

CHANGES TO CURRENT PLANNING SYSTEM: REPLY TO QUESTIONS

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?

- Yes
- No
- Not Sure

Please provide supporting statement

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.

- Yes
- No
- Not Sure

Please provide supporting statement

This formula pays no attention to the possibility that land availability for further housing may have reached saturation point and there is just no further land that can be used. It would be of only limited benefit to demolishing stock in areas of low density in order to replace it with higher density housing, and there are both climate emergency and economic considerations implicit in the destruction of existing buildings that still have utility.

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.

- Yes
- No
- Not Sure

Please provide supporting statement

Particularly bearing in mind the long-term impact that Covid-19 is likely to have on employment and earnings, using these as a basis for long-term projections for housing provision is unrealistic. Any calculations would need to be done on a year-by-year basis to ensure that required provision was in step with the most recent employment and earnings date.

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.

- Yes
- No
- Not Sure

Please provide supporting statement

Affordability is not in the gift of local authorities but is determined by the price that developers place on the houses they build and market. To require councils to deliver yet more, and more affordable, housing when house prices are merely reflecting the desirability of living in a particular location would be to turn a difficult situation into an impossible one. One must also fear that, in the long run, authorities that cannot deliver houses in the number or at the price determined by the housing formula will face penalties that only serve to make life even more difficult for them and their citizens.

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

- Yes
- No
- Not Sure

Please provide supporting statement

For the reasons given above, affordability is essentially determined by the assessment of the market for housing in the particular local authority area and would thus serve to penalise areas where there is high demand due to desirability, location and beneficial infrastructure.

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

- Yes
- No
- Not Sure

Please provide supporting statement

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:

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?

- Yes
- No
- Not Sure

Please provide supporting statement

Authorities need time to be able to challenge and seek adjustments to the newly-calculated housing targets and additional time may also be needed, for the Ministry itself to respond to such challenges.

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):

For too long government policies have prioritised home ownership over homes for rent, and this has militated against those whose incomes do not reach the threshold to enter the ownership market. Some element of new rental provision in every development would go some way to redress this defect.

Please provide supporting statement

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 (eg. for build to rent) also apply to apply to this First Homes requirement?

- Yes
- No
- Not Sure

The overwhelming need to provide homes for first time buyers or renters should trump all other considerations.

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

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

No.

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

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

- Yes
- No
- Not Sure

Please provide supporting statement

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

- Yes
- No
- Not Sure

Please provide supporting statement

But subject to the responses given above.

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

- Yes
- No
- Not Sure

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?

- Yes
- No
- Not Sure

Please provide supporting statement

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

- Yes
- No
- Not Sure

Please provide supporting statement

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

- Yes
- No
- Not Sure

Please provide supporting statement

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

- i) Up to 40 homes
- ii) Up to 50 homes
- iii) Other (please specify):

Please provide supporting statement

Every opportunity should be provided for small building companies to compete in the local market, and a lower threshold would handicap such participation.

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

- Yes
- No
- Not Sure

Please provide supporting statement

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

- Yes

- No
- Not Sure

Please provide supporting statement

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

- Yes
- No
- Not Sure

Please provide supporting statement

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

- Yes
- No
- Not Sure

Please provide supporting statement

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

- Yes
- No
- Not Sure

Large development companies could be given tax or similar incentives to allow small companies to share in large developments for which they have obtained planning permission.

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

- Yes
- No
- Not Sure

Please provide supporting statement

In our experience developers (we do not think we have ever seen a landowner take the initiative) have not been deterred from submitting applications for large developments by the cost of doing so, and this process has allowed public consultation in a more meaningful way than seems likely with the consultation process associated with an application for Permission in Principle.

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.

- Yes
- No
- Not Sure

Please provide supporting statement

But this does not mean that we agree with extending the Principle in the first place.

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?

- Yes
- No
- Not Sure

Please provide supporting statement

Again, bearing in mind we do not endorse extending Permission o larger developments.

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

- Yes
- No
- Not Sure

Please provide supporting statement

Local planning authorities usually have design guides which prescribe limits on heights in particular locations and these should continue to apply.

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. Please provide supporting statement

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

- Yes
- No
- Not Sure

Please provide supporting statement

If the arrangement is to be extended, then a simple fee structure would be appropriate, particularly if it is intended to assist small developers

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

No particular suggestions to offer.

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.

- Yes
- No
- Not Sure

Please provide supporting statement

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.

We do not feel, as we oppose the principle, that we can in fairness offer any guidance about the process.

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

Since we do not support the extension of the Principle to larger developments we see no benefits, and the affordable costs to the applicants would encourage widespread use of the process.

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

Quite a lot, given that it would enable land acquisition companies a cheaper way of seeking planning permission than the current process. For local communities there is a danger that permission would be granted where an actual planning application would be more fully exposed to public consultation and local authority assessment

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?

None occur to us.

Final Question

Have you responded to a Government consultation before?

Yes