

**HOUSING NEED v HOUSING REQUIREMENT  
ADDITIONAL COMMENTS BY THE COTSWOLDS CONSERVATION BOARD  
IN RELATION TO THE STROUD DISTRICT LOCAL PLAN REVIEW  
'ADDITIONAL HOUSING OPTIONS' CONSULTATION<sup>1</sup>**



The Additional Housing Options consultation paper and supporting documents repeatedly conflate the issues of housing need and housing requirement. For example (with underlining added for emphasis):

- *In August 2020, the Government published a consultation document which proposed changes to the way the Government calculates the minimum housing requirement for each local authority area in the country.<sup>2</sup>*
- *In the Emerging Strategy we published in 2018, we identified that Government requirements would mean the delivery of housing at a rate well beyond anything seen in Stroud District's living memory.<sup>3</sup>*
- *In autumn 2017, it was assumed that the housing requirement for Stroud District would be the Government figure of 635 houses per annum.<sup>4</sup>*
- *The four additional strategic growth options set out by the Council in the Additional Housing Options consultation paper (October 2020) consider how an increased housing requirement of 786 dwellings per annum (or 15,720 dwellings for the 20 year period) might be met.<sup>5</sup>*

In all of these examples, what is referred to as the housing **requirement** is actually the assessed housing **need**. For example, the Government's consultation document<sup>6</sup>, referred to in the first bullet point, did not propose changes to the way the Government calculates the minimum housing **requirement** for each local authority. It proposed changes to the way the Government calculates the minimum housing **need**.

This is a hugely important distinction, which fundamentally affects the way in which housing provision is planned, discussed and delivered. It also fundamentally affects the extent to which the pressure for more housing over-rides – and adversely affects - other considerations such as the statutory purpose of conserving and enhancing the natural beauty of Areas of Outstanding Natural Beauty (AONBs), including the Cotswolds National Landscape.

As the Government's consultation document itself states:

- *The standard method provides the starting point for planning for housing and does not establish the housing requirement.<sup>7</sup>*

This statement reflects the Government's guidance on 'Housing and economic needs assessment'<sup>8</sup>, which states that:

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<sup>1</sup> These comments formed part of our response to Question 3 in the online questionnaire. However, all of the references that have been used in these comments did not translate across to the online questionnaire response. Also, this is an over-arching issue, rather than an issue that specifically relates to 'reserve sites', so it is also being submitted as a stand-alone document

<sup>2</sup> Page 1 of the consultation paper.

<sup>3</sup> Page 3 of the consultation paper.

<sup>4</sup> Sustainability Appraisal, paragraph 1.13.

<sup>5</sup> Sustainability Appraisal, paragraph 1.17.

<sup>6</sup> Changes to the Current Planning System.

<sup>7</sup> Changes to the Current Planning System, paragraph 3, page 8.

<sup>8</sup> <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

- *Assessing housing need is the first step in the process of deciding how many homes need to be planned for. It should be undertaken separately from ... establishing a housing requirement figure and preparing policies to address this such as site allocations.*<sup>9</sup>

The National Planning Policy Framework (NPPF) specifies that '*strategic policies should be informed by a local housing need assessment*'<sup>10</sup> (my emphasis) but this does not necessarily mean that the housing requirement should be as large as the identified housing need, as outlined below.

Housing need is an unconstrained assessment of the number of homes needed in an area.<sup>11</sup> In contrast, current Government guidance specifies that '*plan-making bodies should consider constraints*'<sup>12</sup> when determining the housing requirement for their area. Even the Planning White Paper's proposed standard method for establishing housing requirements (which is different to the proposed standard method for calculating housing need) '*would factor in land constraints*'.<sup>13</sup> In other words, the housing **requirement** figure for a local authority area will potentially be **constrained**, whereas the housing **need** figure is **unconstrained**.

Government guidance specifies that housing requirement assessments '*should reflect the policies in footnote 6 of the National Planning Policy Framework (NPPF), which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area.*'<sup>14</sup> The policies in footnote 6 of the NPPF include those relating to AONBs, such as paragraph 172 of the NPPF.<sup>15</sup> Government guidance makes it clear that the NPPF's '*policies for protecting these areas may mean that it is not possible to meet objectively assessed needs in full through the plan-making process*'.<sup>16</sup>

Government guidance states:

- *If there is clear evidence that strategic policies cannot meet the needs of the area, factoring in the constraints, it will be important to establish how needs might be met in adjoining areas through the process of preparing statements of common ground, and in accordance with the duty to cooperate. If following this, needs cannot be met then the plan-making authority will have to demonstrate the reasons why as part of the plan examination.*<sup>17</sup>

Therefore, in summary, rather than simply accepting the identified housing need as the basis for housing provision within their area, a local authority should identify a housing requirement figure that takes into account relevant constraints, such as those identified in footnote 6 of the NPPF (including AONBs). Where these constraints mean that there is a shortfall between the housing requirement figure and the housing need figure, the next step should be to identify if this shortfall might be met in neighbouring local authority areas. Even if this shortfall cannot be met in neighbouring authority areas, the constraints may provide sufficient justification for having a housing requirement figure that is less than the housing need figure.

Taking all of the NPPF footnote 6 constraints into account, it may well be that the Stroud District area does not have the capacity to accommodate the additional housing need identified using the draft

<sup>9</sup> <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>. Paragraph 001.

<sup>10</sup> National Planning Policy Framework. Paragraph 60.

<sup>11</sup> <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>. Paragraph 001.

<sup>12</sup> <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>. Paragraph 002

<sup>13</sup> Planning White Paper, page 27: Proposal 4.

<sup>14</sup> <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>. Paragraph 002.

<sup>15</sup> Case law has clarified that the whole of paragraph 172 is covered by footnote 6 (e.g. Monkhill Ltd v Secretary of State for Housing, Communities and Local Government [2019] EWHC 1992 (Admin)).

<sup>16</sup> <https://www.gov.uk/guidance/natural-environment#landscape>. Paragraph 041.

<sup>17</sup> <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>. Paragraph 025.

standard method (or even the housing need identified using the current standard method). As such, taking into account the points outlined above, the spatial strategy options and additional sites identified in the Additional Housing Options consultation may not actually be necessary, even if the proposed standard method comes into force.

The points outlined above are particularly significant in a local authority area like Stroud District where approximately half of the area and half of the settlements lie within the Cotswolds National Landscape.

We strongly urge the District Council to use the correct terminology with regards to 'housing need' and 'housing requirement'. We also strongly urge the District Council to ensure that its housing requirement figure fully takes account of relevant constraints (particularly those constraints identified in Footnote 6 of the NPPF, including AONBs), rather than automatically treating the housing need figure and the housing requirement figure as one and the same thing.