

Growth Board 25<sup>th</sup> September 2018

Agenda item – Update Planning Flexibilities and Freedoms

Contact: Giles Hughes, Head of Planning and Strategic Housing, West Oxfordshire District Council

E- mail: giles.hughes@westoxon.gov.uk

## **REPORT TO OXFORDSHIRE GROWTH BOARD UPDATE PLANNING FLEXIBILITIES AND FREEDOMS**

### **REPORT PURPOSE**

1. To update the Growth Board about the recent announcement made by the Secretary of State for Housing, Communities and Local Government confirming the planning flexibility on housing land supply in Oxfordshire.

### **RECOMMENDATIONS**

- i. That the Growth Board note the report.

### **BACKGROUND**

2. The Oxfordshire Housing and Growth Deal contained a commitment from Government to explore the options for time limited planning flexibilities, subject to consultation where appropriate.
3. The Oxfordshire Housing and Growth Deal Delivery Plan signed in March 2018, identified two specific time limited planning freedoms and flexibilities: a three year housing land supply requirement for Oxfordshire, and agreement on a bespoke Oxfordshire Housing Delivery Test % to apply from November 2020.
4. The Growth Deal Delivery Plan recognised that the milestones attached to the work on the Joint Statutory Spatial Plan (JSSP) are contingent on securing the planning flexibilities.
5. The Secretary of State for Ministry of Housing, Communities and Local Government made a written statement in the House of Commons on the 12th September 2018 implementing a temporary change to housing land supply policies as they apply in Oxfordshire. This change states that authorities in Oxfordshire will need to demonstrate a three year supply of deliverable housing sites, rather than the five year requirement that applies nationally. A copy of the written statement is included as attachment 1.
6. The revised National Planning Policy Framework (NPPF) launched in July 2018 provided a key policy link enabling this planning freedom and flexibility. The written ministerial statement applies from the 12<sup>th</sup> September and will remain in effect until the adoption of the Joint Statutory Spatial Plan in each area, provided the timescales agreed in the Housing and Growth Deal are adhered to.
7. In making the decision to make the written statement the Secretary of State took into account all of the representations received during consultation on the measure. A report on the consultation responses was presented to the Growth Board at its meeting on the 31st July 2018.

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8. Now that the three year supply planning freedom has been confirmed, work on the JSSP can move beyond its preparatory phase, subject to the decisions by the individual local planning authorities in September and October on the Local Development Scheme, Scoping Paper, and Draft Statement of Community Involvement.
9. As reported to the Growth Board in July, the bespoke housing delivery test will be subject to local consultation in 2020 in time to enable this separate freedom to be in place for November 2020 through a written ministerial statement. A target of 50% would apply for three years from November 2020 in each of the Oxfordshire Districts. This would apply instead of the national figure of 75%. This timing should help manage the risks from unforeseen circumstances delaying adoption of a District's Local Plan.

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**Attachment 1**

**Housing Land Supply in Oxfordshire: Written statement - HCWS955**

**WS**

**Ministry of Housing, Communities and Local Government**

Made on: 12 September 2018

Made by: [James Brokenshire](#) (Secretary of State for Ministry of Housing, Communities and Local Government)

HCWS955

**Housing Land Supply in Oxfordshire**

In March this year the Government committed to the Oxfordshire Housing and Growth Deal, to support ambitious plans to deliver 100,000 homes by 2031. The Oxfordshire-wide Joint Statutory Spatial Plan to be adopted by 2021 will be supported by £215 million of funding to help deliver more affordable housing and infrastructure improvements to support sustainable development across the county.

Paragraph 217 of the National Planning Policy Framework sets out that the Government will explore potential planning freedoms and flexibilities, for example where this would facilitate an increase in the amount of housing that can be delivered. Such freedoms and flexibilities are to be considered by the Government on a case by case basis. In this instance the Government has worked closely with the authorities in Oxfordshire to agree planning freedoms and flexibilities that will support the ambitious plan-led approach through a Joint Spatial Strategy and the Housing Deal.

As part of the Housing Deal, Oxfordshire sought flexibility from the National Planning Policy Framework policy on maintaining a 5 year housing land supply. This policy supports the delivery of housing by ensuring sufficient land is coming forward to meet housing need. However, we recognise the ambitious plans in Oxford to deliver above their housing need in the long term. The Government wants to support this strategic approach to supporting housing delivery through joint working. We have therefore agreed to provide a short term flexibility which will support the delivery of the local plans for the area and ensure that the local authorities can focus their efforts on their Joint Spatial Strategy. The Government recognises that in the short term this will result in fewer permissions being granted under paragraph 11 of the National Planning Policy Framework but the Government believes that it is important to support these ambitious plans that will deliver more housing in the longer term.

Having considered the responses from a local consultation, which closed on the 12th July 2018, I am today implementing a temporary change to housing land supply policies as they apply in Oxfordshire.

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For the purposes of decision-taking under paragraph 11(d), footnote 7 of the National Planning Policy Framework will apply where the authorities in Oxfordshire cannot demonstrate a three year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73). This policy flexibility does not apply to the Housing Delivery Test limb of footnote 7 of the National Planning Policy Framework nor plan making policy in paragraph 67. If a local authority intends to fix their land supply under paragraph 74 they will still be required to demonstrate a minimum of five year supply of deliverable housing sites, with the appropriate buffer.

This statement is a material consideration in planning decisions and applies to those local planning authorities in Oxfordshire with whom the Government has agreed the Oxfordshire Housing and Growth Deal, namely Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council and West Oxfordshire District Council. This statement applies from today and remains in effect until the adoption of the Joint Statutory Spatial Plan in each area, provided the timescales agreed in the Housing and Growth Deal are adhered to. I will monitor progress against these timescales and keep the planning flexibility set out in this statement under review.

This statement has also been made in the House of Lords: HLWS924