to be given is a matter of judgement for the decision maker. Cases where adverse impacts would significantly and demonstrably outweigh the benefits can, and should, still be refused.

However (as with the appeal case mentioned above), where applications are being considered for sites at settlements but outside the defined settlement boundaries there may be the opportunity to improve housing supply by favourably considering such proposals. 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.

Paragraph 14 of the NPPF makes special provision for areas with ‘made’ Neighbourhood Plans. This indicates that where the presumption in favour of sustainable development applies, then the adverse impact of allowing development that conflicts with a Neighbourhood Plan is likely to significantly and demonstrably outweigh the benefits, providing the following criteria all apply:

- i) the neighbourhood plan became part of the development plan less than 2 years ago;
- ii) the neighbourhood plan contains policies and allocations to meet its housing requirement;
- iii) the local planning authority has a 3-year housing land supply; and
- iv) the local planning authority’s housing delivery was at least 45% of that required over the last 3 years²

The update of the five-year housing land is in progress, which will reset the base date to 1 April 2019 (and cover the period to 31 March 2024). The allocations in the Wiltshire Housing Site Allocations Plan, which will improve supply, will be included in the calculation.

Wiltshire Council’s approach to restoring a five-year land supply

- i) Wiltshire Council will update the evidence base for our Housing Land Supply with 2019 figures.
- ii) Key strategic sites will be taken forward through the planning system, working positively with developers on existing complex applications.
- iii) Continue supporting Neighbourhood Plans, identifying any suitable sites for housing within these.
- iv) Grant permission for speculative applications where there are no major policy obstacles (which would not be possible to defend at appeal).

² The latest Housing Delivery Test results for Wiltshire (published 13 February 2020) indicate the Council met 149% of its required housing over the last 3 years.