



MAC C39 and MAC C40

We are concerned with the inclusion of Housing Commitments and Housing Allocations under the same policy in the LDP and the attempt to strengthen the link between them.

In terms of the Housing Commitments, these are sites that have planning permission, some of which are subject to the signing of a section 106. Therefore, when a planning permission on a site lapses, is the Council going to then remove the site from the LDP? The fact that a site previously had planning permission can hardly be sufficient to allow it to be counted towards the genuinely available land supply. Therefore, if a planning permission lapses, the Council will need to remove the site from the policy and revise the LDP and housing supply figures.

In addition to this, the impact of these sites on the Joint Housing Land Availability system could also be significant.

In accordance with TAN 1, only sites that are allocations or have planning permission are allowed to be included in the JHLAS process. Therefore, it is not clear how Housing Commitments will be considered in this respect. For instance, if a planning permission on a Housing Commitment expires, it can no longer be included in the JHLAS process, as it is effectively not an allocation. However, given that Housing Allocations and Commitments are now considered together under the same policy, it would be difficult to distinguish which housing sites are deemed acceptable for inclusion in the JHLAS supply. This needs to be urgently clarified.

In addition to this, if a Housing Commitment has a planning permission that is subject to section 106, this also cannot be included in the 5 year supply, according to the requirements of TAN 1. However, again, this situation will be difficult to decipher,

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given that both Allocations and Commitments are now considered under the same policy. This also needs to be urgently clarified.

In terms of the above, we envisage this situation could cause significant issues with the JHLAS system. The Council cannot be allowed to include Housing Commitments in the JHLAS process if they do not have planning permission or are subject to Section 106. This would be contrary to national guidance as they are not allocations that have been subject to the necessary scrutiny through the LDP process.

It is essential to ensure that a new category of 'approved' housing sites is not created within the plan, which could have serious implications to the way in which the JHLAS operates. This situation could impact on the soundness of the Plan, given that the Housing Allocations and Commitments policy would essentially conflict with the requirements of national guidance with respect to the JHLAS process.

In light of the above, it would be more appropriate to completely distinguish between Housing Allocations and Housing Commitments in the LDP, so that everyone is clear as to their role and remit.

We would welcome the Inspector's views on these important issues.

End.

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The Home Builders Federation