

10 AUGUST 2020

PC10-20 | CHANGES TO THE CURRENT PLANNING SYSTEM

Summary

The Ministry of Housing, Communities and Local Government has issued a new consultation on changes to the planning system. This consultation seeks views on a range of proposed changes to the current planning system including: changes to the standard method for assessing local housing need, securing of First Homes through developer contributions, temporarily lifting the small sites threshold and extending the current Permission in Principle to major development. The main consultation document can be found [here](#).

Consultation questions

NALC will be responding to the consultation questions as follows:

1. Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?
2. In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why
3. Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.
4. Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.
5. Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

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

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

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

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

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

- i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.
- ii) Negotiation between a local authority and developer.
- iii) Other (please specify)

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

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

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

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

12. Do you agree with the proposed approach to transitional arrangements set out above?

13. Do you agree with the proposed approach to different levels of discount?

14. Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?
15. Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?
16. Do you agree that the First Homes exception sites policy should not apply in designated rural areas?
17. Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?
18. What is the appropriate level of small sites threshold? i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)
19. Do you agree with the proposed approach to the site size threshold?
20. Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?
21. Do you agree with the proposed approach to minimising threshold effects?
22. Do you agree with the Government's proposed approach to setting thresholds in rural areas?
23. Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?
24. Do you agree that the new Permission in Principle should remove the restriction on major development?
25. Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.
26. Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?
27. Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.

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

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

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

30. What level of flat fee do you consider appropriate, and why?

31. Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.

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

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

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

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

Your evidence

Please email your responses to this consultation to policycomms@nalc.gov.uk by 17.00 on 17 September 2020. County associations are asked to forward this briefing onto all member councils in their area.