

**PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES:
CONSULTATION PROPOSALS**

SUMMARY AND RECOMMENDATIONS:

The Government published its “Planning for the Right Homes in the Right Places” consultation in early September 2017. It is seeking responses to the consultation by 9th November 2017.

This report to Cabinet sets out an analysis of the issues raised by the consultation, including the implications for the preparation of the Rushmoor Local Plan. It concludes that the preparation of the current Local Plan should continue. The Council’s proposed response to the consultation questions is set out at Appendix 1 of this report.

It is recommended that the Cabinet:

- Endorses the continuation of the preparation of the Rushmoor Local Plan with submission to the Planning Inspectorate in early 2018
- Endorses the proposed responses to the consultation as set out in Appendix 1 of this report.

1. INTRODUCTION

- 1.1 The Government published on 14th September 2017 its long awaited consultation on planning for the right homes in the right places. This consultation paper arises from matters raised in the housing White Paper, published earlier in 2017.
- 1.2 The consultation paper poses a series of questions, and the deadline for comments on the consultation is 14th November 2017. It is important that the Council responds to the consultation paper given the potential implications for future plan-making in particular.

2. BACKGROUND

- 2.1 As noted in the Government’s covering correspondence, proposals set out in the planning for the right homes consultation include:
 - A standard methodology for calculating local authorities’ housing need;
 - How neighbourhood planning groups can have greater certainty on the level of housing need to plan for;

- A statement of common ground to improve how local authorities work together to meet housing and other needs across boundaries;
 - Making viability assessments simpler, quicker and more transparent;
 - Increasing planning application fees in those areas where local planning authorities are delivering the homes their communities need.
- 2.2 Where relevant to the work of the Council, these proposals are discussed in more detail below.

3. DETAILS OF THE PROPOSAL

Proposed Approach to Calculating Local Housing Need

- 3.1 It is accepted by the Government that the current approach to assessing housing need is too complex, open to interpretation and challenge, and costly for local authorities in terms of developing an evidence base. Following on from the report of the Local Plan Expert Group in 2016, the consultation paper proposes a new approach to assessing housing need. Hence, rather than as at present, identifying objectively assessed housing need across a defined Housing Market Area, the proposed methodology can be applied at individual local authority level. It is implied that the cross boundary implications of meeting this need should instead be dealt with in the context of a compulsory “Statement of Common Ground”, discussed later in this paper.
- 3.2 The proposed standard methodology for assessing housing need at the local authority level consists of three strands:
- The starting point should be a demographic baseline, based on projections of household growth (annual average over 10 years), for each local authority area;
 - This should be modified to take account of market signals (the price of homes), using the most recent workplace-based median house price to median earnings ratio. Using this data, a formula is applied to uplift the housing requirement about projected household growth;
 - Proposing a 40% cap above the current Local Plan housing target, or above the projected household growth over the Local Plan period.
- 3.3 In addition, unlike currently, the proposed methodology does not make a specific adjustment to take account of anticipated employment growth. However, if there were a strategic policy in place to increase economic growth substantially, the consultation suggests that local planning authorities may wish to plan for a higher level of growth than the new formula proposes.
- 3.4 The consultation paper is accompanied by a summary of housing need for each local authority, based on the proposed methodology. For Rushmoor, Surrey Heath and Hart (the Housing Market Area within which Rushmoor falls), the data for annual housing need is set out in Table 1 below, alongside the existing annual housing need established through the most recent Strategic Housing Market Assessment:

LPA	New Methodology	SHMA OAHN (2016)	Net difference
Rushmoor	294	436	- 142
Surrey Heath	352	382	- 30
Hart	292	382	- 90

Table 1: Housing need: net new homes per annum

- 3.5 In implementing this approach, the Government is proposing to change the tests of soundness with regard to Plan-making, to include the use of a robust methodology for assessing housing need, and to make it clear (through guidance) that the use of the proposed standard methodology will be sufficient to satisfy this test. Thus, where a plan is based on an assessment of local housing need in excess of that which the standard methodology would provide, Planning Inspectors would work on the assumption that the approach adopted is sound unless there were compelling reasons to indicate otherwise.
- 3.6 Transitional arrangements are proposed in the consultation paper for implementing the new methodology. For a local authority where a Local Plan has been published, but not yet submitted, the Council should continue to progress the Plan based on the current methodology and timetable. This applies in Rushmoor, and means that the Plan needs to be submitted on or before 31st March 2018.

Statement of Common Ground

- 3.7 Whilst joint working on strategic cross boundary planning matters is taking place through the “Duty to Cooperate”, the Government is concerned that the process is not working as well as it should be. The consultation paper therefore proposes to set out in the National Planning Policy Framework that all local planning authorities should produce a statement of common ground (SCG). The consultation paper notes that although the proposed approach to assessing local housing need shifts the focus away from housing market areas, in most instances, the SGC should still be prepared over the housing market area.
- 3.8 The SCG should set out the cross-boundary matters, including the housing need for the area, distribution and proposals for meeting any shortfalls, and record where agreement has, and has not, been reached.
- 3.9 The consultation paper notes that the local authorities in the agreed geographical area (effectively the HMA) will be the primary authorities responsible for developing and maintaining the SCG. However, it also notes that it is unlikely that all authorities within the geographical area will share an interest in all strategic matters; and individual authorities may have interests that overlap with neighbouring statement of common ground areas. In the light of this, the consultation paper proposes that local planning authorities should only be signatories to those strategic issues covered in the statement of common ground in which they have an

interest, and that they can be signatories to more than one statement where appropriate.

3.10 It is proposed that 12 months after the revision to the NPPF, the tests of soundness for assessing Local Plans should be amended to include that:

a) plans should be prepared based on a strategy informed by agreements over the wider area; and

b) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground.

Planning for a Mix of Housing Needs

3.11 The consultation paper notes that existing planning guidance will be updated on how to plan for different types of homes, and that this will be published alongside a revised NPPF. Plan makers will need to disaggregate overall housing need into need for each type of housing. However, the consultation paper is unclear on how this need will be evidenced, and is therefore seeking views on how to streamline the process for identifying housing need for individual groups, and what evidence could be used to help them do so.

Proposed Approach to Viability Assessment

3.12 The viability of development is a locally contentious issue when it comes to the submission of planning applications, as on the basis of viability concerns, developers have the opportunity to present a proposal that falls short of policy requirements, such as for affordable housing provision. Such policy requirements are caveated with the phrase, “subject to viability”. The consultation paper therefore proposes that national planning policy is amended to set out additional expectations for Local Plans. They should establish the types and thresholds for affordable housing contributions required; the infrastructure needed to deliver the plan; and expectations for how these will be funded and the contributions developers will be expected to make.

3.13 The consultation paper goes on to state that, in connection with the approach to viability in decision taking, the NPPF will be amended to make it clear that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage. However, it notes that there could be circumstances where viability assessment is still needed in the course of determining planning applications, but that planning guidance relating to such instances will be updated to help make viability assessments simpler, quicker and more transparent.

Planning Fees

- 3.14 The consultation paper acknowledges that it is vital to have well-resourced, effective and efficient local authority planning departments. It confirms that regulations will be brought forward “at the earliest opportunity” to enable a 20% increase in nationally set planning fees where local planning authorities have committed to invest this increase in improving the productivity of their planning departments.
- 3.15 The concept of a further 20% increase on the current fee level was put forward in the housing White Paper for those authorities who are delivering the homes their communities need. At present, the criteria for establishing which authorities should be eligible for this additional fee increase has not been determined, and views are sought in this respect.

Alternative options

- 3.16 The consultation does not suggest any alternative options to those proposed in the paper. However, it seeks views from stakeholders on the matters proposed through a series of consultation questions.

Consultation

- 3.17 The planning for the right homes consultation runs until 9th November 2017. Appendix 1 to this report contains the Council’s proposed responses to the consultation questions.

4. IMPLICATIONS

Risks

- 4.1 The consultation paper raises a number of issues in terms of the next steps for the preparation of the Rushmoor Local Plan, and on this basis, presents the Council with the following options:

Option 1: Continue with submission of current Local Plan (before 31st March 2018);

Option 2: Delay submission until after the publication of the new NPPF and methodology for calculating housing need (not before April 2018).

- 4.2 With regard to Option 1, there are a number of pros to continuing with the current Local Plan process. This would follow the transition guidance given that the Council has consulted on a Draft Submission Local Plan, and that the level of objection is not significant, nor likely to go to the heart of the soundness of the Local Plan. Significant investment in respect of time and resources has been made in getting the Plan to this stage. Moreover, the strategy therein plans proactively for development and regeneration, and on this basis, the housing number proposed over the Plan period would not reduce significantly even if the baseline were to be

revisited. In addition, the housing number in the current iteration of the Plan supports higher “affordable” housing delivery.

- 4.3 In terms of the cons of Option 1, arguably it would use up available development land in Rushmoor more quickly. At Examination, the Council may be challenged on the validity of the evidence base (although this argument is weakened given that the emerging Plan delivers more new homes than the draft methodology indicates should be the starting point). In addition, the current approach raises some SANG capacity issues (although SANG capacity constraints are not a justification for the reduction in a housing target).
- 4.4 With regard to Option 2, the pros of delaying the preparation of the Local Plan could be that the new methodology for assessing housing need will be available. The evidence base would be updated. There may be a slightly reduced housing requirement, which would consequently reduce the numerical requirement for SANG (but not necessarily alleviate the need in terms of the geographical reach of SANG catchments).
- 4.5 In terms of the cons of Option 2, to delay would effectively require the Plan preparation process to start again. This would result in a major delay in the adoption of the Local Plan, and significant additional costs in terms of the need to update the evidence base, and re-consult on the Local Plan. The proposed standardised methodology for assessing housing need may change from the consultation version, and in addition, any re-assessment of housing need would have to be based on the July 2018 update to household projections. The baseline will therefore change from the indicative figures set out alongside the consultation, and it may be that the figure for housing need, and any reworked strategy in the Local Plan, would not, in reality, be significantly different to that set out in the Draft Submission version. Moreover, if the Council were to delay, it would be caught by the requirements of the update to the National Planning Policy Framework, and the new obligations relating to the preparation of Statements of Common Ground.
- 4.6 In this context, it is suggested that the preferred way forward would be to continue with the current timetable for the preparation of the Local Plan, supported by the existing evidence base. Submission of the Local Plan to the Planning Inspectorate would most likely take place in early 2018, suitably in advance of the 31st March 2018 deadline, after which the standardised methodology for assessing housing need would apply.

Legal Implications

- 4.7 There are no known legal implications of the decision, given that it is simply providing feedback on a consultation process.

Financial and Resource Implications

- 4.8 The exact financial and resource implications of the consultation are difficult to predict, as the final outcome in terms of plan making may differ.

Nevertheless, given the resources invested in the preparation of the Rushmoor Local Plan to date, it is a more expedient use of future resources to continue to progress the emerging Local Plan through Examination at the earliest opportunity. To delay the preparation of the Local Plan would incur significant additional cost in terms of the need to update the evidence base, and republish a draft Plan for consultation.

- 4.9 The indications in the consultation paper of a proposed increase in planning fees, potentially supported by a further rise in due course, are welcomed.

Equalities Impact Implications

- 4.10 There are not considered to be any Equalities Impact Implications arising from the decision.

5. CONCLUSION

- 5.1 In considering the matters set out in the Government's consultation on Planning for the right homes, a proposed response to the consultation questions is set out in Appendix 1 to this paper.
- 5.2 In the light of the content of the consultation, and an analysis of its implications for the preparation of the new Rushmoor Local Plan, it is concluded that the preparation of the current Local Plan should continue, with Submission to the Planning Inspectorate to take place in early 2018.

Appendix1: Consultation response pro-forma

BACKGROUND DOCUMENTS:

Planning for the right homes in the right places: consultation proposals, DCLG 2017

(<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>)

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Consultation response proforma

If you are responding by email or in writing, please reply using this questionnaire pro-forma, which should be read alongside the consultation document. You are able to expand the comments box should you need more space

Your Details (Required fields are indicated with an asterix(*))

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Title	
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Are the views expressed on this consultation your own personal views or an official response from an organisation you represent?* (please tick as appropriate)

☐

Personal View

☒

Organisational Response

Name of Organisation (if applicable)

Rushmoor Borough Council

If you are responding on behalf of an organisation, please tick the box which best describes your organisation

☒

Local Authority (including National Parks, Broads Authority, the Greater London Authority and London Boroughs)

☐

Neighbourhood Planning Body/Parish or Town Council

☐

Private Sector organisation (including housebuilders, housing associations, businesses, consultants)

☐

Trade Association / Interest Group/Voluntary or Charitable organisation

Other (Please specify)

Proposed approach to calculating the local housing need

Question 1 (a)

do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?

☒

Yes

☐

No

☐

Not sure / don't know

Please enter your comments here

The principle of a standard approach to assessing housing need is welcomed. However, the final approach should not be subject to adjustment or interpretation, as this undermines the value of setting out a “standard approach”. If opportunities to adjust and challenge this approach remain, then the objective of achieving a simpler approach to assessing housing need will not be achieved, bringing into doubt the whole purpose of the approach.

With regard to the proposed methodology, it is notably simpler, and potentially far less costly to local planning authorities, in terms of establishing that housing need figure for Local Plans. This is welcomed. However, the determination of housing need is not an exact science, and Rushmoor Borough Council is concerned that the proposed methodology could result in quite different figures for housing need calculated on each iteration of the publication of updated household projections and median affordability ratios. Moreover, the proposed use of affordability ratios takes account of work-place based earnings rather than resident earnings. In Rushmoor Borough, this could distort the actual need, due to the fact that the Borough is a net importer of higher paid workers who reside in adjoining authorities. Its residents are less well paid on average, and therefore, may still struggle to afford to access housing within the Borough.

The use of statistics as a basis for the methodology needs to be predicated on a certainty that those statistics are a robust basis for the assessment of housing need, in order to ensure that a consistent and valid approach to assessing housing need is applied across the whole of England. Critically, if a set methodology is set out in national planning policy, this must be adhered to on a universal basis.

The opportunity should also be taken to clarify in the update to the NPPF that it is appropriate for local authorities to determine housing need at an administrative level, rather than across a Housing Market Area. In addition, where a Local Plan is able to demonstrate that it can plan within its boundaries to meet that housing need, national planning policy should make it clear that a Local Plan will be found sound at Examination. The approach to dealing with any unmet need within a local authority area should then be discussed and agreed through the “Statement of Common Ground” process, but a Local Plan should not be found unsound where it meets the housing need identified in the assessment based on the standard methodology.

Question 1(b)

how can information on local housing need be made more transparent?

Please enter your comments here

The use of a standard methodology for assessing housing need will assist in transparency of information. The

assessment of housing need should be published on local authority websites.

Question 2

do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?

☐

Ye

☒

No

☐

Not sure / don't know

Please enter your comments here

It is considered that the proposal to rely on the assessment of local housing need from submission is flawed. The time between publication and submission is an unknown in as much as it is dependent on the level of objection received on a Local Plan. Moreover, there is no certainty with regard to the timeframe from submission to Examination.

In addition, during the time from publication of a Draft Submission Local Plan for consultation, and its submission to the Planning Inspectorate for Examination, further updates to household projections or median workplace earnings could be released. This could introduce uncertainty in respect of the robustness of the evidence base that could be raised by objectors to a Local Plan during the Examination process.

This proposal should be adjusted such that the assessment of local housing need should be relied upon from the start of publication of a Draft Submission Local Plan (Regulation 19), through until a set period after the adoption of that Local Plan. This set period after adoption of the Local Plan should be at least a year.

Question 3

do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?

☒

Ye

☐

No

☐

Not sure / don't know

Please enter your comments here

This clear and justified method should not be subject to challenge or interpretation. Care is also required in respect of how the issue of unmet need is dealt with. A Local Plan that meets its housing need within its administrative area should not be found unsound on the basis of uncertainty regarding unmet need in adjoining administrative areas.

Question 4

do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?

- ☒ Yes
- ☐ No
- ☐ Not sure / don't know

Please enter your comments here

An approach that removes opportunities for interpretation and challenge is supported.

Question 5(a)

do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?

- ☐ Yes
- ☐ No
- ☒ Not sure / don't know

Please enter your comments here

No comment.

Question 5(b)

do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five year land supply and/or be measured for the purposes of the Housing Delivery Test, across the area as a whole?

- ☒ Yes
- ☐ No
- ☐ Not sure / don't know

Please enter your comments here

No comment.

Question 5 (c)

do you consider that authorities that are not able to use the new method for calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five year land supply and to be measured for the purposes of the Housing Delivery Test?

☒

Yes

☐

No

☐

Not sure / don't know

Please enter your comments here

No comment.

Question 6

do you agree with the proposed transitional arrangements for introducing the standard approach for calculating local housing need?

☐

Yes

☐

No

☒

Not sure / don't know

Please enter your comments here

As with the introduction of all changes to the planning process, there is the potential for some delay and confusion in the implementation of new approaches. It is difficult to formulate transitional arrangements that suit all parties. This is particularly the case with the standard methodology for assessing housing need, given that indications are that the reworking of housing need is potentially delivering some divergent results when compared with current assessments of housing need.

Statement of Common Ground

Question 7(a)

do you agree with the proposed administrative arrangements for preparing the statement of common ground?

☐

Yes

☐

No

☒

Not sure / don't know

Please enter your comments here

Rushmoor Borough Council supports the principle of preparing a Statement of Common Ground. However, it is concerned about the potential complexity of the process. The Council would welcome more detail on the operation of the process, mindful of the need to consider carefully the potential for this requirement to delay Local Plan preparation. In particular, the Council is concerned about the number of Statements that may be required, given the potential for differing strategic cross boundary issues between different groupings of local authorities, and the frequency of updates/reviews required (and the process for doing so). The Council suggests that amendments to the NPPF should state that Statements of Common Ground are limited to local authorities lying within a defined Housing Market Area. Furthermore, the Council questions the necessity of County Councils being signatories to Statements of Common Ground, which would potentially add delay to the process.

Thus, of concern to the Council is that a potential update of each Statement will be required as each signatory authority reaches each stage in the preparation of its Local Plan. As an example, for a Statement of Common Ground to which three local planning authorities are signatories, it will require an update 4 times, which means that there is the potential for the SCG to require updating 12 times during the course of the preparation of the Plans for each Local Authority. This is considered to be disproportionate in terms of the cross boundary work required to achieve a "sound" Plan, and is at odds with the intention of the proposals in the consultation paper to simplify and accelerate the Plan making process.

Question 7(b)

how do you consider a statement of common ground should be implemented in areas where there is a Mayor with strategic plan-making powers?

Please enter your comments here

No comment.

Question 7(c)

do you consider there to be a role for directly elected Mayors without strategic plan-making powers, in the production of a statement of common ground?

- ☐ Ye
- ☐ No
- ☒ Not sure / don't know

Please enter your comments here

No comment.

Question 8

do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?

- ☐ Yes
- ☐ No
- ☒ Not sure / don't know

Please enter your comments here

As noted in response to Question 7(a), Rushmoor Borough Council supports the principle of preparing a Statement of Common Ground. However, it is concerned about the potential complexity of the process. The Council would welcome more detail on the operation of the process, mindful of the need to consider carefully the potential for this requirement to delay Local Plan preparation. In particular, the Council is concerned about the number of Statements that may be required, given the potential for differing strategic cross boundary issues between different groupings of local authorities, and the frequency of updates/reviews required (and the process for doing so).

Thus, of concern to the Council is that a potential update of each Statement will be required as each signatory authority reaches each stage in the preparation of its Local Plan. As an example, for a Statement of Common Ground to which three local planning authorities are signatories, it will require an update 4 times, which means that there is the potential for the SCG to require updating 12 times during the course of the preparation of the Plans for each Local Authority. This is considered to be disproportionate in terms of the cross boundary work required to achieve a "sound" Plan, and is at odds with the intention of the proposals in the consultation paper to simplify and accelerate the Plan making process.

The Council suggests that amendments to the NPPF should state that Statements of Common Ground are limited to local authorities lying within a defined Housing Market Area. Furthermore, the Council questions the necessity of County Councils being signatories to Statements of Common Ground, which would potentially add delay to the process.

Question 9(a)

do you agree with the proposal to amend the tests of soundness to include that:

i) plans should be prepared based on a strategy informed by agreements over the wider area; and

ii)) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?

☐

Yes

☐

No

☒

Not sure / don't know

Please enter your comments here

Rushmoor Borough Council is concerned about the ability for these tests to be clear, and not subject to interpretation or challenge at Examination. It is unclear how either of these new tests of soundness will be measured objectively. This gives the Council cause for concern given the objective of the consultation paper to simplify and accelerate the Plan making process. The Council requests further clarification on the measures against which these tests of soundness will be benchmarked, otherwise it is concerned that they will be open to differing interpretations by Inspectors at Local Plan Examinations.

Question 9(b)

do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?

☐

Yes

☐

No

☒

Not sure / don't know

Please enter your comments here

No comment.

Planning for a mix of housing needs

Question 10(a)

do you have any suggestions on how to streamline the process for identifying the housing need for individual groups and what evidence could be used to help plan to meet the needs of particular groups?

Please enter your comments here

Rushmoor Borough Council considers any assessment of the housing need for individual groups should be based, as far as possible, on existing published data sources. Such data sources include: the Census of Population, ONS projections of population change, Local Authority collected data for administration of the housing allocations scheme (identifies affordability and affordable housing needs). It would be helpful for national planning guidance to set out data sources for assessing the needs of individual groups, together with information on how to access the data.

However, whilst there is a mechanism for the delivery of affordable homes in place currently, the NPPF does not provide adequate mechanisms to support the delivery of homes to meet other types of housing need. The NPPF should therefore be updated to support the inclusion of robust delivery mechanisms in Local Plans.

Question 10(b)

do you agree that the current definition of older people within the National Planning Policy Framework is still fit-for-purpose?

☒

Yes

☐

No

☐

Not sure / don't know

Please enter your comments here

The current definition of older people within the NPPF is very broad ranging. Rushmoor Borough Council considers it remains fit for purpose as it reflects the fact that the needs of this group will be met in a broad range of ways. It may be helpful to identify specifically the needs of older people with specialist housing care requirement (C2 uses). In addition, the NPPF should provide more support for the provision of homes built to accessible and adaptable standards (Building Regulations Part M4(2)), as such homes will incorporate the flexibility to meet the changing needs of older people.

Neighbourhood Planning

Question 11(a)

should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?

☐

Yes

☐

No

☒

Not sure / don't know

Please enter your comments here

No comment.

Question 11(b)

do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?

☐

Yes

☒

No

☐

Not sure / don't know

Please enter your comments here

The identification of housing need in a neighbourhood plan should reflect the standard methodology for assessing housing need. However, a standard apportionment relative to the area covered by the neighbourhood plan, compared to the overall size of the host local authority, is a statistical exercise that fails to take into account the finer details that affect the ability of different parts of a local authority area to accommodate new residential development. The logic that neighbourhood plans cover a limited geographical area, and that decisions on actual capacity should take place at a wider strategic level, does not follow through in terms of the overall sum of the parts, as this approach to neighbourhood planning implies that this wider strategic approach will not in fact apply.

Proposed approach to Viability Assessment

Question 12

do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?

☒

Yes

☐

No

☐

Not sure / don't know

Please enter your comments here

It is a valid approach. Nevertheless, it must be proportionate in terms of the need to gather evidence to support the Local Plan. This is particularly important given that the LPA is not responsible for delivering infrastructure, but has to work with a diversity of infrastructure providers to secure its delivery. Whilst LPAs can be encouraged to (continue to) engage with all the different parties responsible for delivering infrastructure, these providers are not obligated to engage with LPAs. Moreover, the costing of infrastructure is not an exact science, and can change due to market forces, the state of the national economy and for site-specific reasons. Moreover, the expectation that such information is included in Local Plans also needs to align with the outcome of the forthcoming review of the Community Infrastructure Levy (CIL), particularly given that the current system compromises the ability to plan for infrastructure. This is related to pooling restrictions for S106 agreements, restrictions on contributions from smaller development sites, and the failure of CIL to provide a workable solution for local authorities affected by the mitigation requirements associated with the potential recreational impact of net new residential development on the Thames Basin Heaths Special Protection Area.

Question 13

in reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice?

Please enter your comments here

No comment.

Question 14

do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?

☒

Yes

☐

No

☐

Not sure / don't know

Please enter your comments here

The suggested approach is strongly supported and welcomed. It would increase both the speed of planning application determination and the amount of affordable housing provided by establishing the principle that policy compliant development is assumed to be viable. However, this policy approach should go further to support affordable housing delivery. The NPPF should set out that where affordable housing policy requirements have been tested for their viability this would effectively remove the "subject to viability" clause from the policy framework in the Local Plan.

Question 15

how can Government ensure that infrastructure providers, including housing associations, are engaged throughout the process, including in circumstances where a viability assessment may be required?

Please enter your comments here

In circumstances where a viability assessment is required, applicants should demonstrate that they have consulted with Housing Associations on the assumptions that have been made about the price that could be paid for affordable housing. Furthermore, this information should be provided in such a way that the LPA can verify it with the Housing Association.

Question 16

what factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?

Please enter your comments here

A standardised report format would be welcomed and supported. In addition, all viability assessments should be required to be submitted as an open book assessment to ensure viability issues are open to public scrutiny. Guidance should also support strongly the inclusion of information on overage provisions.

Question 17(a)

do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?

☐ Yes

☒ No

☐ Not sure / don't know

Please enter your comments here

Planning agreements would best be monitored and reported on in Authority Monitoring Reports (AMRs). The NPPF amendments should incorporate a requirement to publish such data in AMRs. This would provide a national framework for the monitoring and reporting on planning agreements. It should be made clear that this is also a function of sound corporate financial management practice, invoicing and debt recovery. The authority, in its planning role, "collects" but does not spend monies.

Question 17(b)

what factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?

Please enter your comments here

It should be left to the discretion of local authorities to publish relevant data in their AMR.

Question 17(c)

how can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?

Please enter your comments here

Infrastructure and affordable housing could be publicised through joint press releases.

Planning fees

Question 18(a)

do you agree that a further 20 per cent fee increase should be applied to those local planning authorities who are delivering the homes their communities need? What should be the criteria to measure this?

- ☒ Yes
- ☐ No
- ☐ Not sure / don't know

Please enter your comments here

A further 20% fee increase is supported. The criteria that should be used to measure this are: the issue of planning permission; completions/registrations of properties for Council Tax purposes; major planning application approvals in time/in accordance with Planning Performance Agreements.

Question 18(b)

do you think there are more appropriate circumstances when a local planning authority should be able to charge the further 20 per cent? If so, do you have views on how these circumstances could work in practice?

- ☐ Yes
- ☐ No
- ☒ Not sure / don't know

Please enter your comments here

No comment.

Question 18(c)

should any additional fee increase be applied nationally once all local planning authorities meet the required criteria, or only to individual authorities who meet them?

- ☐ Apply nationally
- ☒ Apply to Individual authorities
- ☐ only Not sure / don't know

Please enter your comments here

It is unreasonable to make only the additional fee increase available once all local planning authorities meet the required criteria. This is likely to be unachievable, meaning that the incentive to process expediently planning applications and maximise housing delivery is not likely to be effective.

Question 18(d)

are there any other issues we should consider in developing a framework for this additional fee increase?

Please enter your comments here

It is only fair that a local planning authority should be able to recoup the costs of running its development management service. Where the service is run efficiently and expediently, there should be appropriate mechanisms in place to ensure that the fee income is fairly and reasonably related to the cost of running that service. A strong development management service will deliver positive outcomes for the economic, environmental and social well-being of a Borough or District, and it should therefore be supported by a fee structure that enables this to be sustained.

Other issues

Question 19

having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?

- ☒ Yes
- ☐ No
- ☐ Not sure / don't know

Please enter your comments here

There are existing effective incentives to process planning applications. Moreover, the speed of decision-making does not necessarily deliver new homes. There should be more support for improved performance on the part of statutory consultees. Mechanisms should be put in place to make it easier for local planning authorities to intervene through compulsory purchase to help expedite delivery.

Your opinion is valuable to us. Thank you for taking the time to read the consultation and respond.