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By Email Only



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Dear Guy

RE: SUSTAINABLE AMESBURY – CHANGING NATIONAL PLANNING AND HOUSING POLICIES

Thank you for confirmation of Chilmark Consulting's instructions on 9th September 2024 with respect to the provision of a short advisory note concerning the most recent proposed draft changes to the National Planning Policy Framework (**NPPF**) and the method for calculating and apportioning housing needs in England.

This letter sets out our advice on the above matters with regard to the Local Plan and housing growth situation in Wiltshire and in the context of Sustainable Amesbury's objectives.

Proposed Changes

National Planning Policy Framework

Following the General Election held in July 2024, the incoming Labour Government has published an updated version of the National Planning Policy Framework (30th July 2024) for a period of public consultation up to 24th September 2024.

The Government has also published proposed modifications to the 'Standard Method' procedure for calculating future housing needs arising across England, as set out in the National Planning Practice Guidance (**NPPG**).

The proposed changes to the NPPF relevant to housing need and delivery include securing universal Local Plan coverage and achieving the development of 1.5 million new homes nationally in the next five years. More specifically the proposed changes seek to:

- a) make the standard method for assessing housing needs mandatory, requiring local authorities to plan for the resulting housing need figure, planning for a lower figure only when all other options are exhausted;
- b) reverse changes to the NPPF made in December 2023 which are considered (by the Labour administration) to be detrimental to housing supply;
- c) implement an updated version of the Standard Method calculation to support the commitment to build 1.5 million new homes over the next five years;





- d) broaden the existing definition of brownfield land, setting an expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas;
- e) identify 'grey belt' land within defined Green Belt areas, to be brought forward into the planning system through both plan and decision-making to meet development needs;
- f) improve the operation of 'the presumption' in favour of sustainable development, to ensure it acts as an effective failsafe to support housing supply, by clarifying the circumstances in which it applies;
- g) deliver affordable, well-designed homes with 'golden rules' for land released in the Green Belt to ensure it delivers in the public interest;
- h) make wider changes to ensure that local planning authorities are able to prioritise the types of affordable homes their communities need on all housing development and that the planning system supports a more diverse housebuilding sector.

Changes to the Standard Method for Assessing Housing Needs

The current Standard Method for assessing future housing needs identifies the minimum number of homes that a Local Planning Authority should plan for in its area. The NPPF makes clear that the outcome of the Standard Method should inform the preparation of Local Plans to establish a housing requirement for the area over the plan period.

The current method comprises a baseline of household projections (produced by the Office for National Statistics) which are then adjusted to take account of affordability. In some circumstances that figure is then capped to limit the increase, and finally an urban uplift (35%) is applied to the 20 most populous urban local planning authorities. It is designed to sum to 300,000 at a national level (but in reality, the method has resulted in a shortfall to that target nationally).

The proposed revisions to the Standard Method are to alter the process so that, in summary, it:

- a) uses a baseline set at a percentage of existing housing stock levels (rather than household projections), that drives a level of housing delivery proportionate to the existing size of settlements (intended to rebalance the national distribution of housing need) to reflect growth ambitions;
- b) tops up the baseline by focusing on those areas that are facing the greatest affordability pressures, using a stronger affordability multiplier (than in the current Standard Method) to increase the baseline in proportion to house price pressures; and
- c) removes the previous caps and urban centre uplifts so that the approach is driven by an objective assessment of need without limitations or additions.

The revised proposed Standard Method would result in an overall national increase in housing to a target of 300,000+ per annum (1.5m homes in five years). The Standard Method would provide a local planning authority-wide housing number, on which basis the NPPF sets out that the local authority must then plan and decide how and where in their authority that need is best met. The Standard Method would therefore provide the basis for plan making, not the final housing requirement and the



Government have been clear that authorities may justify planning for a lower number only where they can evidence hard constraints to the Planning Inspectorate at the Examination of a draft Local Plan.

In Wiltshire's case, the Government's published modelling of the proposed revised Standard Method would result in a housing need of 3,476 dwellings per annum (dpa), an increase from 1,917 dpa from the level of housing need that is identified under the current Standard Method and which forms the basis for the current Wiltshire Local Plan Review. Plainly this would represent a significant increase in local housing need to be accommodated within Wiltshire with obvious ramifications for the scale and distribution of such additional housing needs to existing settlements and sustainable locations throughout the area.

Changes Relevant to Wiltshire

In the case of Wiltshire's Local Plan review, the proposed changes to national policy in the draft NPPF are really concerned with the re-imposition of mandatory housing delivery targets (including the need to maintain a five year supply of housing land) and the implications arising from the revisions to the Standard Method of assessing housing need. The greater emphasis on re-use of previously developed brownfield land is also important but not really a major change from the current NPPF. Other proposed changes such as the focus on development and use of 'Grey Belt' land within designated Green Belt locations will not impact directly on the Amesbury area, unlike parts of northern Wiltshire which are within the Bristol and Bath Green Belt.

We have little doubt that the Government will ultimately adopt the proposed changes to the NPPF and to the Standard Method following the public consultation period. The length of time left for this Parliament, the scale of the Government's working majority and the alignment of the proposed changes to the Labour Party election manifesto indicate to us that there is little reason for the Government to make concessions or substantial further changes now.

Transitional Arrangements – Which NPPF Would Apply to the Wiltshire Local Plan Situation?

The draft NPPF sets out proposed transitional arrangements (Annex 1: Implementation).

Paragraph 226 states that the policies in the Framework will apply for the purpose of preparing Local Plans from the date of publication of the NPPF plus one month, subject to various caveats, of which the following are relevant in Wiltshire's case:

- a) where the emerging annual housing requirement in a Local Plan that reaches or has reached Regulation 19 (Pre-Submission Stage) on or before the publication date plus one month is no more than 200 dwellings below the published relevant Local Housing Need figure;
- b) the Local Plan is or has been submitted for Examination under Regulation 22 on or before the publication date plus one month.

Where the above apply, the Plan in question would be examined under the relevant previous version of the NPPF.

Where the Local Plan is or has been submitted for Examination on or before the publication date plus one month, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence



plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.

Paragraph 228 proposes that after applying the policies of the draft version of the Framework, Local Plans that have reached Regulation 19 (Pre-Submission stage) on or before the NPPF publication date plus one month with an emerging annual housing requirement that is more than 200 dwellings lower than the relevant Local Housing Need figure should proceed to examination within a maximum of 18 months from the NPPF publication date.

The situation in Wiltshire is that the Local Plan has passed through the Regulation 19 (Pre-Submission stage) in September 2023 and is anticipated to be submitted for Examination (Regulation 22 stage) in Q4 2024 (according to the published Wiltshire Local Development Scheme). On this basis the Local Plan should be examined under the current version of the NPPF (December 2023) as it is likely to be submitted for Examination before the new NPPF is adopted.

There is however a risk that, should the Wiltshire Local Plan Review timetable for submission for Examination slip back, then the Plan would be at risk of needing to be updated in light of the new NPPF policies and the new Standard Method (presuming that the consultation draft NPPF changes are carried through to the final published version without substantive amendment).

In reality, it is considered highly likely the aforementioned changes to the NPPF will come forward given the Government's stated manifesto commitments to reform of the planning system and development of greater numbers of new homes and in the context of the scale of the Government's Parliamentary majority to push through legislative and policy changes.

Assuming the current draft Wiltshire Local Plan is ultimately adopted which remains the intention of Wiltshire Council, then the Council would need to commence on a review of that Plan with five years. The future Plan review would need to reflect the national planning objectives and policies in place at the time it commenced (it would need to reflect the new NPPF and updated Standard Method for assessing local housing needs).

Plainly such a future Local Plan review would have to respond to the greater levels of housing need identified through the new NPPF and Standard Method. This would clearly require a greater level of housing supply being planned and allocated at sustainable locations across Wiltshire, including potentially in Amesbury (and other settlements) in order to meet those needs as far as possible.

The timescales for such a future Local Plan review are not established at the time of writing, but it is possible to make some reasoned assumptions in order to outline a potential timeline as follows:

- a) Adoption of the current draft Wiltshire Local Plan Review (following completion of Examination) – Q1 2026 (this allows 12 months for the Examination process from Q4 2024 to Q4 2025 and assumes the Examination proceeds smoothly to the publication of the Inspector's Report);
- b) Five Year period within which a review of the adopted Wiltshire Local Plan would need to commence and be completed¹ in accordance² with paragraph 33 of the NPPF (December 2023)

¹ NPPF paragraph 33 (December 2023 version) states that: "Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future".

² Reviews at least every five years are a legal requirement for all local plans (Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012)



– if the current Local Plan is adopted by Q1 2026 then the future Local Plan review and update would need to be completed by Q1 2031 at the latest (and potentially earlier if there is a significant change in the local housing need figure as may be the case in Wiltshire).

With respect to the above timetable it is also important to note that the consultation draft NPPF (July 2024) states at paragraph 227 (in relation to transitional arrangements) that where a Local Plan examined under a previous version of the NPPF reaches adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure the relevant local authority will be expected to commence plan-making in the new plan-making system (i.e. taking account of the new NPPF and Standard Method) “*at the earliest opportunity to address the shortfall in housing need*”. The intention and consequence of this is to expect local authorities to start immediately on a new plan review in accordance with the new NPPF and Standard Method approach straight after adoption of the existing plan. Wiltshire Council would therefore be under some pressure to commence an immediate review and to ensure that it had completed that work within five years from adoption of the Plan (as per the current NPPF paragraph 33).

During the five year Local Plan review period it will be important for Sustainable Amesbury to work closely with Wiltshire Council to maintain and expand its case for modest, sustainable growth of the settlement and re-affirm objection to the various speculative (i.e. not allocated) development sites proposed by development interests. The spatial strategy, settlement boundary and sustainability policies set out in the NPPF and in the draft Wiltshire Local Plan remain important cornerstones for objection to speculative development applications.

Conclusions

Drawing the above together, we conclude:

1. The proposed changes to the NPPF and to the Standard Method are highly likely to be confirmed by Government following the public consultation period as noted above. We do not envisage there to be significant change between the consultation draft changes and the final, published version. This is because:
 - a. the Government can make policy changes in the NPPF and through the NPPG without requiring further debate or the introduction of new legislation in Parliament;
 - b. the proposed changes align with the Labour Party manifesto election commitments concerning the operation of the planning system and the delivery of new housing; and
 - c. the scale of the Labour majority in Parliament is substantial and there is now potentially a five year period until the next General Election would need to be called offering an extensive period for the new NPPF to be adopted.
2. there is little value in expending Sustainable Amesbury's resources on representations / submissions to the Government concerning the proposed changes to the NPPF and the Standard Method. In short, we do not consider the Government will be especially open or keen to make further substantive alterations to the NPPF in light of individual consultee responses (previous public consultations on earlier versions of the NPPF would tend to bear this out too).
3. the main focus for Sustainable Amesbury should, in our view, be:



- a. to continue to work at the local level with Wiltshire Council to get the draft Local Plan through to Examination promptly and subsequently adopted (in order to avoid delay and the need for changes to the Plan to accord with the new NPPF and the rise in the local housing need anticipated from the revised Standard Method);
- b. to work with Wiltshire Council on the longer term planning and growth of Amesbury as a sustainable location and particularly the approach the Council would intend to take at the next Local Plan review (which needs to be undertaken within five years of the adoption of the current Local Plan review)
- c. continue to establish objection and defence against speculative or hostile strategic housing land planning applications on a site-by-site basis in the area making continued use of national and local planning policies that do not support unsustainable development or schemes that have significant adverse impacts / effects on sensitive natural environments or heritage assets.

We trust that these comments are helpful and would be happy to discuss them in more detail with you as appropriate.

Yours sincerely,

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