



# Janet Finch-Saunders AM/AC

Assembly Member for Aberconwy  
Shadow Cabinet Secretary for Local Government

Aelod Cynulliad dros Aberconwy  
Ysgrifennydd yr Wrthblaid ar gyfer Llywodraeth Leol

**TAN 1 Consultation**  
**Planning Policy Branch**  
**Planning Directorate**  
**Welsh Government**

**By email to:**

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30<sup>th</sup> May 2018

Ref: TYH/JFS/HM

## **Re: Consultation response: Technical Advice Note 1 - Temporary dis-application of paragraph 6.2**

Dear Cabinet Secretary, Lesley,

I am writing to make my submission to the consultation to temporarily dis-apply paragraph 6.2 of TAN 1.

Further to my many contributions in the Siambwr, during Petitions Committee, and in much correspondence with yourself and your Welsh Government colleagues on this matter, I welcome this proposal.

I am pleased to learn of the proposed temporary dis-application of paragraph 6.2 of TAN 1 to remove the reference to attaching “considerable” weight to the lack of a five-year housing land supply as a material consideration in determining planning applications for housing; and I *hope* that the proposed temporary dis-application of paragraph 6.2 of TAN 1 will be effective in relieving pressure on local planning authorities when dealing with speculative planning applications for housing.

However, I would like to take this opportunity to put forward my further concerns on this matter, and to stress that – whilst I am pleased that 6.2 may be dis-applied temporarily – I strongly feel that this does not go far enough, and would like to call for a complete halt on the requirement to use the residual methodology for calculating housing land supply. Even with the dis-application of 6.2, removing the need to attach ‘considerable’ weight to the land supply – officers will still be obliged to place *some* weighting on it – presumably, in parity with all other TAN considerations: therefore, my objection in full to the methodology outlined in TAN 1 stands. It is the current *methodology* under TAN 1, not just the requirement to place ‘considerable’ weighting to it, which places such extortionate and unrealistic duties on planning authorities.

You will recall that I have called for the TAN 1 methodology to be reviewed further on a

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considerable number of occasions. When changes to the methodology for calculating the housing land supply under TAN 1 were proposed in 2014, 79% of planning authorities, including my own local authority: Conwy County Borough Council, disagreed with the proposal to use the residual methodology only – with those opposed favouring the ‘past build rates’ methodology instead – particularly where an LDP had not been developed, or was out of date.

As a result of the subsequent changes to the methodology outlined under TAN 1 guidance in 2015, the housing land supply calculated for Conwy has changed dramatically, despite no corresponding population or demographic change within the County. In 2017, the land supply was calculated at 3.1 years. If the ‘past build rates’ method had been used, this would have stood at 8.5 years. The difference is astounding, and highlights just why so many local authorities and residents have concerns as to this method.

It is often this change in the calculation of housing land supply which is used by developers and planning authority officers to justify the consideration of large scale applications put in on sites outside of the LDP, including greenfield sites.

My concern at simply ‘dis-applying’ paragraph 6.2 of TAN 1 is that I believe that attaching ‘considerable’ weight to housing land supply figures should not have enabled planning authorities to agree to applications which went against other policies in the first instance. Indeed, at present, applications brought to local planning authorities must be determined in accordance with policies in the LDP, unless material considerations indicate otherwise. With regards to an application where housing land supply is deemed a ‘material consideration’, this still does not mean that it may override all over policies:

- Planning Policy Wales, 2.14.4, states that *if* “policies in an adopted LDP are outdated for the purposes of determining a planning application... [then] local planning authorities should give the plan decreasing weight in favour of other material considerations such as national planning policy...”
- As regards this national planning policy, TAN 1, 6.2 then states that: “housing land supply figure should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5-year requirement...the need to increase supply should be given considerable weight when dealing with planning applications **provided that the development would otherwise comply with development plan and national planning policies.**” [Emphasis added.]
- Further, on 11<sup>th</sup> October 2017, in response to the ongoing Assembly petition relating to how housing land supply is considered, the Cabinet Secretary for Energy, Planning and Rural

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