



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	PLANNING COMMITTEE
DATE:	11 APRIL 2017
REPORT OF THE:	HEAD OF PLANNING GARY HOUSDEN
TITLE OF REPORT:	DCLG WHITE PAPER FIXING OUR BROKEN HOUSING MARKET
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To consider the proposals in the White Paper and to agree this Council's response to the current consultation.

2.0 RECOMMENDATION

- 2.1 It is recommended that:

- (i) The proposed response at Paragraphs 6.10 to 6.14 (inclusive) and at Appendix 2 is agreed as this Council's response to the consultation.

3.0 REASON FOR RECOMMENDATION

- 3.1 The White Paper relates directly to this Council's role as housing and planning authority and it is appropriate that a response is provided to the consultation.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks associated with the report's recommendation.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Members will be aware that a government White Paper is a policy document that outlines proposals for future legislation and national policy. 'Fixing our broken housing market' sets out a programme of reform to tackle long-standing problems in the housing market.

- 5.2 Consultation on the proposals runs from 7 February 2017 - 2 May 2017. It should be

noted that although the document covers a range of issues, the consultation relates specifically to planning proposals and the changes to planning policy (the National Planning Policy Framework - NPPF) and legislation needed to implement proposals in the White Paper.

6.0 REPORT

6.1 The White Paper is at Appendix 1 to this report. Proposals are based around the following four themes:

- Planning for the right homes in the right places
- Building homes faster
- Diversifying the market
- Helping people now

6.2 A summary of the main proposals are outlined below .

Planning for the right homes in the right places

6.3 Proposals are focussed on ensuring Development Plans are put in place; that enough land is available to support housing delivery and that neighbourhood planning is strengthened. Key proposals include:

- introduce a statutory requirement to review plans every 5 years to ensure they are kept up to date (via new regulations)
- new Statements of Common Ground setting out how neighbouring authorities will work together to meet housing requirements where one authority has demonstrated it is unable to meet its housing requirements (via revisions to NPPF)
- establishing a standard approach to assessing housing requirements (via revisions to the NPPF)
- new powers for Government to intervene to prepare plans (via Neighbourhood Planning Bill)
- Flexibility over scope and number of plans (via revisions to NPPF)
- Greater transparency over land ownership and contractual arrangements (via consultation and new legislation)
- enhanced weight to reuse of brownfield land in settlements (via revisions to NPPF)
- More homes on public sector land (via Accelerated Construction Programme and new £45m Land Release Fund)
- Enable Local Authorities to dispose of land with the benefit of planning permission which they have granted to themselves
- 10% of sites allocated for residential development in local plans to be sites of half a hectare or less
- Clarification of Green Belt Policy to specify the circumstances under which boundaries can be amended (via revisions to NPPF)
- Further funding for Neighbourhood Plans
- Plans to include clear design expectations (via revisions to NPPF)
- avoid building at low densities (via revisions to NPPF)
- Government to review Nationally Described Space Standard

Building homes faster

6.4 Proposals are focussed on providing support to improve planning capacity in Local Authorities; to help developers build out more quickly and to support infrastructure. A range of measures to hold developers and Local Authorities to account in delivering new housing are also proposed. Key proposals include:

- Ability to increase planning fees by 20% from July 2017 providing there is a commitment to invest the additional income into planning departments
- Minded to allow a further 20% increase for those authorities who are delivering the homes needed (subject to further consultation)
- Opportunity to have a five year land supply position agreed annually and fixed for a year to provide greater certainty (via revisions to NPPF)
- Consult on the introduction of fees for appeals to deter unnecessary appeals
- £2.3b Housing Infrastructure Fund targeted at areas of greatest need
- Review of Utilities planning
- Restrict use of pre-commencement conditions (via Neighbourhood Planning Bill)
- Streamlining the licensing system for protected species
- Reform of Developer Contributions and Community Infrastructure Levy (to be announced at the Autumn Budget 2017)
- Consider further support/measures to address construction skills shortages
- Requiring greater transparency of build out data from developers
- Local Authorities to have the ability to consider how realistic the development of a site is when determining applications on sites where previous permissions have not been implemented (via revisions to the NPPF)
- Shortening timescales for developers to implement a permission from 3 to 2 years (via revisions to NPPF)
- Encourage use of Compulsory Purchase powers to support the build out of stalled sites (via new guidance)
- Introduction of a new housing delivery test for Local Planning Authorities (via the revised NPPF) to address under-delivery. This is considered in more detail later in this report.

Diversifying the housing market

6.5 Proposals relate to support for new and different providers, more innovation in methods of construction and supporting new investors into residential development. Key proposed measures include:

- £1b of £3b Home Building Fund to provide short-term loan finance targeted at Small and medium sized enterprises/builders and custom builders
- Publicise Help to Buy Equity Loan Scheme to SME's
- Partnering with SMEs through Accelerated Construction Programme
- Work with lenders to support custom build
- Attracting institutional investment for private rent
- Family friendly tenancies in the new build private rented sector
- Backing Local Authorities to build (£45 land Release Fund and Accelerated Construction Programme)

Helping people now

6.6 Proposals include a range of measures designed to help people to afford a home; to

raise standards for renters and leaseholders and to prevent homelessness. Key measures include:

- New Lifetime ISA
- Retention of Help to Buy ISA and Help to Buy Equity Loan
- Support for Starter Homes (Minimum of 10% from development sites)
- Extension of Right to Buy discounts to Housing Association tenants
- Increased mandatory checks for landlords
- Banning orders for the worst landlords
- Consultation on the abolition of letting agents fees
- Promotion of longer tenancies on new build homes for rent
- Consult on a range of measures to tackle abuses of leasehold
- Continue to use additional stamp duty for the Community Housing Fund
- Continue to support Local Authorities to tackle empty homes
- New guidance for Local Planning Authorities on planning policies to meet the needs of older and disabled people
- New funding model for supported housing with consultation in spring 2017
- Additional duties on Local Authorities to prevent homelessness
- Increase in size of Rough Sleepers Fund
- Consider introduction of social lettings agencies

6.7 The White Paper is a relatively lengthy and detailed document and in conjunction with this report, Members may wish to read a number of briefing notes that have been prepared by various other bodies, including the District Council's network. These are available in the Members Room or can be emailed on request.

6.8 The consultation relates to proposed changes to the planning system to support planning for the right homes in the right places and support faster building. The majority of these changes will be made via changes to the National Planning Policy Framework (NPPF). The Government has indicated that a revised NPPF will be published in the summer following this consultation and the consideration of responses.

6.9 A number of the proposed changes to national planning policy have direct implications for the Council as Local Planning Authority. Key proposals are considered below. In addition, a proposed response to the series of questions included in the consultation are outlined at Appendix 2 to this report.

Planning fees

6.10 The ability to increase planning fees is welcomed. This Council has consistently met its housing target since the adoption of the Local Plan Strategy and therefore, the ability to further increase fees when the homes that are needed are being delivered would be welcomed.

Standardised approach to assessing housing requirements

6.11 The proposed move to standardise the assessment of housing requirements is welcomed in principle. This should avoid the prolonged examination time and the continual revisiting of Objectively Assessed Need (OAN) at individual appeals which has significant cost implications for Local Authorities. This Council will provide a response to the proposed methodology once it is made available for consultation. This Council is concerned that despite having an up to date plan with an agreed OAN

and a further Strategic Housing Market Assessment that confirms the plan figure, speculative applications are still being approved in appeal situations on the basis of affordable housing need. In high demand housing areas, affordable housing need is greater than OAN and whilst affordable housing will always be a strong material consideration in the decision making process, revisions to national policy should make it clear that it should override OAN. Unless this is the case, a standardised approach to OAN will not help to address speculative applications in high demand housing markets.

Housing Delivery Test

- 6.12 The proposed delivery test is to be applied to Local Planning Authorities as a way of holding Councils to account for housing delivery. A tiered approach is proposed to address under delivery, as follows:

Date	Housing delivery position	Proposed Action
From November 2017	If delivery of housing falls below 95% of the housing requirement	Local Authority to produce an action plan
From November 2017	If delivery falls below 85% of the housing requirement	Action Plan and an expectation to plan for a 20% buffer on the five year land supply
From November 2018	If delivery falls below 25% of the housing requirement	Automatic application of the 'Presumption in Favour of Sustainable Development'. * <i>*The Presumption in favour of sustainable development places additional emphasis on the need for planning permission to be granted unless there are strong reasons not to do so</i>
From November 2019	If delivery falls below 45% of the housing requirement	The presumption would apply
From November 2020	If delivery falls below 65% of the housing requirement	The presumption would apply

- 6.13 The proposed delivery test provides some clarity towards a corrective response. It is considered that a standard method for calculating what should constitute a five year supply should be produced. The nature of the 20% buffer should also be clarified. It is unclear as to whether this should mean a further 20% 'worth' of planning permissions or if this should be a further 20% 'worth' of units to be delivered within the five year period.

Local Plan Review

- 6.14 The consultation indicates that the Government will introduce a requirement to formally review a Local Plan every five years. The implication being that this should be through the examination process. This is considered to be overly onerous and

unnecessary. Regular reviews of policy performance and evidence will inform whether a formal review of a plan is triggered/required. National policy already provides sufficient incentive to keep plans up to date.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
No direct implications associated with the recommendation
- b) Legal
No direct implications associated with the recommendation
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
No direct implications associated with the recommendation

8.0 NEXT STEPS

8.1 The Council's response will be forwarded to DCLG. Members will be briefed on the changes to the National Planning Policy Framework (NPPF) once the revised NPPF is released.

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Background Papers:

Fixing Our Broken Housing Market. DCLG. February 2017
District Council's Network Initial Briefing on Housing White Paper. 2017
Local Government Information Unit: Policy Briefing

Background Papers are available for inspection at:
Members Room and via email