

# PINS NOTE 11/2018

To: All Inspectors, All Examining Inspectors, All Casework Managers

Relevancy: Planning and Enforcement casework, Local Plans, National Infrastructure (all England only)

Date of Issue: **24 September 2018**

Review Date: 24 March 2019

## Planning Practice Guidance: New & Updated Chapters

1. On **13 September 2018**, the Ministry of Housing, Communities and Local Government (MHCLG) added new chapters to the Planning Practice Guidance (PPG), covering:

[Build to rent](#)

[Plan-making](#)

2. MHCLG also updated the following PPG chapters:

[Housing need assessment<sup>1</sup>](#)

[Housing and economic land availability assessment](#)

[Local Plans](#)

[Neighbourhood planning](#)

### Action

3. Inspectors should consider the need to revert back to the parties, for cases affected by the changes to the PPG.

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<sup>1</sup> Renamed from 'Housing and economic development needs assessments'

## Background

4. These new and updated chapters follow previously updated guidance on Viability, which was published alongside the revised Framework on 24 July 2018. The Housing and economic development needs assessments chapter was also updated at the time of publication of the revised Framework, but has now undergone further revision and been renamed as 'Housing need assessment'.
  - [Housing need assessment](#): New version of guidance to reflect the revised version of the National Planning Policy Framework 2018.
  - [Housing and economic land availability assessment](#): Added new sections 'Housing delivery: 5 year land supply' and 'Housing Delivery Test' and removed section 'Methodology – Stage 5: Final evidence base'.
  - [Local Plans](#): Moved paragraphs 001, 003, 008, 010, 012, 014, 018 and 027 to new guidance on [Plan-making](#).
  - [Neighbourhood planning](#): Added new paragraphs 096 to 099.
5. MHCLG has indicated that the update to the 'Local Plans' chapter is only partial and further changes are likely to this chapter. MHCLG has additionally indicated that further updates to the PPG to support other areas of the revised Framework will be made in due course.
6. PINS Note 08/2018 has been updated to refer to these additions and updates to the PPG.

## Addressing shortfalls in housing completions against planned requirements

7. Paragraph 044 of [Housing and economic land availability assessment](#), sets out the responsibilities of strategic policy-making authorities (which may be single local authorities or authorities working together on joint strategies) to address shortfalls in housing completions. This paragraph indicates (text below) that an authority seeking to deal with past under-delivery over a period of greater than the next 5 years should address this **through plan-making and examination** and not through the appeal process. It then sets out the factors that authorities may wish to consider should they opt for this approach.

### **How can past shortfalls in housing completions against planned requirements be addressed?**

Where shortfalls in housing completions against planned requirements have been identified, strategic policy-making authorities may consider what factors might have led to this and whether there are any measures that the authority can take, either alone or jointly with other authorities, which may counter the trend.

Where relevant, strategic policy-makers will need to consider the recommendations from any action plans prepared as a result of past under-delivery, as confirmed by the housing delivery test.

The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach). If a strategic policy-making authority wishes to deal with past under delivery over a longer period, then a case may be made as **part of the plan-making and examination process rather than on a case by case basis on appeal.**

Where strategic policy-making authorities are unable to address past shortfalls over a 5 year period due to their scale, they may need to reconsider their approach to bringing land forward and the assumptions which they make. For example, by considering developers' past performance on delivery; reducing the length of time a permission is valid; re-prioritising reserve sites which are 'ready to go'; delivering development directly or through arms' length organisation; or subdividing major sites where appropriate, and where it can be demonstrated that this would not be detrimental to the quality or deliverability of a scheme.

### **Contacts for further information**

8. Please contact XXXX if you have any general queries on this Note.
9. In the first instance please contact your SGL for advice on specific appeal casework, as appropriate. If necessary, queries may be escalated further for a GM view (SGLs should contact XXXX to arrange in those circumstances).
10. Non-salaried Inspectors should approach XXXX with any queries in the first instance, on which XXXX will liaise with XXXX.