



PART A: MATTERS DEALT WITH UNDER DELEGATED POWERS

REPORT TO: POLICY AND RESOURCES

DATE: 24 SEPTEMBER 2020

**REPORT OF THE: HEAD OF PLANNING AND REGULATORY SERVICES
GARY HOUSDEN**

**TITLE OF REPORT: CHANGES TO THE CURRENT PLANNING SYSTEM -
MHCLG CONSULTATION**

WARDS AFFECTED: ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To inform Members of changes proposed in a consultation published in August 2020 by the Ministry of Housing, Communities and Local Government (MHCLG) to the current planning system, and to agree a response to the consultation.

2.0 RECOMMENDATIONS

2.1 It is recommended that:

- (i) Members agree a response to the consultation as set out in the proposed response sections highlighted within the report.
- (ii) Authority is delegated to the Head of Planning in consultation with the Chairman of the Policy and Resources Committee to finalise any further detailed changes in line with member feedback.

3.0 REASON FOR RECOMMENDATIONS

3.1 The proposed changes sought by MHCLG will influence the operation of the Council's Development Plan in terms of housing land supply and the provision of affordable housing, in particular.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks identified in the Council providing a response to MHCLG in relation to this consultation.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 This is a national consultation by MHLCG. Responses are required by the 1 October 2020. This consultation has been issued at the same time the Planning White Paper – *Planning for the Future*, which is proposing fundamental reform of the planning system. It proposes interim changes or changes that could be incorporated into the reforms as outlined in the Planning White Paper. The changes proposed relate to:

- Changes to the standard method for assessing local housing need;
- Securing of “First Homes”;
- The temporary lifting of the site threshold at which affordable housing is required (up to 40-50 units);
- Extending the current Permission in Principle to major development (of housing sites)

5.2 The proposed changes have implications for how local plan policies are applied. It also has direct implications for the delivery of Council Plan priorities, including the provision of more affordable homes.

6.0 REPORT

Changes to the standard method for assessing local housing need

6.1 The standard method/formula for the calculation of housing requirements was introduced in national policy in 2018, and updated in 2019. It does not establish the housing requirement, which is set out in a Development Plan, but it is the starting point in terms of the identification of minimum housing requirements and housing land supply requirements.

6.2 The standard method was introduced to help streamline the plan making process and to reduce the amount of variance in approach to calculating housing and housing land supply requirements. It was also introduced to reduce the number of challenges by stakeholders during the Examination of Development Plans, by judicial review, or in planning appeals.

6.3 The overarching context of the proposed change to the standard method for calculating housing need, is the need to boost the supply of new homes to meet the Government’s target of 300,000 new homes across England. It also intends to ensure that where housing affordability has worsened, housing requirements will be factorised to reflect this. The approach is based on the premise that increasing the number of homes built will improve affordability.

6.4 The process for calculating the supply is set out in national planning practice guidance. The revisions are proposed to:

- Use more up to date data in a more agile way;
- Deliver more homes in high demand and emerging demand areas;
- Reduce the amount of volatility in the approach by taking figures over a 10 year period; and
- Be consistent with the Government’s ambition to deliver 300,000 new homes a year.

- 6.5 As a starting point, the proposal seeks to use both a 10 year average of projected household growth, assessed against 0.5% of housing stock (most recent data). Whichever is the higher figure would be used as the baseline.
- 6.6 The proposals include an affordability adjustment factor which takes into account whether an area has become more or less affordable over the 10 year period. The factor adjusts upwards the housing need figure in cases where affordability has worsened and vice versa.
- 6.6 The proposals also involve removing the current cap which artificially suppresses the level of housing identified. This is a contentious element, and is not discussed any more within the consultation.
- 6.7 Using the proposed revised formula, Ryedale's annual housing requirement would increase substantially to between 350-360 homes per year. This increased housing need figure is getting close to twice the requirement established in the Development Plan. It is a level of housing development that goes beyond the planned provision of the Development Plan, and the land supply flexibility which is built into that plan. The ability of Ryedale to demonstrate a five-year deliverable supply of housing land against the figures generated under the proposed method is unlikely to be sustained for long. The release of unallocated land may be required in advance of the review of the Development Plan.
- 6.8 The data used in the calculation stems from local housing completion information and Office for National Statistics (ONS) datasets. The housing need figure is derived for the district as whole, and is not subject to any form of local check by constraints. This is a concern for a District such as Ryedale. Large parts of the District are within nationally designated landscapes (National Park and AONB). Other Local Authorities may have, for example, serious flood risk implications; Green Belt; or areas of urban renewal- all of which can significantly influence the availability of land for housing, and place disproportionate pressure on those areas with less constraint. The ONS data also uses quite a narrow range of figures which are trend-based household projections. Where growth has occurred, the methodology perpetuates that pattern. In essence, the proposed approach currently lacks the ability to consider local circumstances and accordingly, is not based on any form of strategy based on the role of places.

6.9 **Consultation responses:**

Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?

Response:

Welcome the ability to consider the implications of stock levels and household projections. Although requiring whichever is the higher may not reflect a local authority's aspirations in relation to existing stock. The standard methodology currently, and as proposed by this consultation does not take into account significant constraints. This is a deficiency. Over a third of this District is within a National Park and an Area of Outstanding Natural Beauty. The current level of housing stock reflects the geography of this district. The proposed approach also is based on a narrow period of delivery.

Those areas where housing delivery has been strong- such as this district- are experiencing this being reflected in their baseline stock figure. Which is then significantly higher than that which is calculated from the existing methodology. In this District, household projections are higher and would be used for the basis of the proposed calculation. However, the projections are a reflection of past trends which have seen in migration into Ryedale, in part due constraints in the delivery of new family housing in some adjacent areas. The methodology is therefore creating further pressure on these areas. The proposed approach currently lacks the ability to consider local circumstances.

Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.

Response: For some urban authorities with this may not be workable if they have a high rate of demolition, as part of any urban renewal projects. Whilst as a starting point this may be appropriate. The ability consider significant local constraints (such as national landscape designations, and high flood risk) is not factored into this figure.

Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.

Response: Yes, this will be appropriate in principle, but using an average over a sufficiently long period of time.

Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.

Response: It is agreed that it is a more positive way to establish a mechanism to reflect higher housing need figure relative to affordability. Housing affordability is both absolute and relative, the latter being viewed as affordability is defined by a ratio of house price to income. In rural areas, affordability ratios are strongly influenced by relatively high house prices when compared to the average wage profile. This could result in a disproportionately higher housing need. But considering the change, rather than a fixed value- would assist in reflecting this. Notwithstanding this, the method is based on the premise that increases in housing numbers will improve affordability in an area, and it is considered that this premise is questionable and not evidenced.

Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

Response: Without detailed knowledge of the working of the algorithm this question cannot be responded to with any degree of certainty. However, in applying the revised standard methodology using years where unaffordability decreased makes a small change to the figures, but it would fluctuate year on year. The figure resulting from the calculation will also

change and it is not clear whether this means that housing requirements will change annually - which would be unworkable. Notwithstanding this, the method is based on the premise that increases in housing numbers will improve affordability in an area, and it is considered that this premise is questionable and not evidenced.

Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:

Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?

Response: No. Where the methodology results in significant increases in planned housing requirements this would result in pressure for unplanned, sporadic development which would not be in the best interests of local communities. This has real potential to create resistance to growth and distrust in Government.

Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?

If not, please explain why. Are there particular circumstances which need to be catered for?

Response: Authorities at this stage will be best-placed to respond to this particular question.

Securing of “First Homes”

- 6.10 “First Homes” are a new initiative proposed by Government and were the subject of a consultation in early 2020. They are homes with a depressed mortgage and deposit-reduced by a minimum of 30%, or more, and are for those seeking to enter the property market from the locality. Local people will have priority to purchase these homes and they would be discounted for sale and this discount would be kept in perpetuity via a covenant. The Government now seeks to consult on the implementation of the initiative, with a minimum of 25% of all affordable housing contributions secured through planning permissions to be delivered as First Homes. This is irrespective of whether they are on-site/ off-site/ cash contribution. The policy would be applied through the implementation of an existing up-to-date affordable housing policy in a Development Plan. It would primarily focus on being an alternative to shared ownership.
- 6.11 There are current exemptions to affordable housing contributions being required for certain types of housing. These include schemes which:
- a) provide solely for Build to Rent homes;
 - b) provide specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);

- c) are developed by people who wish to build or commission their own homes; or
- d) are exclusively for affordable housing for example, an entry-level exception site or a rural exception site.

The Government is consulting on whether these exemptions should be sustained, reduced, or expanded in relation to the First Homes.

6.12 Members may be familiar with the term 'Exception Site'. These are sites which come forward outside of the Local Plan to deliver affordable housing. There are two forms of exception site in current national policy. The more recent is known as 'Entry-Level' sites which can be located on the edge of urban area, and are for the formation of housing for first time buyers/renters. They can be up to 1ha or 5% of the size of the existing settlement. Entry Level exception sites can also include other affordable tenures, and some limited market housing, if this is required to make the development viable. They are not supported in principle in areas such as National Parks, AONBs and Green Belt. The Government is proposing to introduce a First Homes exception site policy, which would deliver homes for local (this is not defined), first-time buyers. The policy would replace the existing Entry Level Exception Site policy. The site size threshold would be removed, but it would be expected to be '*proportionate to the size of the existing settlement*'.

6.13 The Government is not proposing to remove the other type of exception site, known as a rural exception site (i.e. in designated rural areas). Rural Exception Sites are a long-standing policy tool for affordable housing delivery in rural areas. They are not allocations, and come forward on an ad-hoc basis, because they are identified to meet (not exceed) a locally identified need.

6.14 **Consultation responses:**

Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):

i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.

ii) Negotiation between a local authority and developer.

iii) Other (please specify)

Response: The remaining 75% should reflect the tenure requirements identified and recommended in a Strategic Housing Market Assessment, to ensure that the tenure profiles reflect identified local needs.

With regards to current exemptions from delivery of affordable home ownership products:

Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to this First Homes requirement?

Response: In terms of the exemptions, in paragraph 64 of the NPPF it is considered that for the most part they should be retained.

Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.

Response: Build for Rent could also be incorporated in to the First Homes Model, to assist those who choose to rent at that time in their lives, but to do so locally and at an affordable level.

Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.

Response: No further exemptions needed.

Q12: Do you agree with the proposed approach to transitional arrangements set out above?

Response: No. Past experience would indicate that transitional arrangements are of little help, or relevance, at times of policy change.

Q13: Do you agree with the proposed approach to different levels of discount?

Response: The ability to derive a different discount is welcomed and provides a degree of flexibility.

Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?

Response: Yes- for a number of years this approach has been implemented via the NPPF although it is not a mechanism that developers have sought to use to date. The approach should help to ensure that design standards as well as affordable homes are secured.

Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?

Response: In principle yes, providing that there is an ability to consider the impact of the site on the character of a settlement, in terms of it being proportional to settlement size.

Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?

Response: Yes, and that a general discount for sale model would be preferred, with rent tenures has identified by the housing needs assessment.

The temporary lifting of the site threshold at which affordable housing is required

- 6.15 Current national policy means that in parts of Ryedale (Malton, Norton and Pickering) contributions for affordable housing cannot be sought on schemes of less than 10 dwellings, or sites of less than 0.5ha. In other areas of Ryedale, financial contributions can be sought on schemes of 6-10 units.
- 6.16 The proposal seeks to ensure that affordable housing contributions (on-site or as a commuted sum) would not be sought on sites of less than 40, or less than 50, dwellings. This threshold, in terms of site area, will also proportionally increase. The proposal is sought as a support measure to small and medium-sized builders in light of both the legacy of the recession and in relation to Covid-19. It is proposed as temporary measure for a suggested 18-month period. The proposal would then be subject to review, as the Government acknowledges in that it would have an impact on their objectives for the delivery of First Homes.
- 6.17 To avoid a situation where sites are incrementally delivered to avoid exceeding the threshold, the Government is proposing to introduce guidance to allow local authorities to still secure affordable housing contributions on these sites. However, it is not clear how this is to be achieved.
- 6.18 The Government has recognised that raising the threshold in designated rural areas would be very detrimental to the delivery of affordable housing and as such no changes are proposed. Areas outside of Malton, Norton Pickering are identified as Designated Rural areas, and the approach to securing affordable housing would remain the same. This is welcomed. Had this been changed, the implications for affordable housing delivery in Ryedale would be significant. Notwithstanding this, the increase in the site size threshold has the potential to reduce affordable housing delivery which would otherwise be secured through windfall sites in Malton, Norton and Pickering.

6. 19 Consultation responses:

Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?

Response: No. There is no evidence that small and medium sized builders are experiencing a reduction in activity in Ryedale. Despite the COVID pandemic the District's property market appears buoyant. There is no evidence to suggest that a raising of the threshold is required specifically to support small and medium sized builders. It should also be noted that affordable housing on sites will often provide certainty in respect of sales, which reduces risk for smaller builders. Unfortunately, this does not appear to be reflected in Government thinking on this matter.

(see question 18 for comments on level of threshold)

Q18: What is the appropriate level of small sites threshold?

i) Up to 40 homes

ii) Up to 50 homes

iii) Other (please specify)

Response: The appropriate level is that which is considered to be viable in an adopted local plan viability assessment/evidence.

Q19: Do you agree with the proposed approach to the site size threshold?

Response: No. For a rural district, allocations range in size for non - designated rural areas (market towns) with some allocations not exceeding 40 units. It is considered that this threshold is such that a number of allocations or windfall sites would not deliver any affordable housing in our most sustainable locations. This is not an acceptable policy response in an area with acute affordable housing need.

Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?

Response: No. In this area there is no evidence of stagnation in the property market, or that the policy response is required to support the building industry.

Q21: Do you agree with the proposed approach to minimising threshold effects?

Response: No detail has been provided which would indicate how this could be effectively achieved.

Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?

Response: No. Thresholds for the delivery of affordable housing should follow those established and evidence in Local Plans.

Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?

Response: Fiscal incentives, such a tax relief on the construction of affordable homes delivered on a scheme, affordable units are currently exempt from CIL. Please see the responses on the extension of Permission in Principle.

Extending the current Permission in Principle to major development (of housing sites)

- 6.20 Permission in Principle was introduced in 2017, and allows Local Planning Authorities the ability to grant Permission in Principle to sites which have been allocated on the Brownfield Land Register, and since 2018- for sites of less than 10 dwellings.
- 6.21 The process is designed to separate the decision making process into two stages- the first establishing the principle concerning land use, location and scale of the development – lasting 5 years. The second stage is known as technical details consent, where the details are worked up by the applicant and submitted this is where the detail is assessed and conditions are applied. This two stage process equates to

the granting of full planning permission.

- 6.22 The process means that the principle is established once, and in effect, operates similarly to that of an allocation or an outline planning permission (with all matters reserved). In that respect, the Government is proposing, through its White Paper that allocations made in local plans would be automatically granted a form of permission in principle. But as this will take time, the Government is keen in the interim to accelerate the scope of this process by:
- extending the scope of the current Permission in Principle by application route to major development (not those subject to Environmental Impact Assessment or Habitat Regulation Assessments (HRA));
 - enhancing the information requirements and publicity arrangements for these applications;
 - introducing a revised fee structure, at lower cost;
 - including automatically any Permission in Principle granted onto Part 2 of the local brownfield land register; and
 - strengthening guidance to support implementation.
- 6.23 Major applications which could be considered by this approach could be between 11 and 150 dwellings- and more if no EIA or HRA considerations are identified. Such sites still have the capacity to have cumulative implications, which would then be difficult to consider through this process.
- 6.24 Enhancing publicity around these proposals would be welcomed, as it is important that local communities are made aware of proposals for new development in their locality. However, permission in principle does not grant a planning permission and nor does it consider the site specific, technical context of sites. This will be likely to confuse interested parties.
- 6.25 The current fee for Permission in Principle by application for minor development is £402 per 0.1 hectare (capped at a maximum of 1 hectare), which is to cover the costs incurred in processing the application, as well as the costs of undertaking consultation and assessment against local and national policy. The proposed fee schedule is not set out in terms of costs, it consults on the premise of a tiered fee structure, predicated on site size (as dwelling numbers would not be known). The fee cap is not identified.
- less than 1 hectare (= £x fee per 0.1 hectare)
 - between 1 to 2.5 hectares (= £y fee per 0.1 hectare)
 - more than 2.5 hectares, capped at a maximum (= £z fee per 0.1 hectare, capped)
- 6.26 The Government considers that the fee schedule would be lower because it is about assessing the principle, and that this is favourable and attractive to developers. Officers consider that in reality, it is a mechanism that is likely to be favoured by landowners- especially those who wish to sell a site, and not developers who will seek to build out the site. For example, the technical details consent is the same fee as that for reserved matters, a point at which developers may be then directly involved. The Local Planning Authority would still be consulting with consultees for applications which have greater capacity for impacts, cumulative and site-specific, which could go to the principle of the development, but with a reduced fee. For developers, the permission in principle may cost less than an outline permission, but the outline is a planning permission, which establishes key parameters and therefore costs. It gives developers more certainty in

that regard.

- 6.27 Ryedale's experience of Permission in Principle (PiP) schemes has been non-existent. This is in part, a function of the scope of PiP to date. Instead, Outline Planning applications or Full Planning applications have been used. This is often with pre-application advice being sought to inform those applications. Whilst the principle can be uncertain for some applications, this can often be established, informally, but clearly, through a pre-application enquiry.
- 6.28 Officers consider that (based on a national lack of implementing the PiP highlighted in the consultation) developers are wary of the process, this is because until the technical details consent is granted, there is no permission. It is the evidence reports on the technical matters which need the greatest financial input through the planning process. Technical matters also have the capacity to effect site deliverability, and so have the biggest effect on development costs.
- 6.29 The implications of a PiP may, however, be very different for a landowner. Particularly those who seek to sell the site on, with an uplift in its value based on stage 1 alone. They are not further involved in the site's future development, and the technical details consent. Such a scheme is attractive, and indeed less onerous, than an Outline Planning Permission.

6.30 Consultation Responses:

Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?

Response: The concept of the Permission in Principle being extended to a wider range of sites could be positive. But concerns are present about a blanket removal of restriction on major development (irrespective of the matter of whether the scheme is EIA development, or in relation to the Habitats Regulations there is a potential impact on a European Site). There is likely to be a need to consider larger sites for their cumulative impacts on infrastructure/air quality, which would be possible through a development plan allocation, but not possible through this process.

Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.

Response: If the commercial is ancillary to the housing then yes, but if a mixed scheme is proposed, then no. The ability to consider matters such as noise do need to be established as part of the principle of the scheme's acceptability.

Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?

Response Please see response to question 24. There is likely to be a need to

consider larger sites for their cumulative impacts on infrastructure/air quality, which would be possible through a development plan allocation, but not possible through this process. Location can cover potentially absolute constraints such as the potential for significant archaeology and high flood risk. Both are present in Ryedale. Evidence is needed to ascertain whether or not these matters render the proposal unacceptable in principle and need to be considered as a matter of principle.

Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.

Response: Yes- to ensure that within the principle, the overall scale of the development can be considered within the context of its surroundings; be that from an amenity or design-led consideration.

Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:

- i) required to publish a notice in a local newspaper?*
- ii) subject to a general requirement to publicise the application or*
- iii) both?*
- iv) disagree*

If you disagree, please state your reasons.

Response: It should be subject to the same publicity and notification as existing planning applications with a clear description about what the permission in principle seeks. This will help the local community to understand that this is the first stage of a planning permission. With extending to cover major applications, then statutory consultees and public should have 21 days in which to provide responses for applications which have the capacity for greater impacts. The determination period should be accordingly extended to 8-10 weeks, based on the fact that major schemes are given 5 weeks more to be determined than non-major applications.

Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?

Response: Yes - to ensure that this is administered simply. But reflecting the larger the site, the potential for more consultation and assessment by more experienced officers, and more resources used by the LPA to consider the proposal in terms of cumulative impacts.

Q30: What level of flat fee do you consider appropriate, and why?

Response: The fee should be the same as for an Outline Planning Application and the Reserved Matters. The fee is already close to being that for Outline Planning Permission, with the same fee charged for the Technical Details Consent as that for the Reserved Matters.

Q31: Do you agree that any brownfield site that is granted Permission in Principle

through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.

Response: No comments.

Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.

Response: Uptake on Permission in Principle is hampered by the fact that sites will only, ultimately, be delivered if they satisfy the Technical Details Consent. So the costs of bringing a site forward do not fundamentally change. The Permission in Principle does not give developers the surety that the site they are investing in, can come forward in the manner their residual land value calculations would indicate. This is why they have not been used significantly.

Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?

Response: Uptake on Permission in Principle is hampered by the fact that sites will only ultimately be delivered if they satisfy the Technical Details Consent. So the costs of bringing a site forward don't fundamentally change, and the Permission in Principle does not give developers the surety that the site they are investing in can indeed come forward in the manner their residual land value calculations have been worked up on. This will be even more important on larger schemes.

Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible

Response: For landowners, the Permission in Principle route brings a satisfactory degree of certainty. But it does not necessarily bring this for the site's developers. They will be keen to ensure that in taking on a site, key constraints, such as archaeology, access, and flood risk are established, combined with any cumulative considerations- such as around air quality, or road network capacity, and in conjunction with any strategic infrastructure delivery such as a new school/roads. In doing so, they will seek to be aware that they have the capacity to be addressed based on the residual land value. In many respects, Local Authorities are also seeking to ensure that sites which are being given a permission in principle (and may form part of a land supply) are capable of being delivered.

Q35: In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty?

If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?

Response: No specific direct impacts have been identified.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
The Permission in Principle has the potential to impact on the planning fee income.
- b) Legal
No direct implications identified.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
If taken forward, the proposals have implications for the implementation of the local plan and the planning decision-taking process: particularly in terms of housing land supply. The proposals also have implications for affordable housing delivery from sites of relevant sizes at Malton, Norton and Pickering.

8.0 NEXT STEPS

8.1 Responses to the consultation will be forwarded to MHCLG before the expiry of the consultation period.

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Background Papers:

Changes to the current planning system
Consultation on changes to planning policy and regulations August 2020 (MHCLG)

Background Papers are available for inspection at:

<https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>