

Response to consultation on proposed changes to national planning policy

Summary

This report sets out the response to the Government's consultation on proposed changes to national planning policy. The consultation began on Monday 7th December and ends on Monday 25th January.

The proposed changes to national planning policy concern housing delivery and relate specifically to affordable housing, density around commuter hubs, new settlements, starter homes and development on brownfield land and small sites. The consultation also seeks views on transitional arrangements for the introduction of changes to policy. The consultation document is available to view in the Members Room or online at:

<https://www.gov.uk/government/consultations/national-planning-policy-consultation-on-proposed-changes>

Whilst the principle of increasing the density of development around commuter hubs and supporting sustainable new settlements is generally welcomed, concerns have been raised in respect to other elements of the consultation proposals. The full response is set out at Annex 1 of this report.

Portfolio - Regulatory

Date Portfolio Holder signed off report: 23rd December 2015

Wards Affected

All

Recommendation

The Executive is advised to resolve that the response set out at Annex 1 of this report be the Council's formal response to the DCLG consultation on changes to national planning policy.

1. Resource Implications

- 1.1. There are no resource implications beyond that provided for within the agreed budget for 2015/2016.

2. Key Issues

- 2.1 DCLG is consulting on a range of proposed changes to National Planning Policy that are intended to support housing delivery. The key themes addressed within the consultation include affordable housing, higher density development around commuter hubs, new settlements, brownfield land, small sites and starter homes. Comments are also sought in respect of transitional arrangements for the introduction of new policy. The proposals and associated responses are set out in brief below, with the full response contained at Annex 1.

- 2.2 To support access to home ownership, the consultation proposes to amend the definition of affordable housing to include a wider range of low cost home ownership options, some of which may not recycle subsidy or be subject to 'in perpetuity' restrictions. Such a change could, subject to how it is implemented, undermine the Councils ability to meet all of the development needs of the area. As such it has been suggested that if this amendment is introduced, any such products should be classed as intermediate products.
- 2.3 Proposals to provide greater national policy support for new settlements and higher density development within the vicinity of 'commuter hubs' have generally been welcomed. It has however been suggested that the definition of 'commuter hubs' requires further clarification. It has also been agreed that national planning policy should not set out a minimum density requirement for development around commuter hubs.
- 2.4 Concern has been raised with respect to proposals to strengthen existing planning policy for brownfield sites (including the delivery of starter homes on unviable or underused land in employment, retail, leisure and non-residential institutional uses) and sites of under 10 units. It is considered that existing policy adequately supports the principle of the redevelopment of such sites whilst allowing a suitable degree of flexibility to resist schemes where there are overriding conflicts with the Local Plan or NPPF that cannot be mitigated.
- 2.5 A number of the consultation proposals would affect the countryside and Green Belt, including:
- Encouraging more efficient use of brownfield sites within the Green Belt;
 - Increasing policy support for the development of small sites immediately adjacent to settlement boundaries;
 - Using rural exception sites to deliver starter homes; and,
 - Allowing local communities to allocate sites for starter homes in the Green Belt through neighbourhood plans.
- 2.6 Whilst the principle of using brownfield sites within the Green Belt more efficiently has been generally welcomed, objections have been raised with respect to the other proposals set out above. It is considered that these could affect the capacity of the Council to meet its development needs and could undermine existing Green Belt policy set out within the NPPF.
- 2.7 The Government also sets out an intention to introduce a housing delivery test to identify areas where there is a significant under-delivery of housing; where a significant under-delivery of housing is identified, the Government suggests action should be taken to address the matter. Under the current consultation, it is suggested that Councils considered to be significantly under-delivering should allocate additional sites through a Local Plan review or Area Action Plan (AAP).

Concerns have been raised in response to this aspect of the consultation, including:

- The test does not include a mechanism to identify reasons for significant under-delivery, which may vary from place-to-place and could be linked to factors outside of the planning process;
- The root cause of significant under-delivery needs to be identified and action tailored accordingly. A 'one size fits all' approach is unlikely to be successful; and,
- Development Plan Documents are not delivery documents and as such, allocating additional sites does not guarantee that they will come forward.

2.8 The Government suggests that the proposed changes to national planning policies may mean that Councils will need to review their local affordable housing policies. Accordingly they suggest a transitional period of 6 – 12 months prior to the introduction of the new national policies, to allow Councils to undertake a partial review of their Local Plan policies. In response, it has been suggested that a 6 – 12 month period is insufficient to allow such a review to take place when taking into account evidence gathering needs, Planning Inspectorate resources and the possibility of some Authorities having to review more than affordable housing policy (where newer evidence suggests that other Local Plan policies are out of date).

3. Options

3.1 The options for the Executive to consider are:-

- (i) To **AGREE** the response on the consultation on changes to national planning policy as set out in Annex 1 of this report.
- (ii) To **AGREE** the response on the consultation on changes to national planning policy as set out at Annex 1 of this report and any additional comments which the Executive may wish to make.
- (iii) To **NOT AGREE** the response on the consultation on changes to national planning policy as set out at Annex 1 of this report and elect to withdraw the consultation response.

4. Proposals

4.1 It is proposed to submit the consultation response attached at Annex 1 by the 25th January 2016 deadline.

5. Supporting Information

5.1 None.

6. Corporate Objectives and Key Priorities

6.1 The proposals may affect the Council's ability to achieve Objective 2 by reducing the Council's capacity to maintain adequate employment floor space.

7. Policy Framework

7.1 The existing policy framework is contained within the National Planning Policy Framework 2012 (NPPF) and associated Planning Practice Guidance (PPG). The consultation relates to changes to the NPPF.

8. Equalities Impact

8.1 Within the consultation response, concerns have been raised that changes to the definition of affordable housing may affect the Councils ability to adequately discharge its duty to households excluded from work through long term illness and disability.

9. Consultation

9.1 The Government consultation runs between the 7th December 2015 and the 25th January 2016.

Annexes	Annex 1 - Officer response to the Department for Communities and Local Government consultation on changes to National Planning Policy.
Background Papers	'Consultation on proposed changes to national planning policy' (2015) Department for Communities and Local Government
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Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue		
Capital		
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	
Policy Framework		
Legal	✓	
Governance		
Sustainability		
Risk Management		
Equalities Impact Assessment		
Community Safety		
Human Rights		

Resources	Required	Consulted
Consultation		
P R & Marketing	✓	

Review Date:

Version: 1st Draft