

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No. 5

meeting date: 6 APRIL 2017
title: PROPOSED CONSULTATION RESPONSE TO GOVERNMENT WHITE PAPER
FIXING OUR BROKEN HOUSING MARKET
submitted by: CHIEF EXECUTIVE
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1 PURPOSE

1.1 To agree a formal response to the consultation regarding the White Paper as it relates to planning and other relevant matters and thereby aid in its timely development.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – The matters covered in this report will contribute to several of the objectives of the Sustainable Community Strategy including appropriate housing.
- Corporate Priorities – The document that is the subject of this report relates to Council ambitions of making people's lives safer and healthier and also helping to protect the environment by directing future development into appropriate and sustainable locations.
- Other considerations – This consultation response will help the Council to positively contribute to the development of national planning policy and the delivery of housing.

2. BACKGROUND

2.1 In February 2017 the government released the White Paper "Fixing Our Broken Housing Market" the full details of which can be obtained via the web link below

<https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

This a very wide ranging document that analyses many different aspects of housing development within the overt statement that current rates of housebuilding are significantly below what the nation needs. The document touches on many issues, not just planning but also land ownership, infrastructure provision, skills shortages within the housebuilding industry, the need to stimulate more and smaller housing development companies, the roles of the various bodies that may provide investment in housing; financial products relating to house ownership and rental; homelessness issues and others. Among other matters the Paper states that "Plan making remains slow, expensive and bureaucratic" and that "slow building of new homes undermines local and neighbourhood plans."

2.2 Appended to the White Paper is a formal consultation on planning related issues discussed within Chapters 1 and 2 of the wider document. Within this appended

consultation are a set of some 38 different questions canvassing views on a variety of specific and more general proposals. They are not just aimed at Local Planning Authorities (LPAs) but also at housebuilders and developers. They in part contain specifically reworded national planning policy detail, others contain technical proposals while others set out more wide ranging general questions. They touch on, among other matters, the issues of housing requirement calculations, housing delivery rates, affordable housing definitions, green belt boundary assessment and neighbourhood planning. The closing date for the consultation is 2nd May 2017. Many of these are specifically relevant to local planning issues in Ribble Valley and will be important for us to consider.

2.3 Appendix 1 of this report contains the Executive Summary of the White Paper and its List of Proposals. The List sets out the main parts to each Chapter of the Paper. The Consultation section, to which Appendix 2 refers, is then set out at the end of the White Paper and mainly deals with elements of Chapters 1 and 2.

3. SUGGESTED OFFICER COMMENTS AND RECOMMENDATIONS.

3.1 Officers have reviewed the Paper and the appended consultation section and have compiled a detailed set of specific comments and recommendations on each of the consultation questions. These are set out, together with all the questions, in Appendix 2 attached to this report.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No financial implications arise from this report.
- Technical, Environmental and Legal – None
- Political – No direct political implications
- Reputation – It is important that the Council positively contributes to the planning process and planning policy development as it affects the area.
- Equality & Diversity – No implications identified

5 RECOMMENDED THAT COMMITTEE

5.1 Consider the material contained in the Report and Appendix 2 and endorse the suggested responses subject to any additional comments members wish to contribute and instruct the Chief Executive, in consultation with the Chair of this Committee, to submit the Council's response.

PHILIP DAGNALL
ASSISTANT PLANNING OFFICER

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

1. Appendix 1. White Paper Executive Summary and List of Proposals
2. Appendix 2 Consultation Comments and Recommendations.

For further information please ask for Philip Dagnall, extension 4570

REF: PD/151216/P&D

Appendix 1. White Paper Executive Summary and List of Proposals

The proposals in this White Paper set out how the Government intends to boost housing supply and, over the long term, create a more efficient housing market whose outcomes more closely match the needs and aspirations of all households and which supports wider economic prosperity.

The challenge of increasing supply cannot be met by government alone – it is vital to have local leadership and commitment from a wide range of stakeholders, including local authorities, private developers, housing associations, lenders and local communities.

We have listened to concerns expressed by many within the housing and planning sector that the pace of change in policy and legislation can make local delivery more difficult. The White Paper addresses this issue by providing a long-term strategy to build the homes the country needs.

However we also need to help people now to find the right home while our strategy takes effect. So this White Paper sets out how we will address people's housing needs and aspirations in the shorter term. This includes supporting people to buy or rent their own home, preventing homelessness, improving options for older people and protecting the most vulnerable. Central to making our long term strategy work is the partnership between central and local government and developers. This White Paper sets out the support the Government will provide to enhance the capacity of local authorities and industry to build the new homes this country needs. In return we expect professions and institutions to play their part and turn these proposals into reality:

For **local authorities**, the Government is offering higher fees and new capacity funding to develop planning departments, simplified plan-making, and more funding for infrastructure. We will make it easier for local authorities to take action against those who do not build out once permissions have been granted. We are interested in the scope for bespoke housing deals to make the most of local innovation. In return, the Government asks local authorities to be as ambitious and innovative as possible to get homes built in their area. All local authorities should develop an up-to-date plan with their communities that meets their housing requirement (or, if that is not possible, to work with neighbouring authorities to ensure it is met), decide applications for development promptly and ensure the homes they have planned for are built out on time. It is crucial that local authorities hold up their end of the bargain. Where they are not making sufficient progress on producing or reviewing their plans, the Government will intervene. And where the number of homes being built is below expectations, the new housing delivery test will ensure that action is taken.

For **private developers**, the Government is offering a planning framework that is more supportive of higher levels of development, with quicker and more effective processing and determination of planning applications, and is exploring an improved approach to developer contributions. In line with the industrial strategy, we will boost productivity, innovation, sustainability and skills by encouraging modern methods of construction in house building. We will encourage greater diversity of homebuilders, by partnering with smaller and medium-sized builders and contractors in the Accelerated Construction programme, and helping small and medium-sized builders access the loan finance they need. In return, the Government expects developers to build more homes, to engage with communities and promote the benefits of development, to focus on design and quality, and to build homes swiftly where permission is granted. Critically, we also expect them to take responsibility for investing in their research and

skills base to create more sustainable career paths and genuinely bring forward thousands of new skilled roles.

For **local communities**, the Government is offering a simpler and clearer planning process that makes it easier for them to get involved and shape plans for their area. We will ensure they see the benefits of housing growth and have greater say over the design of local developments. In return, the Government asks communities to accept that more housing is needed if future generations are to have the homes they need at a price they can afford.

For **housing associations and other not-for-profit developers**, the Government has already announced funding worth a total of £7.1 billion through an expanded and more flexible Affordable Homes Programme. We will provide clarity over future rent levels. In return, we expect them to build significantly more affordable homes over the current Parliament.

For **lenders, institutional investors and capital market participants**, the Government is offering a clear and stable long-term framework for investment, including products for rent. In return we call upon lenders and investors to back developers and social landlords in building more homes.

For **utility companies and infrastructure providers**, the Government is offering a clear framework and simpler plans to help them understand the demands made on them, and is exploring an improved approach to developer contributions to help pay for new infrastructure. In return, the Government expects infrastructure providers to deliver the infrastructure that new housing needs in good time so that development is not delayed.

At the heart of the White Paper is the acknowledgement that the housing market is very different in different parts of the country. The Government is already putting in place devolution deals and large-scale strategies, such as the Northern Powerhouse, the Midlands Engine and our modern industrial strategy, that bring together public and private sector leaders across different regions.

However, we need a better understanding of the specific local issues that are holding back housing development and economic growth. We need to back mayors and local leaders to deliver in their areas for their communities. We will work with local authorities to understand all the options for increasing the supply of affordable housing.

The policies and proposals set out in this White Paper apply to England only. In Scotland, Wales and Northern Ireland, housing and planning policy is the responsibility of the Scottish Government, Welsh Government and Northern Ireland Executive respectively. The UK Government retains responsibility for housing and planning policy in England, including funding for England-only bodies such as the Homes and Communities Agency (HCA). The Mayor of London is responsible for the functions of the HCA in London.

List of Proposals

Step 1: Planning for the right homes in the right places

- Making sure every part of the country has an up-to-date, sufficiently ambitious plan so that local communities decide where development should go;
- Simplifying plan-making and making it more transparent, so it's easier for communities to produce plans and easier for developers to follow them;
- Ensuring that plans start from an honest assessment of the need for new homes, and that local authorities work with their neighbours, so that difficult decisions are not ducked;
- Clarifying what land is available for new housing, through greater transparency over who owns land and the options held on it;
- Making more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, releasing more small and medium-sized sites, allowing rural communities to grow and making it easier to build new settlements;
- Maintaining existing strong protections for the Green Belt, and clarifying that Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements;
- Giving communities a stronger voice in the design of new housing to drive up the quality and character of new development, building on the success of neighbourhood planning; and
- Making better use of land for housing by encouraging higher densities, where appropriate, such as in urban locations where there is high housing demand; and by reviewing space standards.

Step 2: Building Homes Faster

- Providing greater certainty for authorities that have planned for new homes and reducing the scope for local and neighbourhood plans to be undermined by changing the way that land supply for housing is assessed;
- Boosting local authority capacity and capability to deliver, improving the speed and quality with which planning cases are handled, while deterring unnecessary appeals;
- Ensuring infrastructure is provided in the right place at the right time by coordinating Government investment and through the targeting of the £2.3bn Housing Infrastructure Fund;
- Securing timely connections to utilities so that this does not hold up getting homes built;
- Supporting developers to build out more quickly by tackling unnecessary delays caused by planning conditions, facilitating the strategic licensing of protected species and exploring a new approach to how developers contribute to infrastructure;
- Taking steps to address skills shortages by growing the construction workforce;
- Holding developers to account for the delivery of new homes through better and more transparent data and sharper tools to drive up delivery; and
- Holding local authorities to account through a new housing delivery test.

Step 3: Diversifying the Market

- Backing small and medium-sized builders to grow, including through the Home Building Fund;

- Supporting custom-build homes with greater access to land and finance, giving more people more choice over the design of their home;
- Bringing in new contractors through our Accelerated Construction programme that can build homes more quickly than traditional builders;
- Encouraging more institutional investors into housing, including for building more homes for private rent, and encouraging family-friendly tenancies;
- Supporting housing associations and local authorities to build more homes; and
- Boosting productivity and innovation by encouraging modern methods of construction in house building.

Step 4: Helping People Now

- Continuing to support people to buy their own home – through Help to Buy and Starter Homes;
- Helping households who are priced out of the market to afford a decent home that is right for them through our investment in the Affordable Homes Programme;
- Making renting fairer for tenants;
- Taking action to promote transparency and fairness for the growing number of leaseholders;
- Improving neighbourhoods by continuing to crack down on empty homes, and supporting areas most affected by second homes;
- Encouraging the development of housing that meets the needs of our future population;
- Helping the most vulnerable who need support with their housing, developing a sustainable and workable approach to funding supported housing in the future; and
- Doing more to prevent homelessness by supporting households at risk before they reach crisis point as well as reducing rough sleeping.

Appendix 2. Government White Paper “Fixing Our Broken Housing Market”

Consultation Comments and Recommendations

The original consultation questions are set out in *italic* with responses immediately below in plain black type.

Proposals from Chapter 1

Making Plans Easier to Produce

Question 1

Do you agree with the proposals to:

- 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?*

Question 1 (a)

The current NPPF para 156 sets out strategic priorities in the following broad areas: homes and jobs; retail leisure and other commercial development; provision of transport, telecommunications, waste management, water supply, wastewater, flood risk, minerals and energy and coastal change infrastructure; the provision of health, security, community, cultural infrastructure and other local facilities; and climate change mitigation, conservation of the natural and historic environment.

In our area all the above strategic priorities are covered either by RVBC plans or Lancashire County Council plans.

To the above para 156 list the government proposes to add an additional strategic requirement to plan for the allocations needed for the area’s housing requirements.

We have already planned for all the current elements of para 156 that are our responsibility within the Core Strategy and we are already planning for the allocations that the government are proposing to add in this consultation in the HEDPD. In addition the Government may be trying here to separate out which strategic elements various parts of the planning system, that now includes Neighbourhood Plans, each is responsible for to avoid the duplication of plans.

The government has also suggested, though this is not as apparent in the question they pose here, is that it will remove the need for each Local Planning Authority to produce a single local plan, but rather identify the “most effective way” of setting out the key strategic priorities they are responsible for, with the expectation that “more detailed matters” (whatever they are) are addressed through either Neighbourhood plans or “more focused development plan documents”. This gives us more flexibility on developing our plans but we still have to plan for the strategic priorities that we are responsible for, whether in a single document called a Local Plan, or in a variety of documents, either way each document has to be consulted on and examined, so this may still mean that a single Local Plan is the most effective way forward.

It would therefore appear we have little to add to this specific matter and would agree that allocations of housing should be formally added to the current NPPF para 156.

- 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?*

Question 1(b)

This question seems to set out the position regarding how, should we join a Combined Authority, Strategic Sites would be agreed, ie by unanimous agreement. Should we join this would seem to protect us from having strategic sites imposed on us.

- c) *Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?*

Question 1 (c)

An important element of this "tightening" of the legal tests that our plans have to pass to become adopted is that current soundness tests require plans to be the most appropriate one whereas this amendment requires merely that they be an appropriate strategy. A significant part of the current tests involves creating evidence and then potentially engaging in lengthy debate over which plan options are the most appropriate.

The question also appears to therefore suggest that this would also affect what kinds of evidence documents would be needed to underpin any "appropriate" strategy.

This amendment should help in reducing this time consuming and expensive process and is to be welcomed in principle, although its exact effect on our need for various evidence base documents (and their cost) is difficult to quantify at present.

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?

Question 2

The government appears to be considering that the current system of consultation and examination of various levels of plans may be too complicated without suggesting how they should be amended (and speeded up). We are still required to consult widely, the Localism Bill still requires us to consult with adjoining local authorities and we are still required to set out how we will do this in our Statement of Community Involvement (SCI). The current system, as evidenced by the Core Strategy consultations, is certainly time consuming and expensive but what changes could be proposed that would not conflict with the above is not clear at this time. Members may wish to discuss this further but in general a reduction on the consultation burden would be welcome.

Assessing Housing Requirements

Question 3

Do you agree with the proposals to:

- 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?*

Question 3 (a)

Whilst we already have a clear policy regarding older person's housing requirements and other specific groups within our wide ranging definition of "local needs" this amendment would appear to be welcome in clarifying housing provision for a series of specific groups, though it may imply creating more detailed evidence base document such as housing needs assessments. We would await more clarification on the detail of this however. We should support this measure as it allows us to be flexible in responding to the differing needs of specific groups.

- 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?*

Question 3 (b)

The development of a standardised methodology that would inform the five year housing land supply calculations is to be welcomed in principle as this area is a hotly contested and very time consuming aspect of both plan making and in the current judgement of planning applications both here and throughout the country. This should be supported in principle.

Making Enough Land Available in the Right Places

Proposed text of the presumption in favour of sustainable development

(see question 4 a to d below)

*At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**.*

*For **plan-making** this means that:*

- a) *local planning authorities should positively seek opportunities to meet the development needs of their area, as well as any needs that genuinely cannot be met within neighbouring authorities, through a clear strategy to maximise the use of suitable land;*
- b) *their plans should accommodate objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - i. *specific policies in this Framework provide a strong reason for development to be restricted;¹ or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

For **decision-taking**² this means:

- a) *approving development proposals that accord with the development plan without delay; and*
- b) *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - i. *specific policies in this Framework indicate development should be restricted*¹; or
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 1 *Policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); Ancient Woodland and aged or veteran trees; designated heritage assets (and other heritage assets of archaeological interest referred to in paragraph 139); and locations at risk of flooding or coastal erosion.*
- 2 *Unless material considerations indicate otherwise.*

Question 4

Do you agree with the proposals to amend the presumption in favour of sustainable development so that:

- a) *authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?;*
- 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?;*

Questions 4 (a) and 4 (b)

The amendment to NPPF Para 14 shown above is an important specific change. Government intends two things in the amendment to part a) of the plan making section of para 14. Firstly to make it clear that it expects local authorities to maximise the use of “suitable land” (without providing a definition of what that is apart from the mention of maximising the use of brownfield land in settlements) and meet their own development needs within their own area unless (in part b) there is a “strong reason” (rather than just “indicating” in the original para 14) elsewhere within the NPPF for development to be restricted such that the need cannot be met in the authority’s area.

This would not appear to affect RVBC as it intends through the adopted and up to date Core Strategy to meet its own needs within its own area and has sufficient identified land to be very likely to fulfil any future evidenced requirements. These amendments may well be aimed at other local authorities without up to date plans or wishing to place development into neighbouring authorities’ areas.

- 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?*

Question 4 (c)

This clarifies uncertainty about a list of sites in the current footnote 9 to Para 14. The current version sets out a series of types of site, such as Sites of Special Scientific Interest, Green Belt , Local Green Space etc which have been interpreted as examples of the “specific policies” the relevant para 14 refers to. This list is now renamed as Footnote 1 to the revised Para 14 with the addition of Ancient Woodland and veteran trees and are now referred to in the new para 14 as specific policies ie the only policies that this section of para 14 should be taken as referring to.

We are not aware that this had been a particular issue for us but the clarification is welcome in principle as it removes uncertainty and therefore should be supported. It is felt to add further protection to these designations and reinforces Core Strategy policy DME1. It may need further work from RVBC officers to establish what is an “aged tree”.

- d) *its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?*

Question 4 (d)

Refers to the general re- ordering of the para 14 text eg the renumbering of footnotes mentioned above in 4 c and the removal of text referring to the “golden thread” in the first sentence. There would not appear to be any reason to oppose these specific changes in this particular question and therefore they should be supported.

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?

Question 5

Refers in general to the desire to amend current regulations to allow all local planning authorities such as RVBC to dispose of land with the benefit of planning permission which they have granted to themselves. This measure should be supported as it offers the Council more freedom to address local housing need, should it wish to do so, without any obvious undesirable compulsions.

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)?

Question 6

This raises the issue of local authorities becoming more active in land assembly beyond that raised in Question 5. The government sees local authorities working collaboratively with landowners in “pooling” land and helping them to realise some of the benefit in land price uplift which could then be used to bring forward new building plots for local people and enabling smaller housebuilders to enter the local market. This measure, taken with question 5 above, also allows the Council more freedom to be involved more directly in housing development should it choose to do so and therefore should be supported.

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?

Question 7

This refers to authorities with issues over estate regeneration. This question would not appear to be relevant to us.

Supporting Small and Medium Sized Sites

While not relevant to question 8 below the government stated in the White Paper that it will expect local authorities to support the development of small “windfall” sites and that “great weight” should be given to using small undeveloped sites within settlements for homes where they are suitable. This latter point gives further clarity to the point about “suitable land” mentioned above in Question 4 (a). It offers no definition as to small although the current planning definition of a large site is one over 10 units.

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?;*

Question 8

8 (a)

Government is signalling that it wants neighbourhood plans to be more proactive in identifying and allocating small housing sites. The implications, should such new changes to NPPF relating to this happen, is that we may see more allocations from neighbourhood plans beyond those that RVBC may intend to make, but this does depend on local communities taking up these new yet undefined powers within NPPF. This should be supported in that it allows local communities to plan for housing that they feel and can justify through the planning process, is needed

- 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?;*

8 (b)

It is unclear whether this is relevant to us as we would consider that the Core Strategy identified those smaller settlements in the area that were capable of sustaining more development. This would not appear to be relevant to us as it stands. More clarity is needed here.

- 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?;

8 (c)

The government wants NPPF to give more support to “rural exception “ sites to provide affordable homes even if this involves an element of market development to support them. This would, as it stands, seem to mean that we should allow a greater number of smaller market developments in our smaller settlements if they produce affordable dwellings. Without the detail it is difficult to see the implications for us, it would ultimately depend on our rural affordable need and its provision though the recent introduction of thresholds limiting our ability to ask for affordable housing would seem to contradict this (see Question 32 later). It is recommended that more clarity be sought here. This question will also relate to later questions on affordable housing.

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?;

8 (d)

This relates to government wanting the allocation of more small building sites to help develop a new breed of smaller housing developers. It is assumed that such allocations would be within our identified need at the time and should be welcomed in principle as they could help diversify the range of developers we deal with, all other matters being favourable.

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

8 (e)

Government wishes local planning authorities to “encourage the sub division of larger sites”. Without the detail it is difficult to comment further except to say that this indicates that government may be considering that large sites with one developer may not be building at optimal rates. In principle this idea should be welcomed but without specific powers it is difficult to see how this “encouragement” could be effective.

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?.

8 (f)

This does not appear to be of immediate relevance to us. We already have an LDO at the BAe site at Samlesbury which is currently working satisfactorily. However the question also links LDOs to smaller sites (without defining what is meant by that) and as LDOs offer wider planning freedoms more clarity on this matter is needed before we can understand its likely impact on the area. Area Design Codes could be helpful in obtaining a degree of consistency and guide developers at an early stage.

Question 9

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

Question 9

This would seem to involve issues relating to New Towns garden villages that would not appear to be of immediate relevance to us. The comment about “streamlined” planning procedures could be taken to mean weakened local influence over such development though, which may be a concern to us in the future.

Green Belt Land**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?*

10 (a)

We would agree that Green Belt boundaries should only be reviewed and amended after all other options have been exhausted. In RVBC our SHLAA evidence is that there is likely to be enough non Green Belt land to cater for the likely levels of future development and our approved Core Strategy indicates that we do not anticipate a need for a Green Belt review in our area.

- 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?*

10 (b)

Compensatory improvement (presumably by the developers through contributions) to remaining Green Belt on removal of sites within it would appear to be a sensible idea in principle.

- c) appropriate facilities for existing cemeteries should not to be regarded as ‘inappropriate development’ in the Green Belt?*

10 (c)

It would seem reasonable that “appropriate” cemetery facilities would not be in contradiction of Green Belt purposes.

- 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?*

10 (d)

We do not have experience of Neighbourhood Development Orders in RVBC so it is difficult to comment on this matter. However, if it does not compromise the openness of the Green Belt or the other Green Belt purposes then it would seem a reasonable proposition.

- 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?*

10 (e)

In the event of a local authority identifying the need for a Green Belt review this would formally allow Neighbourhood Plans to potentially define parts of the new boundary apparently in advance of a wider review by the Local Authority. Green Belt reviews should be done within a single overarching set of criteria and encompassing large areas of land. There is a danger of doing this on a piecemeal basis without a transparent overall and agreed approach and therefore this proposal should be resisted.

- 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?*

10 (f)

This proposal would seem sensible with regard to previously developed land should it be free from other constraints. In terms of “transport hubs” this term is not clarified, could this be termed a roundabout on a large rural road within the Green Belt? If so then this could present problems. In terms of this latter point, whilst there is no direct current implication for Ribble Valley much more definition is needed about this before support could be given, therefore we should have a concern about this in principle.

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?

Question 11

Members may wish to discuss this and feed back comments on this question but as it stands it is too widely framed for a focused response to be given at this time.

Strengthening Neighbourhood Planning and Design

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?;*

Question 12

12 (a)

It would seem sensible that a Neighbourhood Planning Group should be able to evidence their local housing need, on the understanding that this will be a minimum figure. However these figures are not collected by us on a Neighbourhood Plan area level and it may require some work by the Council to produce a housing need figure. However in principle this would seem a reasonable proposal.

- 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?;*

12 (b)

The proposal that all relevant plans should set out clear design principles would seem obvious, but it is important that if they are within various plans, such as a local authority Local Plan and a Neighbourhood Plan in the same area, that they do not contradict each other.

- 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?;*

12 (c)

The Council has been doing this for several years and therefore this question is not relevant to us.

- 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?; and*

12 (d)

This would seem a sensible proposition in principle but it is very difficult to frame design policies and codes that do not result in some differing views, design will always be a matter partly of judgement and in some individual cases and this may be an important matter which could trigger a refusal. Therefore in principle we should object to this point as it limits our discretion.

- 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?*

12 (e)

The statement as it stands would seem sensible but this should still not limit the authority from diverging from it where it feels relevant to local circumstances, one size does not fit all.

Using Land More Efficiently

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?;*

Question 13

13 (a)

That land should be “efficiently” used would seem perfectly sensible and in the face of need and a lack of land it would also seem sensible to locate an appropriate “efficient” density of dwellings on a site. We should support this proposal. However we would also need more clarity on what is meant by “low density” and “efficient”. There may be some time consuming debate over an “efficient “ density from developers as this may affect the viability of some sites.

- 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?;*

13 (b)

This would seem to be addressed to more urban local authorities and therefore not relevant to our area though it may become applicable to Clitheroe and Longridge. See also (c) below.

- 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?;*

13 (c)

Given the above in (b) this would also seem a logical proposition.

- 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?*

13 (d)

This question is unclear as it stands and may or may not be dependent on (b) and (c) above and could be interpreted to mean that important issues such as open space provision can be traded off for other unclear benefits. As it stands this question is too poorly formed and therefore we should oppose it as it stands and require more clarity.

Question 14

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

Question 14

This is a very wide ranging question but in principle the Council should be able to develop its own figure or a series of figures that reflects local circumstances, some being more dense than others. Previous now abolished planning housing densities were around 30 dwellings per hectare but again developers may engage in time consuming debates about its effect on viability. Members may wish to discuss this matter and feedback comments.

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)?

Question 15

This again addresses government's desire to deliver more development on public sector land and goes on to be a very open and wide ranging question (again). This may be more relevant to authorities with large land portfolios. However this also raises the question of what is meant by "public sector land" in terms, for instance of the NHS land at Calderstones.

Providing Greater Certainty

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?;*

Question 16

16 (a)

It would be very desirable if the Council could have their housing land supply figure agreed on an annual basis as this would remove a significant amount of time consuming debate. We should certainly agree to this in principle and it is thought that the 10% buffer over the 5 year supply may be an acknowledgement of the effect of the necessary time delay in agreeing a final figure. In general the measure should be supported though we do have practical concerns that, given work pressures within the planning system generally, there will be too much delay in the Inspectorate approving such a figure for its effective use not to be compromised.

- 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?*

16 (b) and (c)

It would appear that this states that the Planning Inspectorate would effectively "sign off" ie approve a local authority's housing supply figure as robust by approving its methodology or be sent the material by the Local Authority and do the calculations itself (and then potentially impose it on an authority?). We should certainly opt for the Inspectorate judging robustness of methodology though the exact implications of these two questions are a little unclear and more clarity should be sought.

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?;*

Question 17

This question exists within the context of a recent Written Ministerial Statement of December 2016 which stated that if a Neighbourhood Plan plans for (ie allocates sites for) housing then it should not be deemed out of date in the face of the wider Local Authority lacking a five year supply and therefore having its housing policies being inapplicable (including the Neighbourhood Plan's policies). For the above to be applicable NPPF would need to be amended.

17 (a)

Relates to is the first of these amendments, which states that the Neighbourhood Plan should meet its share of housing for its policies to gain the above protection. This actually relates back to Question 12 (a) which allowed for a Neighbourhood Plan's housing need figure to be established. This would seem a logical point to be supported, again with the proviso that the housing figure, as with the wider Local Authority's housing figure, should be taken to be a minimum.

- 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?*

17 (b)

This amendment links (a) above to an overall Housing Delivery Test that the wider Local Authority has to meet that is set out, confusingly in terms of sequence in the White Paper's consultation questions, in a later Question (see Question 28 below). This Test effectively sets out whether a Local Authority has a "significant lack of land supply" ie one that is significantly below a five year supply. Should the Test be failed then the Neighbourhood Plan's relevant policies would also then be judged to be not applicable in the face of this overall "significant" wider housing land supply shortfall.

This amendment would also appear to be a sensible one in the context of clarifying where Neighbourhood Plan's housing policies sit within the wider Local Authority's and should be supported in principle.

- 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?*

17 (c)

It would seem logical that the Neighbourhood Plan's housing policies, to gain the protections mentioned above in (a) and (b), should be manifested in actual allocations rather than through more general policy statements without such a commitment to actual sites.

Deterring Unnecessary Appeals

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; and*
- c) *whether there could be lower fees for less complex cases.*

Question 18

18 (a) – (c)

There should be a fee for major house and employment schemes but not for householder schemes or minor appeals such as Change of Use. There should be no refund mechanism. We have no settled view on the actual monetary value of such a fee however.

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?

Question 19

It is difficult to envisage how a Planning Authority could “deliver” this important infrastructure as delivery actually depends on the commercial considerations of the providers. Current local planning policies allow for proper planning of such infrastructure through the existing planning system through applications from providers operating in a commercial environment. Also it is not clear from the question what “accessible from a range of providers” means in terms of planning policy. How does the government see this actually being achieved? A response should request more clarity before a sensible and useful response could be given.

Question 20

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

- a) *the status of endorsed recommendations of the National Infrastructure Commission is made clear?; and*
- b) *authorities are expected to identify the additional development opportunities which strategic infrastructure improvements offer for making additional land available for housing?*

Question 20

There are two aspects to this question. The first clarifies the status of recommendations made by the National Infrastructure Commission ie that once endorsed by the government, they become Government policy. The second involves the role of local authorities. The government are suggesting LPAs should be required to identify the “additional development opportunities” that they feel may flow from major new infrastructure investment. While there are no planned major investment opportunities currently planned for Ribble Valley this suggestion may require

us to identify any ancillary development that could be linked to any future major project. Members may wish to discuss this further.

Greater Transparency Through the Planning and Build Out Phases

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?*

Question 21

21 (a)

It would be very helpful to us in principle to have an estimate of start dates and build out rates on planning application forms. This would enable us to monitor our five year supply figure more robustly. We should accept this proposal however we would be concerned as to the effectiveness of this measure if there were to be no consequences for applicants should they decline to offer this information,

- 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?*

21 (b)

Again, this proposal is to be welcomed for the same reasons as above as the current flexibility and uncertainty on the build out rates of permissions limits our ability to develop robust five year supply figures. We should accept this proposal.

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

21 (c)

It would seem logical that the above should be placed within the Authority Monitoring report as this will aid public understanding of the actual process of development by the developers themselves. We should accept this proposal.

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

21 (d)

It would be useful again for the public to be able to see large housebuilders' build-out rates. This should be supported.

Sharpening Local Authority Tools to Speed up the Building of Homes

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?

Question 22

While it is not as clear as it could be in the question what is meant by “realistic prospect” in general this proposal would allow us to interrogate more deeply the likelihood of actual development taking place once permission is given. In principle it should be supported.

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.

Question 23

This proposal offers LPAs the option of considering a developer’s historic implementation in determining planning permissions. In principle this would add to our ability to obtain realistic build out rates from developers and hold developers to account to the public in relation to how quickly and realistically they actually implement the permission we give them. However we have concerns about how this could actually be applied in practice. It would only be of practical use if LPAS were to be supported by the Planning Inspectorate on this point at appeals.

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?

Question 24

It is not clear why the points in 22 and 23 above should not apply to all scales of development, especially if some LPAs may be dependent on a large amount of smaller site rather than a few large ones. This proposition should not be accepted as it stands.

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.

Question 25

It is unclear what benefits shortening the timespan of planning permissions will bring in practice. This may create more problems that it could solve through more debate over its effect on the viability of developments, causing more delay and staff time resources.

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?

Question 26

We would support this proposal as it may aid in preventing “token starts” to permissions that are then not progressed with.

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?

Question 27

We have no view to offer on the effect on lenders but we do support the ability to serve such notices as shown above. We do not envisage however that we would need to actually serve many in practice.

The Housing Delivery Test

Question 28

The government recognises that there is a mismatch between planning permissions and actual completions. It wants to highlight whether the number of houses built is below an established target that the LPA sets out and establish a mechanism for understanding why and attached triggers in local plans to ensure further land comes forward in new planning permissions. Plans that are up to five years old will be the starting point against which actual delivery will be judged. This is the position Ribble Valley is in with a Core Strategy only two years old. For other Councils whose plans are older than five years and therefore whose policies and housing requirement figures are out of date the government proposes to use government statistics for household projections to establish the Local Authorities’ housing requirement instead.

Once the relevant requirement figures are established the government suggests that actual delivery will be judged through three year rolling averages of housing delivery starting in April 2014. It is against these that their housing delivery will be judged.

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?*

28 (a)

This proposal states that the baseline for the test should be the LPA's annual housing requirement set out in an up to date plan. This would seem a logical starting point as the housing requirement figure is the basis for current analysis of our housing delivery. This should be supported.

- 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?*

28 (b)

This point relates to those LPAs without an up to date plan and uses the government household projections until 2018 as a surrogate for an area's housing requirement. After 2018, as suggested in earlier questions in this consultation, there will be in place a standard methodology for calculating an area's housing requirement to set the baseline for delivery analysis. This proposal would seem logical but it is not specifically relevant to us at this stage.

- c) Net annual housing additions should be used to measure housing delivery?*

28 (c)

It is logical that housing delivery should be measured by net annual housing additions. This should be supported.

- d) Delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17?*

28 (d)

This question sets out the rolling three year average periods for delivery mentioned above. Government suggests that three year averages will help to smooth out short term fluctuations in delivery which are a natural part of the development industry and reveal more realistic delivery rates. This would seem a logical step rather than the current system in which short term (ie one or two year under delivery against housing trajectories can trigger challenges to grant more permissions. It should be noted that we are already within the first average period starting April 2014. We should accept this proposal.

Question 29

These questions sets out the triggers or "consequences" government wishes to set out as new policy for under delivery established through the mechanisms set out above.

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?;*

29 (a)

From November 2017 that LPAs should have an “action plan” if delivery falls below 95% of the annual housing requirement. The action plan is not defined here.

- 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%?;*

29 (b)

From November 2017 if delivery falls below 85% then a 20% buffer be added to the LPA’s five year housing supply. ie another whole year’s supply be added to the five year supply.

- c) *From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%?;*

29 (c)

From November 2018 where delivery is below 25% of the LPA’s annual housing requirement figure the presumption in favour of sustainable development within NPPF would be triggered which would indicate that an LPAs housing policies are out of date and it has significantly less control over granting of applications coming to it.

- d) *From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%?; and*

29 (d)

From November 2019 the presumption in (c) would be triggered at 45%

- e) *From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%?*

29 (e)

From November 2020 the presumption on (c) would be triggered at 65%

The system appears to set up an increasingly stringent series of thresholds on delivery from making an action plan to by 2020 being potentially having reduced control of applications if delivery falls below two thirds of the annual requirement figure. In general the delivery based questions above highlight again the necessity of having an up to date plan and evidence base, especially a defensible housing requirement assessment.

Question 30

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

Question 30

The ability of Local Authorities to directly develop land for local public benefit.

Affordable Housing

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?;
(see below)*
- b)

Proposed definition of affordable housing

Affordable housing: *housing that is provided for sale or rent to those whose needs are not met by the market (this can include housing that provides a subsidised route to home ownership), and which meets the criteria for one of the models set out below.*

Social rented and affordable rented housing: *eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.*

Social rented housing *is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the Government's rent policy. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.*

Affordable rented housing *is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).*

Starter homes *is housing as defined in Sections 2 and 3 of the Housing and Planning Act 2016 and any subsequent secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute at the time of plan-preparation or decision-taking. Local planning authorities should also include income restrictions which limit a person's eligibility to purchase a starter home to those who have maximum household incomes of £80,000 a year or less (or £90,000 a year or less in Greater London).*

Discounted market sales housing *is housing that is sold at a discount of at least 20 per cent below local market value. Eligibility is determined with regard to local incomes and local house prices. It should include provisions to remain at a discount for future eligible households.*

Affordable private rent housing *is housing that is made available for rent at a level which is at least 20 per cent below local market rent. Eligibility is determined with regard to local incomes and local house prices. Provision should be made to ensure that affordable private rent housing remains available for rent at a discount for future eligible households or for alternative affordable housing provision to be made if the discount is withdrawn. Affordable private rented housing is particularly suited to the provision of affordable housing as part of Build to Rent Schemes.*

Intermediate housing *is discount market sales and affordable private rent housing and other housing that meets the following criteria: housing that is provided for sale and rent at a cost*

above social rent, but below market levels. Eligibility is determined with regard to local incomes and local house prices. It should also include provisions to remain at an affordable price for future eligible households or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement. These can include Shared Ownership, equity loans, other low cost homes for sale and intermediate rent (including Rent to Buy housing).

Question 31

31 (a)

This sets out a revised definition of affordable housing. This includes the Starter Homes initiative and does not include a previous government position that a proportion of Starter Homes should be made available on a significant number of housing sites. This change is to be welcomed as it could have impacted on our ability to provide affordable housing products more relevant to our local needs. The new definitions should be supported.

b) introduce an income cap for starter homes?;

31 (b)

This defines the household income cap (in our area £80,000) relating to households who can apply for Starter Homes. This clarifies an area of uncertainty and this clarity is welcome and should be supported.

c) incorporate a definition of affordable private rent housing?;

31 (c)

This clarifies the definition of affordable private rental housing (ie at least 20% below local market rent). This clarity is to be welcomed and should be supported.

d) allow for a transitional period that aligns with other proposals in the White Paper (April 2018)?

31 (d)

This question aligns the provisions to come into force in April 2018 alongside other provisions. This would, on its own, also seem sensible and should be supported.

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 0.5 ha?*

Question 32

32 (a) and (b)

Suggests that there should be a minimum threshold of 10% of all homes on individual sites be for affordable home ownership products on sites over 10 units or 0.5ha. We do not agree with the 10 unit threshold as it significantly reduces our ability to deliver affordable housing in rural areas. This proposal should be amended to allow a “rural exceptions” approach.

Question 33

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

Question 33

We think that there should be no exceptions given our comment to 32(a) and (b) above. There have been recent attempts to exclude certain forms of residential development, outside the 10 unit threshold mentioned above, from the provision of necessary affordable housing 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 in 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?

Question 34

We have no comment on this question which re- iterates the previous statements made before this White Paper that, taken together, the whole of the NPPF represents the government’s view on what sustainable development means for the planning system. This is also, although not stated above, mediated by occasional Ministerial Written Statements which also influence the interpretation of aspects of the NPPF.

Questions 35

Do you agree with the proposal 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?*

Question 35 (a) and (b)

We have no comment to make on these questions.

Question 36

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

Question 36

We agree with the proposal which adds necessary clarity to important flood planning policy.

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?

Question 37

We agree with the proposal as it helps address the possible reaction to a pre-existing “bad neighbour” development before planning permission is given rather than it being subject to health and safety concerns after permissions have been granted and the developments built out.

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?

Question 38

We welcome increased clarity on this matter.