



EAST PLANNING AREA FIVE-YEAR HOUSING LAND SUPPLY POSITION STATEMENT

November 2023 (updated 8 January 2024)

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UPDATE

The new National Planning Policy Framework (NPPF) was published on 19 December 2023, which included a key change to how the five-year housing land supply is calculated. Paragraph 77 of the NPPF requires local planning authorities to include a buffer of 20% (moved forward from later in the plan period) where there has been significant under delivery of housing over the previous three years. This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement. The requirements for a 5% or 10% buffer have been removed. Previously a 5% buffer was applied for the East Planning Area therefore the five-year housing land supply has been recalculated with this buffer removed.

1.0 INTRODUCTION

- 1.1 The National Planning Policy Framework (NPPF, paragraph 77) states that local planning authorities (LPAs) should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies. It further requires an additional buffer of 20% where there has been significant under delivery of housing over the previous three years. This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.
- 1.2 Buckinghamshire Council is unable to demonstrate a five-year supply of deliverable housing sites for the East Planning Area from a 31 March 2023 base date. This assessment identifies that the East Planning Area has a **2.9-year** supply of housing sites for the five-year period 2023-2028.

2.0 DEVELOPMENT IN THE CHILTERN BEECHWOODS SPECIAL AREA OF CONSERVATION

Development Proposals within 500m of Ashridge Commons and Woods Site of Special Scientific Interest

- 2.1 There is a presumption against any net increase in new homes or development that would result in increased recreational pressure within 500 metres of the Ashridge Commons and Woods Site of Special Scientific Interest (which forms part of the Chilterns Beechwoods Special Area of Conservation). Unless it can be evidenced otherwise through an applicant's own shadow Habitats Regulations Assessment and the Council agrees with this, any planning application proposing a net increase in dwellings shall be refused. Taking account of the tilted balance being engaged as per paragraph 11 of the NPPF, the presumption against any new homes within 500m remains.

Development Proposals within 12.6km of Ashridge Commons and Woods Site of Special Scientific Interest

- 2.2 For applications proposing a net increase in residential dwellings within the 12.6km Zone of Influence from the boundary of the Ashridge Commons and Woods Site of Special Scientific Interest (which forms part of the Chilterns Beechwoods Special Area of Conservation), it is necessary to ensure they would not give rise to adverse effects on the integrity of the Special Area of Conservation either alone or in combination with other plans or development proposals. If it is likely, or even where it is uncertain that a significant adverse effect will occur, then measures must be secured to either avoid or mitigate the impact. If it is not possible to avoid or mitigate an adverse impact, then planning permission will be refused. To mitigate the impact, mitigation and avoidance measures are required for Ashridge Commons and Woods Site of Special Scientific Interest within the Special Area of Conservation. These measures comprise two separate mitigation solutions that all proposals outside the 500 metres avoidance zone will be required to provide:

- i. Financial contributions to improve site management through a Strategic Access Management and Monitoring Strategy involving access management and engagement work wholly within the boundary of the Ashridge Commons and Woods Site of Special Scientific Interest component of the Special Area of Conservation, and,
- ii. either provision on site of, or financial contributions towards, Suitable Alternative Natural Greenspace involving the provision of alternative recreation opportunities away from the Special Area of Conservation. It has been agreed with Natural England that both solutions will be required to mitigate the likely significant adverse impacts of net new homes within the 12.6 kilometres Zone of Influence.

NB: both elements must be in place if mitigation is to be acceptable.

- 2.3 Paragraph 11 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development. For decision-making, this means:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

2.4 In the context of the Council being unable to demonstrate a 5-year supply of housing for the East Planning Area and paragraph 11 of the NPPF being engaged, the provisions of footnote 7 are of particular relevance to the Chilterns Beechwoods SAC.

2.5 Footnote 7 sets out: *“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.”*

2.6 In taking account of criterion d) i) of paragraph 11 of the NPPF and the provisions of footnote 7 of the NPPF, until such time as appropriate mitigation can be delivered in the form of **both** financial contributions through Strategic Access Management **and** Monitoring (SAMM) and either provision on site of, or financial contributions towards, Suitable Alternative Natural Greenspace (SANG), the tilted balance is not engaged, meaning the presumption against any new homes in the Beechwood SAC remains.

Implications on housing sites

2.7 Sites that fall within the Chilterns Beechwoods SAC need further consideration when considering their deliverability and expected delivery rates. Appropriate Assessments of the potential effects of the proposed development on the Chilterns Beechwoods SAC were considered. Developments may have proposed a Suitable Alternative Natural Greenspace as part of a scheme which is also an important consideration. Comments from Natural England have also helped to inform the assessments.

3.0 CALCULATION

- 3.1 In order to update the supply position, all completed sites and expired permissions were removed and sites with permission at the baseline (31/3/2023) were added. The current assessment of supply is for the period 1 April 2023 to 31 March 2028.
- 3.2 The adopted Local Plan for the East Planning Area is more than five years old (Core Strategy documents were adopted by Chiltern and South Bucks Councils individually in 2011) and require updating. As set out in the NPPF at paragraph 77, in such circumstances the calculation of the five-year housing land supply should be based on the local housing need calculated using the standard method rather than any housing requirement adopted in the Local Plan. The Planning Practice Guidance (2015, last updated in 2020) section 'Housing and economic needs assessment' provides the standard method for assessing local housing need.
- 3.3 The standard method calculation sets a baseline using the 2014-based household projections and makes an affordability adjustment according to the most recent median workplace-based affordability ratios, setting a cap of 40% against the minimum annual local housing need and including an appropriate buffer if the Housing Delivery Test shows a significant under delivery. The latest standard method calculation for the East Planning Area is 362 dwellings per annum, as set out in Table 1 below.

Table 1: East Planning Area standard method calculation

	Baseline need	Affordability adjustment	Minimum annual local housing need	Capped level of increase	Total annual dwelling need
East Planning Area	258	123	381	362	362

- 3.4 In accordance with the NPPF (paragraph 77), the Council is required to test its supply of sites in the East Planning Area against the housing requirement with an additional buffer. Since the 2022 Housing Delivery Test measurement published by the Government on 19 December 2023 shows Buckinghamshire at 97%, which is therefore above 95%, there are no consequences to be applied for any under-delivery.

4.0 DELIVERABLE SUPPLY

4.1 A comprehensive review of housing land supply has been undertaken. All known sites of 5 or more dwellings were individually identified and examined. Site promoters, developers and agents were engaged in reviewing the deliverability of these sites with each being sent a form containing details of planning applications and permissions and, where applicable, the expected delivery rates from the previous Housing Land Supply Position Statement. Information was requested concerning updates on site progress and/or expected build-out rates. The responses received were considered in reviewing the deliverability of sites and the projected timescale for delivery having regard to lead-in times, site preparation and infrastructure provision. The review also included consultation with Development Management officers and other Council services involved in the delivery of sites to ensure that assessments of deliverability were realistic.

4.2 Sites to be included within the five-year supply must be 'deliverable'. The NPPF divides up the deliverable sites into categories within its glossary and 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. In particular:*

a) sites which do not involve major development and have planning permission, and all 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 (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."

4.3 Planning Practice Guidance (2019) section 'Housing supply and delivery' (paragraph 007 Reference ID: 68-007-20190722) provides further clarification on assessing deliverability and the evidence required. For sites with outline planning permission, permission in principle, allocated in a development plan or identified on a brownfield register, *"Such evidence, to demonstrate deliverability, may include:*

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;*
- firm progress with site assessment work; or*
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects."*

- 4.4 The first category of sites (Category A) are presumed to be deliverable. The second category of sites (Category B) can be added if there is clear evidence of a realistic prospect that housing will be delivered.
- 4.5 Category A sites for the East Planning Area include full permissions, permitted development and non-major outline permissions – these are set out in Appendix 1. These are sites that are within the category of sites set in paragraph 4.2(a) above.
- 4.6 Category B sites include Local Plan allocations, major outline permissions and Neighbourhood Plan allocations (for example the types of sites set out in paragraph 4.2(b) above) – these are also set out in Appendix 1 alongside evidence of their deliverability within the next 5 years. Sites have only been included where we are satisfied that there is clear evidence of a realistic prospect of delivery. As noted above, this does not require certainty, and reflects the time at which each site was assessed.
- 4.7 There are also ‘developable’ sites that have been allocated for development in either a Local Plan or Neighbourhood Plan or have permission granted but aren’t currently considered to be deliverable based on the evidence available. These sites will be kept under review and may, if justified, become deliverable sites in the future. These are shown in Appendix 1 but are not counted in the 5-year supply set out in table 3.
- 4.8 The NPPF (paragraph 72) sets out that a windfall allowance for small sites (unidentified sites of less than 5 dwellings) may be justified in the five-year supply if a local planning authority has compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Windfall sites are sites not specifically identified in the development plan and for less than five dwellings. Windfall completions for the last ten years were considered with the average identified for a windfall allowance.

Table 2: Windfall completions

Year	Net completions
2013/14	52
2014/15	41
2015/16	37
2016/17	68
2017/18	124
2018/19	67
2019/20	64
2020/21	70
2021/22	69
2022/23	148
Average	74

4.9 An overview of the makeup of the five-year supply is set out in Table 3.

Table 3: Overview of supply in the five-year period 2023-2028

Component	Net dwellings
Category A sites	374
Category B sites	314
Windfall allowance	370
Deliverable supply	1,058

4.10 Sites with planning permission for fewer than five dwellings are not included in the supply due to a windfall allowance being applied for the five-year period. This is to avoid any double counting of smaller sites.

5.0 CONCLUSION

5.1 The five-year housing land supply calculation for 2023-2028 is as follows:

Table 4: Five-year housing land supply position for 2023-2028

Component	Dwellings
Total housing requirement (362 x 5) (see Table 1)	1,810
Annualised target (1,810 divided by 5 years)	362
Five-year housing land supply (see Table 3)	1,058
Supply divided by annualised target	2.9 years of supply

5.2 Taking the requirement from Table 1 of 1,810 dwellings and the supply of 1,058 dwellings from Table 3 gives a five-year supply of 2.9 years. This is arrived at by dividing the requirement by 5 to create an annualised figure of 362 (see Table 1). The 1,058 is then divided by the annualised requirement of 362 which gives the result of 2.9.

APPENDICES

Appendix 1 – Deliverable and developable sites