

Local Connection Policies in Neighbourhood Plans

What is a local connection policy?

In simple terms, a local connection policy, or test (criteria to determine eligibility for housing) is one that ensures local people get preferential access to some housing.

Defining local connection

Section 199 of the Housing Act 1996 defines 'local connection' as a scenario where someone has a connection to an area because of:

- normal residence (current or previous)
- employment
- family connections, or
- special circumstances

The specifics of this connection are usually made at the local authority level.

Can a local connection policy or test be set for market housing?

For market housing no test of local connection is normally applied at any level of the planning system, either in national or local policy. Essentially, it is not usually possible in law or policy to require a local connection for occupants of homes being offered on the open market.

There are some exceptions to this rule. For example, some market housing may be offered only to certain sections of the market. This is set out in NPPF paragraph 79 which permits new isolated homes in the open countryside where there is an essential need for rural workers (think farmers), to live permanently at or near their place of work.

Other examples exist in planning law of occupancy conditions, i.e. where market housing is permitted in circumstances where it otherwise would not be, requiring that the housing be occupied by a specific type of worker or resident. However, this is not the same as requiring a local connection, because there is no guarantee that, for example, a rural worker or a farmer would be able to prove a local connection.

In cases such as these, the condition is normally secured through a section 106 agreement which requires the occupancy condition to be applied in perpetuity.

Can a local connection policy or test be set for affordable housing?

Yes. In fact, most local authorities already apply a local connection test as part of their housing allocation policy for Social Rented and other forms of Affordable Housing. The power to do this was set out under Section 199 of the Housing Act 1996.

Can local connection policies be included in neighbourhood plans?

Yes. Usually local connection policies are formulated at the local authority level. However, neighbourhood plans can also include local connections policies, provided they are in general conformity with strategic policies in the local plan.

Any examples of existing local connection policies in neighbourhood plans?

- The Petersfield Neighbourhood Plan includes a local connection test for those submitting a planning application for self-build housing. [See policy HP7.](#)
- The Woodcote Neighbourhood Plans sets a local connection test for affordable housing. [See policy H4.](#) For more info on the Woodcote plan read our Q&A with Geoff Botting.

Any important points to consider?

By including a local connection test, policy makers may exert influence on the housing market. This is the basic objective in fact, because housing data may have demonstrated that market housing is out of reach for local people, living on certain incomes.

As with all attempts to influence the market, policy makers should be aware of unintended consequences. These might include impacts on the viability of housing schemes, which in turn may affect other sectors of the economy. An obvious example is local construction firms who may experience a drop in demand if the viability of housing schemes is impacted.

Policy makers should also consider whether there is a compelling need to add to existing local connections policies. These may already be comprehensive at the local authority level. Neighbourhood plan policies will also have to be in general conformity with these local policies.

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