

**Appendix 2: Housing White Paper Consultation. Proposed RDC response.**

<p><b>Question 1 Do you agree with the proposals to:</b></p> <p>a) Make clear in the National Planning Policy Framework that the key strategic policies that each local planning authority should maintain are those set out currently at paragraph 156 of the Framework, with an additional requirement to plan for the allocations needed to deliver the area's housing requirement?</p> <p>b) Use regulations to allow Spatial Development Strategies to allocate strategic sites, where these strategies require unanimous agreement of the members of the combined authority?</p> <p>c) Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?</p>
<p>a) Yes</p> <p>b) Yes</p> <p>c) Clarification would be welcomed. However, in the spirit of localism an area's ambition for a place should also form part of the soundness test and the context in which evidence is considered.</p>
<p><b>Question 2 What changes do you think would support more proportionate consultation and examination procedures for different types of plan and to ensure that different levels of plans work together?</b></p>
<p>Current procedures allow for Local Planning Authorities to determine what is considered to be proportionate consultation.</p>
<p><b>Question 3 Do you agree with the proposals to:</b></p> <p>a) amend national policy so that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people?</p> <p>b) from early 2018, use a standardised approach to assessing housing requirements as the baseline for five year housing supply calculations and monitoring housing delivery, in the absence of an up-to-date plan?</p>
<p>a) Yes</p> <p>b) Yes</p>
<p><b>Question 4 Do you agree with the proposals to amend the presumption in favour of sustainable development so that</b></p> <p>a) authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?</p> <p>b) it makes clear that identified development needs should be accommodated unless there are strong reasons for not doing so set out in the NPPF?</p> <p>c) the list of policies which the Government regards as providing reasons to restrict development is limited to those set out currently in footnote 9 of the National Planning Policy Framework (so these are no longer presented as examples), with the addition of Ancient Woodland and aged or veteran trees?</p> <p>d) its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?</p>
<p>a) No. A plan should have a clear strategy to meet development needs. Unless the definition of a</p>

'suitable' site is an allocated site the proposed change will frustrate and undermine the plan-making process.

b)Yes

c)Yes . The clarification is appropriate

d)Yes. The clarification is appropriate.

**Question 5 Do you agree that regulations should be amended so that all local planning authorities are able to dispose of land with the benefit of planning consent which they have granted to themselves?**

Yes

**Question 6 How could land pooling make a more effective contribution to assembling land, and what additional powers or capacity would allow local authorities to play a more active role in land assembly (such as where 'ransom strips' delay or prevent development)?**

No comment in response to this specific question

**Question 7 Do you agree that national policy should be amended to encourage local planning authorities to consider the social and economic benefits of estate regeneration when preparing their plans and in decisions on applications, and use their planning powers to help deliver estate regeneration to a high standard?**

Yes

**Question 8 Do you agree with the proposals to amend the National Planning Policy Framework to:**

**a) highlight the opportunities that neighbourhood plans present for identifying and allocating small sites that are suitable for housing?**

**b) encourage local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the authority's housing needs?**

**c) give stronger support for 'rural exception' sites – to make clear that these should be considered positively where they can contribute to meeting identified local housing needs, even if this relies on an element of general market housing to ensure that homes are genuinely affordable for local people?**

**d) make clear that on top of the allowance made for windfall sites, at least 10% of sites allocated for residential development in local plans should be sites of half a hectare or less?**

**e) expect local planning authorities to work with developers to encourage the sub-division of large sites?**

**f) encourage greater use of Local Development Orders and area-wide design codes so that small sites may be brought forward for development more quickly?**

a) Yes. The NPPF could go further and require the allocation of small sites (at least) as part of the production of Neighbourhood Plans.

b) Additional housing development in villages does not necessarily mean that they will thrive. In sparse rural areas this can place additional strain on some services, including transport and adult and social care. It would help if the NPPF could be more explicit about the circumstances that support the expansion of villages.

c) Yes. The ability to include an element of market housing on exception sites may assist in helping sites to come forward.

d) Small sites can be a fragile source of supply and it is considered that the proposed proportion should not be any greater than 10%. It is assumed that national policy will clarify if this means 10% of sites or 10% of the housing to be planned for.

e) It would assist if the NPPF could articulate how this is intended to work in practice

f) Yes. In principle.

**Question 9 How could streamlined planning procedures support innovation and high-quality development in new garden towns and villages?**

It is considered that sufficiently streamlined planning procedures exist. Land assembly and infrastructure are key to the delivery of such schemes.

**Question 10 Do you agree with the proposals to amend the National Planning Policy Framework to make clear that**

- a) authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements?
- b) where land is removed from the Green Belt, local policies should require compensatory improvements to the environmental quality or accessibility of remaining Green Belt land?
- c) appropriate facilities for existing cemeteries should not to be regarded as 'inappropriate development' in the Green Belt?
- d) development brought forward under a Neighbourhood Development Order should not be regarded as inappropriate in the Green Belt, provided it preserves openness and does not conflict with the purposes of the Green Belt?
- e) where a local or strategic plan has demonstrated the need for Green Belt boundaries to be amended, the detailed boundary may be determined through a neighbourhood plan (or plans) for the area in question?
- f) when carrying out a Green Belt review, local planning authorities should look first at using any Green Belt land which has been previously developed and/or which surrounds transport hubs?

- a) Yes. The NPPF needs to make it clear/explicit that in such circumstances it is appropriate for land to be released from the Green Belt
- b) No. This confuses the purposes of the Green Belt and would undermine its role as a strategic planning tool to manage the growth of places
- c) Agree
- d) Yes
- e) Any detailed boundary change should be made within the context of a Green Belt review and led by the extent to which land contributes to Green Belt purposes.
- f) A Green Belt review should prioritise the extent to which land contributes to Green Belt purposes

**Question 11 Are there particular options for accommodating development that national policy should expect authorities to have explored fully before Green Belt boundaries are amended, in addition to the ones set out above?**

The NPPF should reflect the fact that for some areas, particularly in the north of England, amendments to the Green Belt will be necessary to support regeneration and economic growth.

**Question 12 Do you agree with the proposals to amend the National Planning Policy Framework to:**

- a) indicate that local planning authorities should provide neighbourhood planning groups with a housing requirement figure, where this is sought?
- b) make clear that local and neighbourhood plans (at the most appropriate level) and more detailed development plan documents (such as action area plans) are expected to set out clear design expectations; and that visual tools such as design codes can help provide a clear basis for making decisions on development proposals?
- c) emphasise the importance of early pre application discussions between applicants, authorities and the local community about design and the types of homes to be provided?
- d) makes clear that design should not be used as a valid reason to object to development where it accords with clear design expectations set out in statutory plans?
- e) recognise the value of using a widely accepted design standard, such as Building for Life, in shaping and assessing basic design principles – and make clear that this should be reflected in plans and given weight in the planning process?

- a) Yes. It would assist if the NPPF could outline what would happen if the figure given is not accepted.
- b) Yes - at the most appropriate level
- c) Yes. Include an expectation the developers are explicit about the type and mix of homes to be provided as part of pre-application consultation with communities.
- d) Yes, although the NPPF should retain the existing policy position that advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- e) Yes - this would formalise a consistent set of design principles which the industry is already familiar with.

**Question 13 Do you agree with the proposals to amend national policy to make clear that plans and individual development proposals should:**

- a) make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs?
- b) address the particular scope for higher density housing in urban locations that are well served by public transport, that provide opportunities to replace low-density uses in areas of high housing demand, or which offer scope to extend buildings upwards in urban areas?
- c) ensure that in doing so the density and form of development reflect the character, accessibility and infrastructure capacity of an area, and the nature of local housing needs?
- d) take a flexible approach in adopting and applying policy and guidance that could inhibit these objectives in particular circumstances, such as open space provision in areas with good access to facilities nearby?

- a) Yes - subject to c) below
- b) Yes
- c) Yes
- d) Yes

**Question 14 In what types of location would indicative minimum density standards be helpful, and what should those standards be?**

If location typologies are used, the NPPF should note that this should not be at the expense of delivering the range of homes needed in different areas, particularly family housing.

**Question 15 What are your views on the potential for delivering additional homes through more intensive use of existing public sector sites, or in urban locations more generally, and how this can best be supported through planning (using tools such as policy, local development orders, and permitted development rights)?**

Support in principle. The tools already exist.

**Question 16 Do you agree that:**

- a) where local planning authorities wish to agree their housing land supply for a one year period, national policy should require those authorities to maintain a 10% buffer on their 5 year housing land supply?
- b) the Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy?
- c) if so, should the Inspectorate's consideration focus on whether the approach pursued by the authority in establishing the land supply position is robust, or should the Inspectorate make an assessment of the supply figure?

- a) No. The ability to demonstrate a five year supply should be sufficient to agree the position for a period of one year.

b)Yes.

c)A focus on the process is more manageable but (similar to the need for a consistent/standard method for the calculation of housing need) we do need greater clarity and consistency over the method for the calculation of a five year supply.

**Question 17 In taking forward the protection for neighbourhood plans as set out in the Written Ministerial Statement of 12 December 2016 into the revised NPPF, do you agree that it should include the following amendments:**

a) a requirement for the neighbourhood plan to meet its share of local housing need?

b) that it is subject to the local planning authority being able to demonstrate through the housing delivery test that, from 2020, delivery has been over 65% (25% in 2018; 45% in 2019) for the wider authority area?

c) should it remain a requirement to have site allocations in the plan or should the protection apply as long as housing supply policies will meet their share of local housing need?

a) Yes

b)Yes

c)The latter point would be appropriate.

**Question 18 What are your views on the merits of introducing a fee for making a planning appeal? We would welcome views on:**

a) how the fee could be designed in such a way that it did not discourage developers, particularly smaller and medium sized firms, from bringing forward legitimate appeals

b) the level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful

c) whether there could be lower fees for less complex cases.

The use of a fee scale should be considered. Higher rates for national house builders and commercial land companies should apply. Fees should not be refundable.

**Question 19 Do you agree with the proposal to amend national policy so that local planning authorities are expected to have planning policies setting out how high quality digital infrastructure will be delivered in their area, and accessible from a range of providers?**

Yes. It would be necessary for the NPPF to outline how this is to be delivered.

**Question 20 Do you agree with the proposals to amend national policy so that:**

- the status of endorsed recommendations of the National Infrastructure Commission is made clear?; and

- authorities are expected to identify the additional development opportunities which strategic infrastructure improvements offer for making additional land available for housing?

Yes

**Question 21 Do you agree that:**

a) the planning application form should be amended to include a request for the estimated start date and build out rate for proposals for housing?

b) that developers should be required to provide local authorities with basic information (in terms of actual and projected build out) on progress in delivering the permitted number of homes, after planning permission has been granted?

c) the basic information (above) should be published as part of Authority Monitoring Reports?

d) that large housebuilders should be required to provide aggregate information on build out rates?

a)Yes. This is would not be onerous for applicants

b)Yes , the information would be very useful although it is difficult to see how this can be enforced.  
c)Yes  
d)Yes

**Question 22 Do you agree that the realistic prospect that housing will be built on a site should be taken into account in the determination of planning applications for housing on sites where there is evidence of non-implementation of earlier permissions for housing development? ?**

Yes and the NPPF should make it clear that the onus should be on landowners and developers to make a convincing argument.

**Question 23 We would welcome views on whether an applicant's track record of delivering previous, similar housing schemes should be taken into account by local authorities when determining planning applications for housing development.**

In this Council's experience it is commercial land companies that frustrate and undermine the process . In the case of major schemes, it would assist if applicants who are not builders are expected to provide evidence ( a list of which can be specified) that sites will be delivered in a timely manner ( eg tangible evidence of interest by developers and registered providers )

**Question 24 If this proposal were taken forward, do you agree that the track record of an applicant should only be taken into account when considering proposals for large scale sites, so as not to deter new entrants to the market?**

Yes

**Question 25 What are your views on whether local authorities should be encouraged to shorten the timescales for developers to implement a permission for housing development from three years to two years, except where a shorter timescale could hinder the viability or deliverability of a scheme? We would particularly welcome views on what such a change would mean for SME developers**

It is likely to make the time scale tight for smaller builders but should be applied to the major house builders and commercial land companies.

**Question 26 Do you agree with the proposals to amend legislation to simplify and speed up the process of serving a completion notice by removing the requirement for the Secretary of State to confirm a completion notice before it can take effect?**

Yes

**Question 27 What are your views on whether we should allow local authorities to serve a completion notice on a site before the commencement deadline has elapsed, but only where works have begun? What impact do you think this will have on lenders' willingness to lend to developers?**

No comment on this specific proposal

**Question 28 Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that:**

- a) The baseline for assessing housing delivery should be a local planning authority's annual housing requirement where this is set out in an up-to-date plan?
- b) The baseline where no local plan is in place should be the published household projections until 2018/19, with the new standard methodology for assessing housing requirements providing the baseline thereafter?
- c) Net annual housing additions should be used to measure housing delivery?
- d) Delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17?

a)Yes

- b) Yes
- c) Yes
- d) Yes - the time period should not be any later as housing delivery expectations have been clear since the publication of the NPPF in 2012.

**Question 29 Do you agree that the consequences for under delivery should be:**

- a) From November 2017, an expectation that local planning authorities prepare an action plan where delivery falls below 95% of the authority's annual housing requirement?;
- b) From November 2017, a 20% buffer on top of the requirement to maintain a five year housing land supply where delivery falls below 85%?;
- c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%?;
- d) From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%?; and
- e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%?

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 has always been unclear and an area of dispute 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

**Question 30 What support would be most helpful to local planning authorities in increasing housing delivery in their areas?**

Resources; investment in infrastructure an emphasis on the submission of 'oven ready' applications and the application process itself rather than the current emphasis on the speed of decision making.

**Question 31 Do you agree with our proposals to:**

- a) amend national policy to revise the definition of affordable housing as set out in Box 4?;
- b) introduce an income cap for starter homes?;
- c) incorporate a definition of affordable private rent housing?;
- d) allow for a transitional period that aligns with other proposals in the White Paper (April 2018)?

Yes

**Question 32 Do you agree that:**

- a) national planning policy should expect local planning authorities to seek a minimum of 10% of all homes on individual sites for affordable home ownership products?
- b) that this policy should only apply to developments of over 10 units or 0.5ha?

a) Yes but the minimum percentage should not increase and the NPPF needs to emphasise that the proportions of affordable housing contributions should reflect patterns of need for different types of tenures.

b) This Council is of the view that on-site affordable housing contributions should be applicable to smaller sites where this is viable and need exists.

**Question 33 Should any particular types of residential development be excluded from this policy?**

Older persons housing and specialist provision

**Question 34 Do you agree with the proposals to amend national policy to make clear that the reference to the three dimensions of sustainable development, together with the core planning principles and policies at paragraphs 18-219 of the National Planning Policy Framework, together**



**constitute the Government's view of what sustainable development means for the planning system in England?**

Yes - The amendment is a minor clarification to the document.

**Question 35 Do you agree with the proposals to amend national policy to:**

**a) Amend the list of climate change factors to be considered during plan-making, to include reference to rising temperatures?**

**b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?**

Yes and as with other proposed amendments, it necessary for the NPPF to outline how local Authorities are expected to deliver these changes.

**Question 36 Do you agree with these proposals to clarify flood risk policy in the National Planning Policy Framework?**

Yes

**Question 37 Do you agree with the proposal to amend national policy to emphasise that planning policies and decisions should take account of existing businesses when locating new development nearby and, where necessary, to mitigate the impact of noise and other potential nuisances arising from existing development?**

Yes

**Question 38 Do you agree that in incorporating the Written Ministerial Statement on wind energy development into paragraph 98 of the National Planning Policy Framework, no transition period should be included?**

The Statement has been in existence for a number of years now and on that basis a period of transition is unlikely to be necessary. The statement did however, introduce a significant policy change as Authorities were well advanced with plan-making. It is only by addressing this matter through the use of a separate DPD that this Council can react to this change without further delaying work to allocate housing and employment sites.