

The Rt. Hon Michael Gove, M.P.
Secretary of State for Levelling Up,
Housing and Communities
Department of Levelling Up, Housing and
Communities
2 Marsham Street
Westminster
London
SW1 4DF

ExecutivesupportSAV@southoxon.gov.uk

Tel: 01235 422693
135 Eastern Avenue
Milton Park
Oxon
OX14 4SB

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Dear Mr Gove,

We are writing to highlight the severe concerns we have around the 5-year land supply rules. In our opinion, the current system does not function as intended and is, therefore, in urgent need of review. As local planning authorities, we are facing consistent pressures in relation to our 5-year housing land supply – this is in spite of the fact that we have up-to-date local plans and consistently deliver upon our housing requirements.

The purpose of the 5-year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next five years. However, even if a local authority can show that they have a sufficient supply, this is still challenged by developers during planning decisions/appeals. It would, therefore, seem to be an inadequate measure if there is such a degree of ambiguity regarding what it demonstrates.

Moreover, the phrase 5-year land supply is, by its very nature, misleading. It incorrectly implies that councils who are unable to demonstrate compliance with this target cannot do so because they have failed to allocate or approve sufficient sites. This, however, is simply not the case for councils with adopted plans, who are keeping up with changes to methodology. Such councils, provided they have approved enough planning applications, by definition would have proved that they have allocated sufficient land for housing.

The current rules also perversely reward the inability of developers to meet their commitments. If a developer fails to build out at the required rates on sites allocated within the local plan, a council can lose its 5-year housing land supply. Housebuilders can, therefore, through their own actions create strong planning grounds for the granting of permissions on new sites that were specifically **not** in the local plan and several Inspectors have 'found' that local authorities cannot even rely on the views

expressed by developers around when they will build out and at what rate they will do so on granted permissions.¹

Any measure that is ambiguous, misleading and containing contradictory incentives for developers not to build out granted permission is, therefore, not fit for purpose. We would instead argue that, providing a planning authority has allocated sufficient land for housing and has not unreasonably withheld planning permissions, they should be deemed to have met their obligations around land supply.

We would ask you to cease the use of the 5-year housing land supply measure and replace it with one that instead makes objective assessments based on the sites allocated and permitted by a local authority. We would also ask that government consider introducing incentives for developers to encourage the earliest possible build out of both permissioned and allocated sites. If, however, HM Government remains committed to retaining the current inequitable land supply rules, we would at least ask for special consideration to be given to local planning authorities in Oxfordshire by the reinstatement of the 3-year land supply flexibility we were granted through the Oxfordshire Housing and Growth Deal arrangements. It was previously recognised that the creation of the Oxfordshire Plan 2050 could increase the risk of speculative and/or unplanned development through the period of time it was under development and before it was adopted. However, whilst the Oxfordshire authorities remain committed to taking forward the Oxfordshire Plan 2050, the county's local planning authorities have had this land supply flexibility removed – despite the reasons for its introduction still existing.

As a result, we all face unreasonable pressures on our current housing land supply figures, leaving our communities increasingly vulnerable to speculative planning applications. This situation is exacerbated by the current market conditions – artificially high demand, slower supply chains, a lack of skilled workers in some areas and delayed build-out rates. This creates concern and indeed anxiety for many residents across Oxfordshire and it leaves the local planning authorities unable to offer any reassurance.

We look forward to receiving your response.

Yours sincerely,



Councillor David Rouane
Leader, South Oxfordshire District Council



Councillor Susan Brown
Leader, Oxford City Council



Councillor Michele Mead
Leader, West Oxfordshire District Council



Councillor Barry Wood
Leader, Cherwell District Council

¹ [Appeal Ref: APP/Q3115/W/20/3265861 Little Sparrows, Sonning Common, Oxfordshire RG4 9NY](#)
South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Abingdon, Oxfordshire
OX14 4SB www.southoxon.gov.uk



Councillor Emily Smith
Leader, Vale of White Horse District Council



Councillor Liz Leffman
Leader, Oxfordshire County Council