

**BRECON BEACONS NATIONAL PARK AUTHORITY
PLANNING, ACCESS AND RIGHTS OF WAY COMMITTEE**

DEVELOPMENT CONTROL RELATED MATTER – FOR DECISION

**Draft Technical Advice Note (TAN) I Joint Housing Land Availability Studies
National Parks of Wales Consultation Response**

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Introduction

The Welsh Government is currently consulting on revisions to Technical Advice Note I. Technical Advice Notes supplement the land use planning policies of the Welsh Government in *Planning Policy Wales*, providing additional advice and guidance on specific subjects. Together PPW and TANs provide the framework for the preparation of LDPs and the decision making responsibilities of Local Planning Authorities.

Technical Advice Note I relates to the production of Joint Housing Land Availability Studies. Joint Housing Land Availability Studies (JHLAS) are the principal mechanism of monitoring the supply of housing land through the planning system. JHLAS demonstrate whether local planning authorities have a deliverable five-year supply of land for housing as required by Welsh Government

The current TAN I was issued by the Welsh Government in 2006, many changes have occurred within the National policy framework since that time, and as such the Welsh Government has issued a review of the TAN. The aim of the review is primarily to better align the JHLAS process with statutory monitoring of the LDP. **The Consultation TAN is appended to this report**

The Authority has determined to co-ordinate a Welsh National Park response to the consultation document.

The following report sets out the key changes within the review and the 3 Welsh National Park proposed response to the consultation for member approval.

Overview of contents

TAN I provides guidance on the preparation of Joint Housing Land Availability Studies (JHLAS). The TAN sets out the purpose of these studies is to:-

- Monitor the provision of market and affordable housing
- Provide an agreed statement of residential land availability for development planning and control purposes and
- Set out the need for action in situations where an insufficient supply is identified.

The TAN sets out that Local Planning Authorities must ensure that sufficient land is genuinely available to provide a 5 year supply of land for housing.

A Technical Advisory Group (TAG) consisting of representatives from local planning authorities, house builders and the Planning Inspectorate was established to inform the

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Welsh Government on the review of TANI. The study group was charged with reviewing the guidance in light of the following

- Prolonged difficult economic conditions, and their continued impact on housing development viability
- Potential amendments to the Welsh Planning system as discussed within the *Positive Planning Consultation*
- The level of LDP adoption across Wales.

Main Changes

Eight principle changes are proposed to the guidance as follows

1. **Purpose/Context** highlights the need for housing land supply to be based on adopted LDPs, outlining links between the JHLAS and LDP process
2. **Study Preparation Timetable** To ensure alignment between the LDP Annual Monitoring Report (AMR) and the JHLA study it is proposed to reduce the JHLAS preparation period from 12 to 6 months. This would enable the a more up-to-date figure to be included within LDP AMRs.
3. **Sites for inclusion in the housing land supply** In accordance with the current guidance, sites to be included within the land supply must have outline or full planning permission or be allocated for residential purposes within an adopted LDP. The consultation proposes extending this to sites minded to permit subject to S106 agreement, where there is clear evidence that the site will be developed within five years. However, where a S106 agreement remains unsigned for more than a year the site should be removed from the land supply.
4. **Site Categorisation** Within JHLAs studies, the Authority must define development sites in accordance with their ability to be delivered within the 5 year period. The consultation proposes the removal of category 2* (relating to sites which are considered to be undeliverable due to unfavourable housing markets) and introduction of new categories 4 and 5 which relate to viability constraints on site.
5. **Standardisation of Housing Land Supply Calculation** The consultation proposes standardising the calculation method for determining land supply, proposing that all future JHLAS will be based on the residual method (ie that calculated against the LDP housing supply figure). The consultation also proposes that where an Authority does not have an adopted LDP or up-to-date adopted UDP, they will be unable to demonstrate that they have a five-year housing land supply.
6. **Housing supply Figure** The consultation proposes that where an Authority is found to have a land supply of less than 5 years, that this issue will be addressed within the AMR. The consultation proposes that in such cases where a shortfall is identified the AMR may conclude the need to review the plan either in whole or part.
7. **JHLAS process** It is proposed that where there are identified areas of dispute there should be procedural amendments which make it mandatory for the members of the study group to meet to resolve any conflict.
8. **Transitional arrangements** The document proposes transitional arrangements for Authorities with adopted up to date UDPs who are currently preparing LDPs.

Consultation

The consultation is seeking views on the above principle changes. It is proposed that the three Welsh National Parks provide a joint response (as with previous Welsh Government Consultations). **The consultation response is appended to this report.**

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In summary there is general support for the review of the TAN and the connection of the LDP AMR with the JHLAS. The Welsh National Parks have some concerns relating to the difficulty facing rural authorities in relation to landowner land banking and the bringing forward of allocated development sites. We have concerns that the proposed level 4 classification may mean that appropriate development sites are discounted from the 5 year land supply. Concern is also expressed over the reliance on the residual method to calculate land supply without consideration of contextualising comparative analysis from other methods of calculation, such as past build rates. Similarly the National Parks of Wales object to proposed procedural amendments which make the study group phase mandatory in cases of dispute.

Recommendation

That members approve the consultation response for submission to the Welsh Government.