

**The Revised NPPF:
Housing policies, housing need and housing numbers.**

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**The presumption in favour of sustainable
development for plan making**

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- Para 11 (old 14):
 - Development plans to provide OAN as a minimum
 - Must also meet needs which can't be met in neighbouring areas
 - Two exceptions
 - (1) A "strong reason" arising from application of other protective policies (per footnote 7)
 - (2) impacts significantly and demonstrably outweighs benefits
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The presumption: footnote 7

- New “footnote 9”, but with notable differences
- Now an exhaustive list. Includes:
 - SACs/SPAs/SSSIs
 - Green Belt, Local Green Space, AONB, National Park/Heritage Coast/Broads Authority
 - “Irreplaceable habitats” (see Glossary), aged/veteran trees
 - Designated heritage assets/equivalents to SAMs
 - Areas at risk of flooding/coastal change
- Note reversal of *Suffolk Coastal*: DP policies no longer in scope



The presumption: neighbourhood plans

- Para 14 applies to NPs brought into force less than 2 years ago
- Where such a NP contains policies/allocations to meet housing need, presumption does not apply if:
 - Para 75 applies (i.e. LPA can’t deliver 5yhls with buffer, or HDT shows delivery over last three years below 75%; but
 - LPA has a 3yhls, and HDT shows delivery over last three years of at least 45%

Strategic Plans



- Should address at least a 15 year period (para 22)
- Review every 5 years, or sooner, to address increases in local housing need (para 23)
- Must include a clear strategy to bring forward sufficient land, at a sufficient rate, to meet OAN. Must meet strategic priorities of the area as a minimum para 24
- Note test for soundness now in para 36

'Local housing need assessments'



- Identify LHN through application of the standard method set out in the PPG, or “a justified alternative approach”: Glossary
- Para 60: ‘objective of significantly boosting supply of homes’ (old para 47)
- Para 61: should be based on standard methodology ‘unless exceptional circumstances’, and take account of unmet need in neighbouring areas.
- Para 62 identifies groups to be taken into account (non-exhaustive list)
- Para 66 deals with NP housing numbers



Identifying land for homes

- Para 68 requires:
 - ‘specific deliverable sites’ for years 1-5
 - ‘specific developable sites or broad locations for growth’ for years 6-10, and ‘where possible’ for years 11-15
 - But note para 78: trajectory over whole plan period
- Para 69 encourages:
 - Small sites (20% of sites smaller than 0.5Ha)
 - Windfalls
 - Subdivision of large sites



Identifying land for homes

- Para 72 encourages exception sites for ‘entry level housing’, unless need already met in the LPA’s area
- Para 73 encourages ‘larger scale, new settlements and significant extensions to existing villages and towns’. Consider opportunities from infrastructure, and for net environmental gain. Consider establishing Green Belt around new settlements

Maintaining supply and delivery



- Para 74: trajectory for whole plan period, plus annual update of 5 years supply plus buffer:
 - 5% buffer, or
 - 10% if using an ‘annual position statement’ [see Glossary], or
 - 20% if Housing Delivery Test shows delivery was <85% of requirement over previous three years
- Para 76: two ways of demonstrating 5 yr HLS + Buffer:
 - Local Plan “recently adopted”, or
 - Annual position statement (either agreed or incorporating SoS recommendations)

Maintaining supply and delivery



- Para 77: If HDT shows delivery below 95% of requirement over three years, LPA must prepare an action plan
- Para 78: can impose (by condition) shorter timeframes for commencement, where this would expedite timely housing provision without threatening deliverability or viability. Can assess reasons for non-commencement of previous permissions when considering major housing development



Other relevant policies:

- Para. 64: no affordable other than on major sites (>10 units) or designated rural areas (>5 units); and gross floorspace discount for vacant buildings.
- Para. 65: in major developments 10% = affordable home ownership unless 'significant prejudice', or solely Build to Rent, special needs, self-builders or entry level housing
- Para. 69: encourage design tools & LDOs
- Chapter 11 (effective use of land): avoid too-low densities, allow upward extensions, use brownfield registers, use employment land unless undermines economy.
- Chapter 12 (design): encourages design guides and codes and local engagement; para. 129 (old para. 640).
- Para. 168: valued landscapes protected 'in a manner commensurate with their statutory status or identified quality' [?]
- Para. 173: irreplaceable habitats 'loss or deterioration' 'wholly exceptional reasons'.



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