

Appendix A: 'Fixing our broken housing market'

Housing White Paper

February 2017

Consultation Questions and Council Responses

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?

Yes.

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?

The Royal Borough is not currently part of a combined authority area but in principle, yes.

c) Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan? Yes, this will better enable local authorities to understand with clarity what resources, evidence base and preparation is required with the best likelihood of their plan being found sound by the Planning Inspectorate especially if plans are required to be updated every 5 years.

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? It would assist if there was a clear expectation as to the length of consultation required by legislation at each stage of plan making for DPDs. There is the potential for 'consultation fatigue' from those that are being consulted throughout the different regulatory processes; it takes planning policy officers considerable time assessing their comments which can be made over and over again. If plans are to be required every 5 years then the process, including consultation process, should be streamlined. Guidance on proportionality included in the NPPG would also be helpful to local authorities. It is understood that the Examination process has already been improved.

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? Yes; the pressures of an ageing population for example do need a multifaceted approach and suitable housing is an important aspect of managing this. We would also encourage housebuilders and developers to construct housing that is suitable and easily adaptable for all. Consideration at initial design stage can incorporate small but

simple changes that may enable occupants to live in their homes for longer and / or easily adapt as their needs change.

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? **Yes. Such an approach would ensure that there is consistency between local authorities, it would avoid prolonged debate with developers and others in the construction sector and would make this aspect of plan preparation more efficient. The Council would appreciate more clarity as to what constitutes an up to date plan.**

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?; **Yes; the call for sites process undertaken by the Royal Borough would have been aided by this and so is a welcome development which should be supported by advice from CLG as to what would be contained within a strategy and how land could be maximised.**

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?; **Yes; the council agrees that, given the significance of the issue, any clarification surrounding the importance of meeting identified development needs is helpful as is clarity on the constraints and reasons for not doing so.**

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? **Yes, guidance from Natural England on how to identify Ancient Woodland would be welcomed by the Council. This would then be an additional burden for local authorities to survey their administrative area to identify Ancient Woodland; there will be some authorities that do not have the resource to carry out this work.**

d) its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed? **Yes; changes of this nature leave less room for 'interpretation' which can cause delay.**

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? **Yes.**

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)? This authority agrees that something needs to be done to prevent ransom strips preventing development which is integrated well into a settlement. There are obvious benefits of land owners working together. However, it is difficult to enforce land owners to bring forward development when they may have a different strategy. Ensuring that CPO powers are available and supported when land owners are obstructing development that is in the best interests of the area / community may help to facilitate development.

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? Yes; these are important benefits and it is essential to ensure a balance between provision of housing and provision of homes that promote a good quality of life.

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?; Yes. Agree that Neighbourhood Plan have a role in identifying small sites for future development..

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?; Yes; villages play an important role in providing sustainable and balanced communities.

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?; The council is generally supportive of this proposal.

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?; The Council is of the view that it is difficult to be prescriptive. Local Authority areas differ widely and it would not be appropriate to apply a blanket approach for such a policy to all areas.

e) expect local planning authorities to work with developers to encourage the sub-division of large sites?; Yes, where appropriate and providing it does not diminish the contribution to infrastructure provision or affordable housing.

and 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? Yes, in principle, the Council supports this proposal and recognises the additional resource that would be required to use these tools effectively whilst ensuring high quality development in the Borough.

Question 9

How could streamlined planning procedures support innovation and high-quality development in new garden towns and villages? Streamlined plan making procedures that are clear on the evidence base required would assist. Support in national policy for innovation and clear support for high quality development which respects local distinctiveness would assist this Council in negotiating with developers to bring forward schemes which achieve resident support.

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? Yes.

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? Whilst the Council would support this proposal it is not clear how it could be delivered unless the Council owns other land within the Green Belt which could be used to make the compensatory improvements. It would not be realistic to seek such improvements on private land. Equally this would then have to be secured in perpetuity. It might prove more practical to ensure that where land is removed from the Green Belt it makes an appropriate contribution to strategic green infrastructure and ensures that access to the countryside beyond is retained where it exists or secured where it is possible to achieve it. There is the potential for land to be 'swopped' as part of the compensatory measures providing that the land to become Green Belt performs the functions of Green Belt set out in the NPPF..

c) Appropriate facilities for existing cemeteries should not to be regarded as 'inappropriate development' in the Green Belt? In order to respond it would be necessary to identify what are appropriate facilities for existing cemeteries; Council's should plan cemetery provision in their local plan, it can perform a Green Infrastructure function too. If the facilities are fundamental to the cemetery then it is likely that a Very Special Circumstances case might be made. Government should instead consider making changes of use of land in the Green Belt appropriate as per the previous policy contained in PPG2.

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? This Council has experience of development which is harmful to the Green Belt and not sustainably located being supported by local people on the basis that they would wish to develop their own land in the same way. Whilst not objecting in principle the Council would suggest caution, protection of the Green Belt is important.

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? No: neighbourhood plans are prepared by volunteers and are not required to be supported by the weight of evidence; this is a technical assessment

and should be contained in a DPD. This Council supports the position that Green Belt is a strategic policy and boundaries should not be amended through the Neighbourhood Plan.

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? Sustainable development around existing transport hubs and other infrastructure should be given considerable weight when reviewing green belt. This is the approach the Royal Borough has taken and so therefore this is endorsed.

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? No.

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? We have encountered different approaches from different neighbourhood planning groups but generally this is not supported.

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?; Yes, this has been of benefit locally. By encouraging high quality high density development we will make better use of our limited land assets.

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?; Yes; we support engaging with developers and discussions with the local community at an early stage. A balance needs to be struck between the views of a minority and the needs of a wider community.

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?; Yes.

and 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? Whilst widely accepted design standards are useful, experience has been that Building for Life placed too much emphasis on other factors and was not a focus for design per se. As local distinctiveness is so key to sense of place it would be more appropriate to support detailed townscape and landscape assessments and to make clear that Neighbourhood Plans could be based on that detailed assessment work thus lending weight to design policies.

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?; **Yes. However, high density development in the right place with a consideration to the area and its existing make up is vital. Pursuing an approach with just produces the highest return may not leave a legacy of sustainable communities over the longer term, or have due regard to the character of an area, especially if it is a designated area for conservation or landscape importance..**

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?; **Yes; this seems an obviously more efficient use of land to promote sustainable development. However, in some locations such development may change the complexion of the area and we should guard against over development where the quality of existing urban grain is worthwhile protecting and/or where protection of heritage assets would require a different approach..**

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?; **Yes; without these mitigations it would be difficult to support this.**

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? **Yes; local flexibility is sometimes necessary though with clear guidance.**

Question 14

In what types of location would indicative minimum density standards be helpful, and what should those standards be? **Density on its own is not reflective of development which may or may not be acceptable in the local context.**

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)?

Local Authorities need to have a clear understanding of 'public sector' owned sites in their areas. An obligation to list these in a freely accessible database by area would be a helpful resource. The owners of these sites could be encouraged to start a dialogue with the Local

Authority fulfilling an enabling role. In many cases it is likely that significant opportunity can be unlocked by some creative thinking and taking a long term approach.

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?; **There should be more encouragement to form longer term thinking in the first instance; if housing land supply position is agreed for a year then the requirement for a buffer is not understood – either the authority has or does not have a five (or more) year supply of housing. The application of a buffer, or a variable buffer, just lends weight to the ability of developers to interpret a position which is what this proposal seeks to avoid..**

b) the Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy? **Yes, within a specified timescale of it being submitted to PINS.**

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? **The purpose of a standardised methodology is surely to clarify the position, the role of PINS would be to ratify the position set out by the Planning Authority – essentially the former rather than the latter.**

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?; **No. Neighbourhood Planning is not set up in away that would easily enable the local people voluntarily preparing the plan to be able to prepare this information or have the evidence to set it out. The current situation of enabling a local community to chose to allocate sites and perhaps meet the identified local need a different way to that proposed in the adopted DPD should remain e.g. Thame NP.**

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? **No. The Parish Council or Neighbourhood Forum has no control over whether the Council delivers housing (equally neither does the Council have control over whether the homes are built) and local choice by local people as to what development they wish to see should not be eroded by the pursuit of housing delivery.**

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? **Site allocations should remain in the plan as the best way of focusing on delivery of a planning consent and therefore a pipeline of sites..**

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;

The fee should be designed as a cost recovery mechanism for the appeal process insofar as it relates to the role of the Planning Inspectorate. All developers have access to advice from planning consultants and to pre planning advice from the Local Planning Authority. There remains the ability for appellants to seek an award of costs should it be considered that the local authority has acted unreasonably. b) the level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful; The level of the fee should be such that it discourages speculative appeals but not so large that it inhibits the accessibility of the appeals system unfairly. Planning application fees are not refunded when an application is refused, if the fee relates to the cost incurred in conducting the appeal it should not be refunded.

and c) whether there could be lower fees for less complex cases. Yes, this seems a sensible approach.

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? Planning policy can only realistically set out a framework for the delivery of high quality digital infrastructure, it cannot bring it forward. Government should consider how it requires providers to bring digital infrastructure forward through licensing of those providers.

Question 20

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

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

Yes, in principle, subject to policy constraints and whether the strategic infrastructure is required to deliver development in the area or being brought forward for reasons unrelated to the delivery of development in a plan.

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? **Yes, providing it is recognised that this will be subject to market forces, land owners strategy, etc. making its benefit unclear. It is generally recognised that a developer will not build a house which cannot be sold at the right price. Whilst case law has assisted in making what constitutes commencement of development more clear it is considered that it would assist if the legislation is amended to clarify the position and to cover the requirement to discharge all pre-commencement conditions before a start is made on site.**

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? **Yes, if a one yearly housing delivery test is to be introduced this information will be necessary for local authorities to understand. It will also assist authorities in producing the Authority Monitoring Report and in enforcing CIL.**

c) the basic information (above) should be published as part of Authority Monitoring Reports? **No, as it is not within the gift of the Authority.**

d) that large housebuilders should be required to provide aggregate information on build out rates? **This could discourage sites being brought forward and be counter productive to encouraging development.**

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? **What constitutes 'realistic' if it is a self appraisal could be subjective / unreliable and it is not clear what effect this information will have in the decision making process. It is not the delivery per se but the timing of the delivery of housing that is the issue on sites up and down the country..**

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. **Some applicants will not be the ultimate developers. For some applicants they may have a small historic track record. There are too many variables to make this meaningful data and it introduces another area which will be open to discussion and ultimately result in further delays in the process.**

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? **Yes – large scale site would require clear definition, what is large scale for one authority is not for another.**

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.

There are many variables as to why sites may not get built out during a 3 year period, it does not seem appropriate to try to force development. Smaller developers will be contending with market conditions, materials and labour availability etc. All of this means that viability can be compromised by adding a further complexity to an ideal programme of developing a site.

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? **Yes; this would be a welcome step forward.**

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? **Making a developer build out a scheme that for whatever reason, usually market conditions or finance related, is delayed would be a discouragement to development in the medium term. Funders would put in place conditions to protect themselves, inevitably leading to higher costs and therefore potentially viability issues. There are other ways to encourage development and build out.**

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? **Yes providing what constitutes an up to date plan is defined, perhaps as a plan which has been adopted in the preceding 5 years.**

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? **If there is no local plan in place (rather than there is a plan in place but it is out of date) consideration should be given as to why there is no plan in place which might inform the baseline for this assessment.**

c) Net annual housing additions should be used to measure housing delivery? **This is one measure and a useful one, but it would seem appropriate to also consider 'approvals' and therefore future pipeline through commitments. Otherwise the planning authority is being penalised for the non-delivery of development by the landowner/developer over whom there is no control.**

d) Delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17? **This would not encompass a situation whereby the baseline has significantly risen in the last year, in which case the baseline should be averaged out over the rolling three period such as not to penalise the authority for having a recently adopted plan.**

Question 29

Do you agree that the consequences for underdelivery 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?; This assessment should include commitments and any previous over supply and clarity that this will be assessed over the rolling three year period. **Providing that the annual housing requirement provisions have been consulted upon and the consultation responses published plus time given to the local authority to conduct the work – at this juncture this seems unlikely.**

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%?; **No, for the reason set out in response to (a) and additionally this should take account of commitments as well as delivery. Again this should be below 85% over the rolling three year period assessed on a given date. The reason for the 20% buffer is unclear, elsewhere the consultation makes reference to a 10% buffer which might be more appropriate.**

c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%?; **The presumption in favour does not apply to all authorities, there are exceptions and this requires clarification. Some authorities have constraints over part of the Borough which would prevent the presumption applying in that part as set out in the NPPF.**

d) From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%?; **As (c) above and with regard to commitments in addition to delivery..**

and e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%? **As (d) above.**

Question 30

What support would be most helpful to local planning authorities in increasing housing delivery in their areas? This Council is seeking to recruit professionals to the planning service and other services within the Council that support the planning function. There would appear to be a shortage of appropriately resourced, qualified planners with the right skills set to handle more complex proposals. A national campaign to encourage new entrants to the sector would help with the longer term position. This is not a new issue in this sector, and very little has been done to try to address it. There is a view that the constant change to the planning system does not assist in attracting new entrants to the sector and has been a significant contributory factor to experience officers leaving the sector or leaving local government.

The removal of the strategic level of planning has resulted in uncertainty and Council's are now working together to effectively replace the regional plans with similar documents which do not have a statutory function but without which the wider understanding of the role that each plays in the bringing forward of new homes and creation of new jobs is unco-ordinated. A wider review of 'green belt' that has regard to the purposes of including land in the Green belt rather each authority making a decision on the land within its administrative area would assist especially in the context of the growth of London. Further, investment in infrastructure provision has been a reason for delay in delivery of development and has been a significant factor in development being seen as unacceptable by local residents who see only the constraints to growth in the local area and not the benefits.

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?;

The council agrees with the revised definitions with the following recommendations; the inclusion of an income cap for Starter Homes along with a restriction on the maximum property value of £450,000, and affordable private rent is restricted to delivery on build to rent sites only. We are potentially storing up a problem with virtually no provision of affordable housing at 'social' rents. National policies could take more account of London and the South East and the very different market conditions that exist here. Widening the 'intermediate' market is welcomed, but there needs to be clarity on definitions, which with several initiatives can be confusing for potential owners / renters. One such initiative is pocket flats, i.e. flats with smaller than the existing minimum space standard for a one-bedroom new build, which is 50 square metres, or 550sq ft. Pocket flats are mainly one-bedroom apartments of 38sq m (418sq ft), in blocks with outside space that's often a roof terrace and no parking.

b) introduce an income cap for starter homes?;

The inclusion of an income cap is welcomed as it brings the tenure in line with other affordable housing products and ensures that affordable housing is accessed by those who need it. There are no specified restrictions on the maximum property value in the proposed definition. We would recommend that a maximum property value of £450,000 is added to ensure that the intention of the tenure to support those in housing need into the housing market is maintained.

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

The inclusion of affordable private rent as an affordable housing tenure is acceptable as long as sufficient details are included that prevent it being used in replacement of other forms of tenure. Restrictions that this tenure is only to be delivered on Build to Rent schemes will enable delivery

of the tenure on appropriate sites without impacting on the delivery of other forms of affordable housing.

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

A transitional period for adoption of these measures is sensible to give authorities time to plan how these tenures will meet their housing needs on future development sites.

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?

It is recommended that decisions on tenure delivery remains locally determined and is linked with the evidenced housing needs of the community. There is sufficient incentive in place to encourage the delivery of home ownership tenures in the existing framework.

b) that this policy should only apply to developments of over 10 units or 0.5ha?

It is recommended that affordable housing contributions are sought on all new residential developments, dependent on viability. Due to the restrictions of greenbelt, the opportunity for larger sites to come forward that provide affordable housing contributions is reduced, which impacts on the council's ability to collect contributions that could go towards meeting the housing needs of the community. Such restrictions can influence the numbers of units built where a developer seeks to keep development under the threshold. Encouraging mixed tenure development and mixed communities should be recognised and where smaller developments are mono tenure this may restrict this aspiration.

Question 33

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

No. Clarification on this point would assist in negotiating with developers of schemes which are either entirely for a Class C2 use or are for a mixed C2/C3 use.

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 at 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? Generally, yes. However, as below, it will be vital to encourage not discourage practical and incremental approaches that are sustainable.

Question 35

Do you agree with the proposals 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? Yes. It is important to encourage sensible and viable technologies and building techniques that will support the agenda, but inappropriate to force development of financially unviable methods that impact on viability and potentially reduce overall numbers.

Question 36

Do you agree with these proposals to clarify flood risk policy in the National Planning Policy Framework? **The Borough will be in a position where it limits potential development opportunity due to flood risk. Long term there will need to be 'measures' that may alleviate the risk and could free up potential sites which are otherwise sustainably located in a town centre. Similarly, there are a number of 'techniques' and 'approaches' that facilitate high quality development that takes account of this. The Environment Agency is not co-ordinated in its own approach to flood risk. Residents find it confusing that the Agency does not object to a scheme yet it is refused because it does not meet the Sequential or the Exception test on which the Agency does not comment. More regular updating of the mapping held by the Environment Agency which defines land designated as liable to flood would also assist this authority.**

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? **Yes. However, there needs to be recognition that new development will be disruptive. In some cases where major regeneration is proposed this will have an impact for a significant period of time. Those affected by this should be consulted and kept updated on what is proposed, when and how it will be delivered, but will not have an ability to stop developments that have been approved through the usual channels.**

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? **Yes.**