

Suffolk's Response to: 'Fixing our Broken Housing Market' White Paper

2nd May 2017



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Introduction

1. Suffolk welcomes the publication of the Housing White Paper and the opportunity to work with Government in tackling the undersupply of homes in the UK.
2. This is Suffolk's summary response to the Government's White Paper: Fixing our Broken Housing Market. It has been developed by the Suffolk Growth Programme Board which is comprised of lead officers from all Suffolk councils. The response has been further endorsed by the Chair of the Suffolk Member Working Group (MWG) with responsibility for initial work towards the development of a Suffolk wide planning and infrastructure framework (SPIF).
3. A further Suffolk wide technical response to the specific planning proposals listed in the White Paper is appended to this document along with detailed responses from all of Suffolk's district and borough councils.

Key messages to DCLG

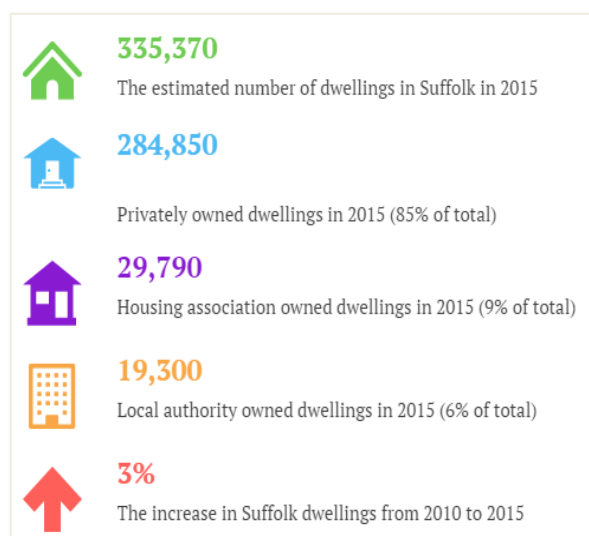
- Suffolk is developing an innovative approach to planning for the future, developing a framework for infrastructure investment aligning with plan making and delivering place based community growth
- Suffolk is willing to test approach to SoCG approach as outlined in the HWP and building on the work of our planning and infrastructure framework
- Suffolk is keen to implement the housing elements of the devolution agreement that was previously developed and secure more homes for its residents
- With additional powers and investment in infrastructure Suffolk councils could enable many more homes to be built

Links with the Industrial Strategy

4. Suffolk has recently submitted its joint response to Government on the publication of the Industrial Strategy Green Paper. In this response we clearly state our ambition to delivering on inclusive growth – a prospering economy, of national and international significance that also unlocks wider benefits so that local people and places thrive. **Key to succeeding in this ambition is ensuring homes are delivered, not just an absolute volume of houses, but the right homes, of the right type, in the right places at the right price, pre-empted by investment in infrastructure that allows strategic sites for growth to be unlocked.**

Suffolk's housing context

5. Suffolk has a **stock of just over 335,000 dwellings (2015)** with the seven district / borough councils operating across three housing market areas (HMAs), Ipswich, Cambridge sub-region and Waveney. Some 85% of these dwellings are privately owned with the remainder split between housing association and local authority ownership.



6. In 2016 **average house prices** across the County were £218,500, reflecting a similar average price in East Anglia of £217,600.¹ Within the County, however, there is significant variation in average house price, with a high of £253k being reached in Suffolk Coastal and a low of £166k in Ipswich.
7. **House price to income ratios** vary similarly across the county and the impact of Cambridgeshire in the West of Suffolk is clearly shown in the figures in the following table.

District / Borough Council Area	Median House Price to Median Income Ratio (2016)
Babergh	8.76
Forest Heath	7.78
Ipswich	6.16
Mid Suffolk	8.32
St Edmundsbury	9.00
Suffolk Coastal	8.01
Waveney	6.86
England	7.65

8. As with other areas of the UK, Suffolk has suffered from significant under-delivery of new homes over the past decades. Across the seven district / borough council areas recent delivery has ranged from a low of 40% against annual identified need to a high of 80%².
9. Suffolk is seeking to deliver a minimum of 66,000 homes over the period up to 2036 to meet current OAN as reflected in our current / emerging local plans. This minimum level represents a 20% increase on the current housing stock.

Key issues

10. Meeting the challenge of significantly increasing the volume of homes delivered in Suffolk, and ensuring these homes are developed to meet the demand of current and future residents in terms of location, dwelling type and price, will require addressing:
 - A comprehensive understanding of the demand for homes
 - An integrated planning system that delivers growth and innovative approaches to securing infrastructure investment
 - Working with the development sector, from land owner to housebuilder, to increase the supply of homes being delivered

Understanding the demand for homes

11. The starting point to fixing the housing market is to better understand the demand for homes that are needed in a specific area. The planning approach to allocating land for homes based on population change is not delivering the homes England needs. Government is proposing to consult on a standardised approach to assessing future need (A.21) and Suffolk welcomes this consultation. We are especially keen to explore with Government how a new approach can go beyond simply assessing the volume of homes needed and move into significantly more detail on the type of home required.

¹ Land Registry, 2016 and HCA, 2015 as reported in AECOM Intermediate Report – towards a Suffolk SPIF

² Based on AECOM work undertaken as part of the strategic planning & infrastructure framework evidence report

12. There needs to be greater examination on the relationship between (i) projected demand for homes based on population change / household formation; (ii) existing unmet demand (e.g. those unable to secure their own home) and (iii) “aspirational” demand – that is the ambitions a local area has to stimulate housing demand and improve housing supply to support place based economic growth.
13. Suffolk has aspirations for ensuring housing delivery keeps up with demand and reflects communities’ needs, both now and in the future. Therefore we have to look at a different way of determining the number of homes for local plans that builds on and extends the current OAN methodology and reflects local areas’ aspirations. Suffolk knows that if it can secure significant investment in infrastructure then it can unlock further areas for housing delivery and increase the delivery of the right homes in the right places.
14. Suffolk will look to meet its aspirations through increased demand for housing as a result of:
 - The revitalisation of Ipswich as a dynamic urban centre with an increased focus on town centre living
 - The retention / return of young people to Ipswich / Suffolk as a result of dynamic economy
 - An increase in migration to Suffolk due to increased and exciting jobs growth
 - The delivery of a balanced mix of variable priced homes, with mixed tenures

An integrated planning system that delivers growth

15. The Government’s continued emphasis and support for a plan-led system is welcome. Up to date, robust plans provide the development industry: from land owner to investor to planning authority to builder and local resident; with certainty about where and when development can take place.
16. However the planning system does not and cannot operate in isolation from other public sector policies / interventions and the private sector. Suffolk would welcome a greater reflection on the role of different stakeholders across the development industry, not least Local Enterprise Partnerships, and the alignment of the White Paper with other Government strategies, such as the Industrial Strategy and the work of the National Infrastructure Commission.
17. In Suffolk local councils are working towards the developing of a strategic planning and infrastructure framework (the Framework) that sets out the economic vision for the area up to 2050. Crucially the framework is seeking to identify the scale of investment in infrastructure that is required to ensure Suffolk can deliver on its economic ambition and unlock land for significantly increased housing delivery and employment growth.
18. Our Framework is being developed through engagement with the wider public sector, through for example New Anglia and Greater Cambridgeshire LEAs on the links with their new economic strategies; with infrastructure providers, such as BT; and with the private sector, both local businesses and the housebuilding sector.
19. Fundamental to delivering this Framework is work to ensure the local planning system can deliver the infrastructure projects and strategic sites that will enable growth. We welcome the proposal to change the National Planning Policy Framework (NPPF) to remove the policy expectation that each local planning authority should produce a single plan (para A.16) and through the work on developing our Framework are keen to explore the options that Suffolk can develop. Specifically this might include the development of joint local plans within Suffolk, possibly at a housing market area.
20. We await consultation on the proposed Statement of Common Ground (SOCG) and believe Suffolk is well placed to “test” this approach. The work on our Framework fits well with the

emerging proposals to better link planning and infrastructure funding and the challenges to secure investment and deliver homes across local authority boundaries.

21. Given Suffolk did not receive a devolution deal from the Government last November the Authorities are not currently proceeding towards a Combined Authority. However, Chief Executives and Leaders are keen to explore options with Government that will enable them to continue joint working and plan making leading to greater housing delivery where appropriate.

Infrastructure investment

22. Suffolk welcome the Government's commitment to a place-based approach for the delivery of homes, jobs and prosperity (para 2.18) and, in partnership with New Anglia LEP, will seek funding from the newly established Housing Infrastructure Fund to secure monies to unlock strategic sites.

Building homes faster

23. Suffolk is keen to work with Government, land owners, developers and housebuilders in order to ensure more homes are delivered more quickly. We are working jointly across the region to examine different approaches to housing delivery and through joint work with the Housing Finance Institute (HFI) and the Homes and Communities Agency (HCA) will be seeking support for developing **a new approach to housing delivery**.
24. Specifically the Suffolk housing proposal will be reviewing:
 - Off-site construction trends
 - Intervention and the potential to de-risk sites that might not be developed
 - Supporting SMEs and micro builders (scale of less than 10 units) to grow and increase capacity
 - potential new entrants and work with wider enabling function to understand smaller developers and building contractors can be supported with accessing land, finance, skills/business training, partnership working, signposting
 - Support to develop the private rented sector and encourage institutional investment.
25. The recent development of Barley Homes, a district (West Suffolk Councils) and county (Suffolk) established company seeking to assemble key sites for housing and then deliver homes, is one example of the innovative approaches Suffolk authorities are seeking to deliver. Suffolk recognises that further interventions of this type are required if there is to be step change in the rate at which homes are delivered.
26. Ensuring the construction industry is able to respond to the challenge of delivering more homes is not simply about ensuring sufficient land supply and planning permissions. Suffolk has been undertaking substantial work on the skills agenda, including the development of specific initiatives on **construction skills and future labour supply**. We would welcome further understanding on how the Government will seek to address the skills and labour shortages in the industry and ensure sufficient labour distribution throughout the country given the significant infrastructure project pipeline being rolled out in London where higher wages are likely to attract mobile labour.

Appendices

- Suffolk Technical Response to specific planning proposals
- West Suffolk Councils' Response
- Ipswich Borough Council's Response
- East Suffolk Councils' Response
- Babergh Mid Suffolk District Councils' Response

SUFFOLK'S TECHNICAL RESPONSE TO THE SPECIFIC PROPOSALS IN THE HOUSING WHITE PAPER "FIXING OUR BROKEN HOUSING MARKET"

May 2017

Summary

Suffolk Authorities³ welcome the progression of the debate in the White Paper towards delivering more homes and towards all forms of tenure. However, the White Paper misses some opportunities to confirm and facilitate the vital role that local councils play in the delivery process.

The White Paper could have addressed: the need for greater borrowing flexibility, retention of right to buy receipts, clarity on high value assets and new home bonus, and the interaction of welfare reform on housing need.

Better linkages also need to be made to the Industrial Strategy and to maximising economic potential.

A plan-led system must be the heart of the planning process but more flexible procedures are necessary to reflect the different roles of local plans within the whole process.

Authorities are permitting homes but completions are not keeping up; the suggested delivery test would penalise authorities so permissions must also be factored into the delivery test.

Further key points

1. Councils in the East of England welcome the Government's commitment to tackle the chronic undersupply of housing in the UK. Councils also welcome the Government's approach to a broader range of tenures to meet local need. The White Paper provides several encouraging proposals, such as removing the starter homes requirement, increasing funding for planning departments and the £2.3bn Housing Infrastructure Fund. Councils in the East of England would be keen to be closely involved in the development and implementation of the proposals.
2. Across the East of England, councils agree that there is a need for more land for homes *where people want to live* and that homes need to be built quickly once planning permissions are granted. Nonetheless, the housing market remains volatile and costly in the East of England. Local Enterprise Partnerships (LEPs) are a part of the development process, whether through the engagement of the development industry or subsidising the cost of development. However, the White Paper does not set out a clear role for LEPs or how the Government connects housing delivery to the Industrial Strategy.

³ Babergh District Council, Forest Heath District Council, Ipswich Borough Council, Mid Suffolk District Council, St Edmundsbury Borough Council, Suffolk Coastal District Council, Suffolk County Council and Waveney District Council

3. Councils are working with public and private sector partners in the East and across the Wider South East to make the case for better coordination of infrastructure investment and timely engagement with utilities and infrastructure providers to progress housing delivery and strategic infrastructure. We welcome the support that DCLG have provided to councils in the East and the Wider South East collaboration effort thus far, and look forward to strengthening our working relationship with central government.
4. Whilst the Housing White Paper is encouraging, it misses some opportunities to equip councils with the required powers and resources to effectively meet local housing growth needs and deliver affordable homes. Local authorities and other bodies have long highlighted the need for further borrowing flexibility to unlock investment in housing. There remains the call for local retention of right to buy receipts, which could then be reinvested to address local housing need and there are other interactions restricting local authority investment. In St Albans, for example, the High Value Assets policy will take away income that would otherwise be invested in housing.
5. Councils are willing to deliver subject to the right support and incentives being in place. We welcome the Government's support for housing delivery by the Cambridgeshire and Peterborough Combined Authority, and would urge government to also consider similar resources and flexibilities for councils in the East without a combined authority. Thus we would welcome more information on how "bespoke deals" may be offered to councils in areas with high housing demand with a "genuine ambition" to build.
6. Government must tackle the issue of funding sources for housing delivery and institutionalise local councils own building. There is a key role for factory assembled homes as a means of construction which brings advantages derived from scale/terms of procurement. The New Homes Bonus has been an important resource for encouraging the development of new homes in the East and there is a worry that, without this incentive, councils will be reluctant to embrace housing growth in the future.
7. The new rent standard for social housing from 2020 which aims to give councils greater certainty over future income is welcome but further detail is required as to how much extra money will be raised and how this policy will work. There are concerns about requiring Registered Providers to use financial assessments to establish whether new tenants could afford to live in properties they have been offered. It would appear that some registered providers are turning away prospective tenants on the grounds they cannot afford to live in their properties rather than coming up with solutions as to how they could be supported to sustain these tenancies.
8. In terms of the role of the HCA, we welcome the change in focus and the focus on supporting development on public land, but are concerned over the reduction in its capacity.
9. Government's intentions for helping people now are welcomed, however it is unclear how such help can be realistically provided without more attention to the role and delivery of social housing and the impact of welfare reform on housing need. The White Paper misses an opportunity to deal with these two critical challenges faced by local councils and their communities.

10. The White Paper refers to “areas of greatest housing need” in terms of how the Housing Infrastructure Fund will be targeted and the registration of public land by 2020. There is also a connection with the criteria for intervening in plan-making on “higher housing pressure”. The Department should be clearer on its definitions and where these apply and consider consulting on the method that would identify “areas of greatest housing need” and “higher housing pressure” if they are the same.

Planning for the right homes in the right places

11. The Government’s continued emphasis and support for a plan-led system is welcome. An update-to-date plan provides greater certainty for local communities and developers, but also for infrastructure providers to programme to meet future needs.

12. The proposal to set in regulations that the strategic priorities (Clause 7 of the Neighbourhood Planning Bill) and site allocations covered by local plans must be reviewed at least once every five years has a great deal of merit and would provide the necessary clarity and weight to the review process.

13. However, current procedures are not suitable for this approach. Local plans have to cover a vast range of issues, they are expected to predict and provide a long-term vision, be realistic and detailed (at least in the short term) and be capable of rigorous scrutiny. There is a case for the different roles of Local Plans to be undertaken and examined in stages, a point raised by the Local Plans Expert Group.

14. Certainty is critical for all stakeholders to support delivery and, therefore, the change in emphasis for local plans to focus the short-term (five-years) should help to deliver more new homes. However, longer-term (15 years or more) spatial patterns of development still must be set out in some form of plan to align and programme strategic infrastructure and not just those identified by the National Infrastructure Commission (NIC).

15. The recognition of the role of a Spatial Development Strategy (SDS) is understandable but the debate must move on from devolution to how to further support authorities, particularly Suffolk Authorities where there is no devolution deal, but which act and plan jointly with others, to deliver more homes.

16. Planning for the key strategic priorities (Question 1a) is a shared endeavour for authorities in Suffolk and this is not limited to those issues in paragraph 156. Green infrastructure, particularly the mitigation of ecological impact, is a cross boarder issue that is intrinsically linked to the options for the delivery of growth. The addition of green infrastructure would assist authorities in Suffolk by clarifying it as a strategic issue.

17. In terms of allocations of large sites, the provision of proportionate evidence (Question 1c) and processes necessary to designate an area can be challenging. The necessary information to provide certainty is costly to produce and can become quickly out of date. Broad designations or allocations can be useful for landholders and councils to then have confidence to take forward to more detailed stages in evidence-gathering such as detailed transport assessments, ground investigations and environmental assessments.

18. The recognition of staged processes is implicit in the White Paper (Question 2) but is also behind the test of soundness being “an appropriate strategy” (Question 1c). The relationship between SDSs and Local Plans is, however, only one aspect in determining an appropriate strategy as many authorities in the East are working on joint strategic plans (e.g. Essex, Norfolk and Suffolk). These will inform the development of future local plans.
19. The linkages between economic growth, the required number of homes, the spatial strategy distributing growth and the inter-relationship with infrastructure are strategic matters included in paragraph 156 of the NPPF. Local Planning Authorities should be able to transfer the consideration of some of or all the strategic priorities to joint plans, a fact that a revised NPPF should recognise.
20. The challenge is what level of evidence and consultation would be necessary and what examination process would be appropriate for a plan to legitimately inform local plans. Clarity will be needed as to whether the status of SDSs and other joint plans could become part of the development plan for the area, and if not, the extent which a subsequent Local Plan would need to re-test, and be examined, upon the formation of such plans. These challenges were previously highlighted by Local Plans Expert Group, and authorities in the East are experienced in considering these challenges.
21. A procedure that allows a less intensive form of examination for such plans would greatly assist the preparation of strategic plans. The parameters for a joint plan and the resultant examination could be part of a consultation process that also inform the development of Statements of Common Ground, which then informs the process of jointly preparing a plan and the production of the necessary proportionate evidence.
22. Critically, there will be aspects that remain for more detailed Local Plans or Neighbourhood Plans to determine, which means that joint plans need review mechanisms in case subsequent plans are not able to deliver the strategy. This flexibility is more iterative than other top-down approaches to which local plans must conform. It is necessary to recognise that new evidence at a local level, or through the planning application process, may result in joint strategic plans needing to be reviewed.
23. In terms of plan making and the provision of statements of common ground, the changes towards shorter-term local plans and emphasis an “an appropriate strategy” mean that there is great scope for authorities to disagree on methods or policy approaches but agree that, these issues do not compromise the strategy in the other area.
24. Whilst not covered in the White Paper, the period for judicial review of Supplementary Planning Documents should be aligned with Development Plan Documents.
25. The Government recognises that debates on the number of homes needed are taking up too much time and resources. A standardised approach would assist but authorities also need recognition that some areas may be able to justify deviating from the standard methodology.
26. Whilst one aspect of the standard methodology is to reduce cost and delay, the emphasis on addressing the housing requirements of groups with particular needs (Question 3) suggests that there will still be a need to disaggregate and model population and household groups, which

would not overcome difficulties local authorities face because these elements would still need to be incorporated in the final housing figure.

27. A logical and straight forward route would be to combine existing assessments and monitoring undertaken by authorities such as:
- Joint Strategic Needs Assessments – which can identify health needs associated with housing;
 - Review of housing needs including caravan and houseboats, and
 - Market Position Statement for Adult Social Care (Care Act 2014).
28. While we generally welcome the emphasis on the need to identify the housing needs of specific groups more detail is required on which specific groups should be included. Other groups, such as armed forces and students, also influence calculations of population, households, and local housing markets. If a standard method is to be adopted, the approach to considering housing requirements of specific groups would need to shift from producing a number that is added, to considering the proportions of specific types from the overall need and the qualitative requirements.
29. The renewed emphasis on brownfield land, higher-density housing and locations served by public transport (Questions 4a and 13) is generally welcome, but careful consideration is still needed. The requirement for making efficient use of land has worked well and was a move away from previous rigid national requirements. The White Paper recognises garden grabbing as one affect from this previous policy.
30. With the focus on delivery, authorities have had to reconsider the likely delivery on brownfield and how much greenfield development is needed to ensure housing need is met. Further changes are not necessary and are likely to be counterproductive. Delivering brownfield developments whilst avoiding low densities may be more challenging for some areas with low demand for higher density. Whilst excellent designs can be achieved at different densities, the size and type of home will be influenced by the market which might, even after skilful designing (which would be set out in the Design and Access Statement), result in a lower density being the preferred approach (Question 14)
31. Regarding the proposals to amend the presumption in favour of sustainable development (Question 4c), a critical aspect is the proposal to set a clear list on when development should be restricted. Whilst the addition of non-designated heritage assets, ancient woodland and veteran trees is welcome, the same weight must also be applied to “important” hedgerows protected through the Hedgerows Regulations 1997.
32. In revising the NPPF to set a clear list, there must remain scope to recognise that other material considerations may still justify restricting development when reviewing whether adverse impacts would “significantly and demonstrably” outweigh the benefits. Adverse impacts may be insufficient capacity of local infrastructure, or the loss/compromise of safeguarded designations for example. The change to a fixed list means that the relationship to material considerations – which would remain as a footnote – needs further contextual basis.

33. The potential for landpooling (Question 6) is a welcome suggestion and could help to promote local authorities being more active partners. Powers already exist but compulsory purchase, whilst useful as an ultimate sanction, is a cumbersome tool. Authorities in the East would welcome discussion with Government on other official stages to identify the need for landpooling or co-operation from a landowner. Such stages could also form part of the delivery test action plan or act as mitigation from the application of the delivery test (if net completions is to be used as the measure for delivery).
34. The Governments support for small and medium sized sites and the linkage to encouraging small firms to enter the market is understood. Whilst there is a role for neighbourhood plans (question 8a), these are not the only forms of development that can promote sustainable development in rural areas (question 8b). The suggestion of at least 10% of sites to be 0.5ha or less should not be made into policy. Whilst many of the sites in Suffolk are this size, a requirement for local authorities to allocate a proportion or number should not be mandated. Equally, the sub-division of large sites (question 8e) should not be required.
35. The stronger support for 'rural exception' sites even where there is a reliance on the need for open market housing to cross subsidise the development. It will be important to ensure the inclusion of market housing is kept to a minimum in order to ensure that the rural exception sites are being used to meet identified local housing need and that the majority of the properties delivered are actually affordable. Clarity is also required as to whether affordable housing built by Registered Providers on exception sites will be exempt from the right to buy.
36. With regard to new garden towns and garden villages (Question 9), the suggestions on infrastructure investment and locally accountable New Town Development Corporations should apply equally to extensions to existing urban areas as new settlements. Streamlining planning procedures, such as through development orders, can be useful. However, streamlining does not negate the need for the same level of care for the environment and programming of infrastructure. Furthermore, the existence of a development order does not guarantee delivery and the Government should not favour this mechanism over proposals that are allocated and/or with permission.
37. Local authorities are already bringing forward their own land to deliver more homes. Land is an important asset, it helps to shape the quality of development and is often used as part of an asset-backed delivery vehicles and housing companies. Beyond those suggestions in the White Paper, further tools related to the planning system are not likely to be necessary (Question 15). In terms of the use of public sector land generally, there are occasions when public land is needed to enable other development, such as to provide an access. In some cases, the value to acquire the rights of the land acts as a barrier to delivery. The Government should review the procedures of all public departments and agencies to ascertain whether the delivery of homes has sufficient weight in land and property considerations.
38. In reviewing the Nationally Described Space Standard, the Government should reconsider the positive role of minimum spaces standards and the interaction with the level of accessibility applied nationally thorough building regulations (making M4(2) the standard). Over recent years there has been a trend to reduce the size of properties being built, particularly in the private sector. However, the integration of health and social care is showing just how significant accessibility standards are and the relationship to new housing given the standards of the

existing stock. While there is a place for high density development in certain locations the Government must resist a trend to built increasingly smaller units which will simply store up social issues for the future. With an aging population the Government should take the opportunity as part of the review of space standards to positively consider introducing a requirement for all developments over a certain size to include a minimum percentage of homes built to lifetime home standards.

Building homes faster

39. The emphasis on the five year land supply, brought about since the introduction of the National Planning Policy Framework in 2012 has contributed to increasing the number of homes being granted permission. Authorities from London, the East and South East have previously highlighted to the Minister for Housing and Planning that, whilst approvals have grown, the rate of completions has not increased at the same pace, leading to a surge in unimplemented permissions.
40. The commitment to increase planning fees by 20 per cent will provide additional resources to fulfil duties and deliver homes, however this increase must have the flexibility to address existing challenges and pressures broader than improving the planning function. Big developments are resource heavy, as such councils in the East of England are broadly supportive of the principle that those who benefit should make higher contribution to cost of planning services.
41. The proposals to set the housing land supply for a year is welcome but the logic of increasing this level by a further 10% is unclear (Question 16). An independent assessment undertaken by the Planning Inspectorate is a sensible suggestion, particularly if setting the supply is able to be undertaken by Inspectors when determining s78 appeals. There is clearly a need to set housing land supply for newly adopted local plans and, given the time between examination to adoption and for parity with Neighbourhood Plans, for this to be set for two years.
42. Introducing fees for appeals (Question 18) is broadly supported, as is the sliding scale for smaller developments, but a maximum of £2000 might not cover the Inspectorate's costs for complex cases.
43. The provision of infrastructure is a fundamental part of the activities of local authorities. We are supportive of the National LGA's call for local government to play a central role in coordinating infrastructure investment linked to housing growth. There are complex interactions of regulatory systems and funding formula that makes planning and delivering the necessary infrastructure more challenging.
44. The linkage to digital infrastructure and changes to national regulations to promote faster connections for new developments is welcome. Consideration of the opportunities for improvements to digital infrastructure is an important part of the plan making process. However, the stated parameters for (Question 19) means that local authorities will have to consider the interaction between telecommunications legislation, potential demand and the resultant costs to development. This could add further complexity and delay to the system if national policy expects local authorities to set out how high quality digital infrastructure will be delivered.

45. The proposal (Question 20) that authorities identify additional development opportunities offered by strategic infrastructure improvements does not appear to consider the inter-relationship between development and infrastructure and that local authorities are frequently key promoters of both. The emphasis on “additional” can only apply when this inter-relationship has not already been established.
46. The White Paper’s emphasis on promoting greater transparency through the planning process is a welcome theme. The co-operation with developers, such as through the Home Builders Federation, in setting expected build out rates should improve the flow of information into five year land supplies but also to infrastructure providers. Changes to the application form should not be necessary (any permission is already time limited) but national policy could require this for major developments, this would avoid placing administrative burdens on smaller developers (Question 21).
47. There are strong linkages that could be made between local authorities and infrastructure providers in terms of flows of information. The emphasis on providing better information on the development pipeline (para. 2.37), open data standards and the use of digital tools (para. A.27) are welcome and authorities in Suffolk are keen to work alongside partners in the East to explore how this could be aligned with infrastructure providers.
48. The need to review local plans every five years should shift the emphasis from a long-term end-point, towards providing more certainty on what will be built over the short-to-medium-term. Infrastructure providers can then use this information to programme their own investment and customer service functions with more certainty. The greater certainty could then be used as evidence why regulated investment could be justified to meet need.
49. If the Government presses forward with its proposed new ‘housing delivery’ test, councils will need further powers beyond those outlined in the White Paper to incentivise building once planning permission is granted, for example clarity on the definition of “commencement” and then the ability to potentially charge council tax or fees on uncompleted units after a specified period.
50. The suggestion in the White Paper is that local authorities consider the realistic prospect of delivery when determining applications for sites where there is non-implementation of earlier permissions (Question 22). Whilst this would help address the known issue of applications being submitted with little chance of implementation, there are potential unintended consequences.
51. There is the potential to add to the administrative burden for local authorities if such considerations (including questions 23 and 24) were to apply to every application. To avoid decisions overriding local plans, delivery considerations should not apply to sites allocated in an up-to-date local plan. There is, however, a clear link to proposals that are being promoted owing to a lack of a five-year land supply.
52. The Housing Delivery Test is a substantial element of the White Paper and there are differences of opinion on whether a test would be helpful. A critical aspect is that the delivery test triggers a greater buffer on the five-year supply and when the presumption in favour would apply (even if there is a five year supply). There is a mismatch in the balance of tools available for local

planning authorities to ensure the delivery and the consequences for non-delivery. The use of net annual housing additions (Question 28), whilst justified if monitoring delivery, could penalise authorities that have granted permission that have not materialised in completions. Whilst there is a role for authorities to be actively engaged in the market, delivery is largely in the hands of landowners to release land and developers to build.

53. Notwithstanding the fundamental problem with net additions instead of permissions, the concept of forming an action plan if delivery falls below a certain point does have merit provided it would not create an administrative burden. Getting the process right is critical. There are potential benefits such as strengthening links to industry, particularly if action plans are formed with the assistance of industry or LEPS.

Affordable Housing

54. Suffolk Authorities are highly critical of the extension of the Right to Buy applying to social housing built by Council owned housing companies, as contradictory to the Government's desire to encourage local authorities to build and could actually act as a disincentive to the direct positive contributions many local authorities have taken in trying to stimulate the housing market. Including affordable private rent within the revised definition of affordable housing (Question 31) is a useful step but clarity is needed that homes identified as affordable private rent will be tied only to build to rent schemes. It is also unclear how affordable private rent differs from affordable or intermediate rent and how it will improve development viability over other traditional affordable housing products. Further clarity is also required on who would be responsible for regulating the affordability of products that are not provided by either a local authority or Registered Provider.
55. We welcome the proposal to remove the requirement for 20% starter homes on all developments and the move towards all forms of affordable home ownership and not just starter homes in the proposal of a minimum of 10% of homes is welcome. There does, however, need to be local flexibility as mandating such a level could squeeze out the supply of other affordable tenures given viability remains a key issue. Local authorities should have the freedom and flexibility to deliver the right homes for their local communities based on local housing need.
56. Introducing an income cap for starter homes will help to ensure consistency with other affordable home ownership products, but this should relate to local (or housing market area if data is unreliable) wages of the workforce. The proposed income cap of £80,000 does not reflect the local circumstances in Suffolk, where average income levels are well below this figure. We would want to see the limited numbers of affordable home ownership products being built going to those in the highest need and those that cannot realistically afford to buy on the open market.
57. The 80% of market rate for local housing allowance in an expensive rental market is not genuinely affordable for many residents in Suffolk. Further action is required to free-up finances to build affordable homes at scale, for example through the Housing Revenue Account and housing delivery vehicles.
58. As a broad benchmark figure we agree with the proposal that 10% of all homes should be affordable home ownership products, but would want to see a degree of local discretion to reflect local circumstances and need. We also believe that this policy should only apply to sites

over 10 units or 0.5ha and that any schemes providing only specialist housing such as extra care, older persons accommodation, Gypsy and Traveller Accommodation and exception schemes (subject to local housing needs) should be excluded from this requirement.

Sustainable Development and the Environment

59. Lead Local Flood Authorities are providing advice on surface water flooding and sustainable drainage to planning authorities; this frequently means county councils advising district councils. The suggestions for changes to the NPPF would provide greater environmental safeguards but the addition of minor applications and changes of use will significantly add to the workload of lead local flood authorities. There will need to be adequate resources made available to lead local flood authorities in order for them to support planning authorities to determine applications (Question 36).

Response to “Fixing our broken housing market” White Paper

West Suffolk Councils (Forest Heath District Council and St Edmundsbury Borough Council)

April 2017

Why West Suffolk should be at the forefront of helping to fix the national housing market

- **Our councils are eager to take a lead and already have the policies as well as drive in place to take a strategic leadership role in delivering new homes and communities**
- **We are an attractive area to live in and for developers and business to invest in - uniquely positioned with good networks and are an internationally renowned area with a range of industries from racing to high-tech.**
- **With the creation of Barley Homes we are already shaping the housing market as both community leaders but also as direct provider and developer ourselves.**
- **West Suffolk is the right size to deliver homes and business in a strategic way while being small enough to work with communities to find the right solutions.**
- **We have already set up a master planning approach working closely with communities, businesses and stakeholders to successfully deliver sustainable growth**
- **We are working closely with public and private sector to provide joint facilities as well as manage opportunities such as the RAF Mildenhall site.**
- **We build sustainable communities first not houses to make sure residents and businesses thrive**

Introduction

Forest Heath District Council and St Edmundsbury Borough Council (West Suffolk) are pleased to respond to the consultation on the “Fixing our broken housing market” White Paper.

This response complements the submission from the collective Suffolk Local Authorities.

This submission aims to provide information sensitive to West Suffolk to help to inform thinking and also to highlight opportunities where West Suffolk may be able to assist government directly.

We believe that we are uniquely placed in west Suffolk through our wider community leadership role to play a role and make a significant contribution in responding to the call to help fix the housing market. We would welcome the opportunity to have further discussions with the Government and HCA to bring forward innovative ideas on housing delivery, inclusive growth and a more creative ways of local plan making. Below are some examples where we believe we could add direct value.

West Suffolk

- In addition to the Development Plan, West Suffolk delivers sustainable inclusive growth through the preparation of Concept Statements and Master Plans. We consider these essential tools in developing proposals which create sustainable communities is missing from the White Paper.

Masterplans are detailed and holistic “blueprints” for the development of a site, prepared by the developer but agreed by the Local Planning Authority, based on a full understanding of the constraints that affect the site, and setting out the provision of physical and social infrastructure and amenities, and the progressive implementation and integration of the development with the social and physical fabric of the locality. Masterplans are required for proposed development within many of the larger sites allocated in the respective Site Allocations DPDs and for unallocated sites (including brownfield sites) that come forward for development which, exceptionally, due to their size or complexity, require a masterplan approach.

A Concept Statement is the high-level vision prepared by the Local Planning Authority of the kind of place that a new development should create. It will set out how the policies and objectives within this document will apply to a specific site in order to deliver the best possible economic, social and environmental benefits. Concept statements are not detailed documents, but provide more information for developers and the community than can be contained within policies or maps. Concept Statements are necessary for many of the larger sites allocated in the Local Plans.

The White Paper does not mention these tools which have been highly successful in bringing together the developer, local authority and the community to deliver growth which is design led. West Suffolk feels that this is something that should be taken forward and developed further as an approach to delivering housing and sustainable communities. We would welcome the opportunity to work with CLG to take forward such an approach which could be used nationally delivering life time homes together with the necessary green, social and built infrastructure.

In West Suffolk we have recognised that we needed to take steps to directly intervene in the housing market, both in terms of our place shaping and community leadership role, but also as a direct provider. In order to pursue our ambitions we have established our own housing development company, Barley Homes Ltd, jointly owned with Suffolk County Council. The company has been established to operate as an SME size builder to bring forward developments across all tenures and where necessary specific housing types that the market is not providing e.g. starter homes, keyworker housing and student accommodation. We are particularly keen to bring forward brown field sites utilising a range of construction techniques.

We are already working with other public sector partners through the West Suffolk Property Board, established as part of the one public estate programme, to identify surplus publicly owned land, which could be utilised for development using accelerated methods of construction or offered for self build. We acknowledge role that we can play, including working with the HCA and private developers through joint venture schemes to bring forward stalled sites or those that have complex issues that need to be addressed in order to make them viable.

We recognise the link between the development of high quality housing and the longer term impacts this has upon the creation of sustainable communities. In particular we are keen to work with the HCA and health partners to create new communities that provide high quality adaptable housing products which meet multi- generational needs, recognising that an individuals/families housing needs change over time to reflect their income, age, health and wellbeing. We believe that by exploring the development of housing that is flexible to respond to these changing needs we will be able to reduce the long term funding burdens on the social care budget

HOUSING WHITE PAPER APPENDIX 1 – Ipswich Borough Council Response

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?

Yes, however the Council considers that strategic green infrastructure and Habitats Regulations Assessment mitigation should be explicitly referred to in bullet point 5. In the context local to Ipswich and its neighbours, these are key strategic issues which are inextricably linked to jobs and homes growth.

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?

Yes but include reference to partner authorities in addition to a combined authority. This should also be subject to appropriate public involvement in preparation of the strategies.

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

The Council would support this – changes which provide greater clarity over what is meant by proportionate evidence would be helpful.

Making Plans Easier to Produce

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?

We support DPDs and spatial development strategies continuing to be examined by PINS. Although not directly related to the question, we also consider that the Judicial Review period for Supplementary Planning Documents to be excessively long, particularly when compared to that of Development Plan Documents.

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?

Yes, subject to seeing how older people are defined.

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, subject to seeing the detail of the proposed approach.

Making enough land available in the right places

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?;

No. The implications of 'maximising' the use of suitable land cause concern. The previous requirement to make efficient use of land was appropriate in our view and reflected the need to use a finite resource efficiently and effectively.

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?;

No. Land use needs to be appropriate and planning provides the means to weigh and reconcile conflicting objectives.

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?

The Council agrees that ancient woodland should be added to the list, but also proposes that locally designated strategic green space (such as our key urban parks) should be added.

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

No. It is recommended that references to local plans retained – such as in paragraph 1.

Improving local authorities' role in land assembly and disposal

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)?

In principle, land pooling and assisted land pooling is a good idea and could be beneficial to local authorities pressed to deliver a five year housing supply. Land pooling could allow the use of land with complex ownership to deliver housing, whilst avoiding the expense of the often protracted and controversial Compulsory Purchase Order process.

The recruitment of contractors by the local authority to develop such sites would need to be subject to procurement processes. Collaborations of this kind between the local authority, multiple landowners and contractors will be an entirely new kind of delivery structure for infrastructure and

housing in the UK. For such schemes to operate within the law, an overall structural framework will need to be put in place having particular regard for the local authority's governance and vires. A national website group should be created to share good practice and pit falls. There are also models (not in the UK) that profit share between interested parties which helps to engage more positively with land owners.

It is not clear whether the model would work in all situations – as it appears to be aimed at small to medium sized rural sites.

Regenerating housing estates

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?

No. This does not necessitate a revision to the NPPF as the three strands of sustainability are already clear within the NPPF, and the requirement to be applied in all decision making.

Supporting small and medium sized sites, and thriving rural communities

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.

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?

This is not an issue that affects Ipswich but would be supportive in principle.

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?

This is not an issue that affects Ipswich but supportive of the principle.

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?

Agree, although many of the site allocations in Ipswich tend to be small sites in any event. The threshold for allocation in the Local Plan is 0.1ha in IP-One (central Ipswich) and 0.2ha in the periphery.

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

No. This is unnecessary and should not be a specific requirement/obligation.

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?

Agree. Support this approach in order to expedite progress and put high quality design at the forefront of decision making.

A new generation of new communities

Question 9

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

No specific comment. However, support for bringing forward sites within multiple ownership should be available to local authorities.

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

No comment, as Ipswich does not have a green belt.

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 comment, as Ipswich does not have a green belt.

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?;

No, as this could vary depending on sites.

- 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.

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.

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

Local Plan policy would not normally be so prescriptive about design as to remove the issue as a possible reason for refusal.

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?

Yes, this would be welcomed. The recently adopted Ipswich Local Plan already refers to Building for Life.

Using land more efficiently for development

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?;

No, because it would depend on the context and location and so would need to be considered on a site by site basis.

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, but again this should be subject to context. The Ipswich Local Plan identifies a tall buildings arc in order to manage the relationship between tall buildings and the medieval town centre.

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.

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?

No. Creating liveable places is vital and that means incorporating appropriate green space and achieving good design. The Council's Biodiversity and Open Space and Biodiversity Policy <https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/Open%20Space%20%26%20Biodiversity%20Policy%20whole.pdf> reflects evidence on the role of open space in both mental and physical health and open space also has a role in climate change adaptation, e.g. through SUDS.

Question 14

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

Such standards may be appropriate for central urban places, but this would depend on the context and need for green space. As such a generalised approach would not be supported.

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)?

The planning system does not prevent this at present. The priority should still be creating high quality places to live, which adhere to certain (and minimum) standards (e.g. internal and external space standards).

CHAPTER 2

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?;

If you are agreeing a fixed housing land supply a 10% buffer would not be necessary. Moreover, any such buffer would not bring about any more certainty of supply.

b) The Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy?

Yes.

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?

Both, ideally.

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?;

How would its share be defined? It will depend on the size and nature of neighbourhood area.

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.

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?

They should contain site allocations, in order to provide certainty.

Deterring unnecessary appeals

Question 18

What are your views on the merits of introducing a fee for making a planning appeal?

We support the proposal, and this is long overdue. At the very least, an appeal should only be acceptable if the 'free go' route had already been exhausted. Even then a fee should be imposed.

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;
50% of the appeal fee could be refunded in successful appeals. Cost applications should be considered separately from the appeal.

b) The level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful;

Support a 50% refund of the appeal fee if the applicant is successful.

and

c) Whether there could be lower fees for less complex cases.

Yes, e.g. householder appeals could incur a lower fee. Fees should generally mirror the application type to provide clarity and certainty.

Ensuring Infrastructure Provision

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?

Policies could be framed in such a way, but how would the LPA ensure implementation and how would it be monitored? Given this uncertainty we could not agree to this proposal.

Investing in National Infrastructure

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

Yes, currently this is not always clear.

- authorities are expected to identify the additional development opportunities which strategic infrastructure improvements offer for making additional land available for housing?

Yes.

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?

Yes, this would assist in monitoring but it would be important to make this question(s) a compulsory requirement in order for applications to be valid.

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?

As above and yes, this would help with planning and monitoring the housing trajectory.

c) The basic information (above) should be published as part of Authority Monitoring Reports?

Yes – perhaps as supporting information to the trajectory.

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

Yes.

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?

No, given that despite past practices, applications could still be made by landowners who have no intention of developing a particular site, e.g. because they wish to establish the land value or sell the site. In any event this would provide another layer of objectivity, which would not in itself ensure delivery of sites. Therefore whilst the sentiment is supported, this proposal would need to be reconsidered in order to be effective and able to be implemented.

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.

No, as applications could still be made by landowners who have no intention of developing, e.g. because they wish to establish the land value or sell the site. In any event this would provide another layer of objectivity, which would not in itself ensure delivery of sites. Therefore whilst the sentiment is supported, this proposal would need to be reconsidered in order to be effective and able to be implemented.

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.

Question 25

What are your views on whether local authorities should be encouraged to shorten the timescales for developers to implement 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.

No, the period should not be shortened. Lead in times, especially for brownfield sites, can be considerable and many issues e.g. archaeology need to be dealt with under pre-commencement conditions. This is not the reason for the delay in implementation of permissions, as many other factors play a role.

Improving the completion notice process

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 should speed up the confirmation of completion notices.

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?

It may help lenders' willingness but we do not think it would work on other than simple building projects – to ensure works are of a suitable standard.

The housing delivery test

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.

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?

Yes.

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

Yes.

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

The 3 year period should be taken from the date of commencement of the new requirement so you know what you need to plan for.

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?;

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%?;

- c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%?;
- d) From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%?; and
- e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%?

Housing delivery is market driven, therefore, LPAs should not be penalised for delivery below expectations. Therefore, the most constructive approach would be to require the preparation of an action plan and not the addition of buffers. It should focus on actions the LPA can reasonably take, and not lay them open to poor market conditions.

Question 30

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

More sanctions on developers and landowners who fail to build out schemes. Perhaps introduce more focus on delivery through S106 agreements?

Changing the definition of 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?;
Yes, the new definition includes both affordable private rented and does not focus on only home ownership (it also now considers an income cap for help with home ownership). This means that all those in need will be covered and all types of housing will be covered. It is a much more inclusive definition. However, who will monitor and regulate? Definition of AH should include a clear statement around ability of local households to pay and a link to local incomes. In addition, the definition also removes AH housing remaining affordable in perpetuity. The Council considers this should be reinserted for the obvious reason that AH is receiving subsidy which does not benefit beyond the first occupants. The White Paper also fails to properly deal with affordability as it fails to adequately address the issue of land value. While there are some proposals to assist with this it does not go to heart of the issue. A clear statement on how land should be valued (at existing use value rather than market value) is needed so that the real uplift gained from planning can be captured and used to provide social benefits (including AH) and infrastructure. Too often LPAs are involved in protracted discussions on land value with applicants which causes delays to house building, is resource intensive and often results in compromises around the levels of AH, quality of development or infrastructure provision. The definition of affordable private rent could be difficult to implement other than through rent controls in institutional rented developments.

- b) Introduce an income cap for starter homes?;

Yes but the income cap of £80,000 is not reflective of Suffolk income. £80k is quite high for a household income to merit a starter home. You can buy a good quality 3/4-bed home for £250-£300k in Ipswich on the open market with a household income of £80,000. Affordability should be defined in line with local incomes not market values. Latest definition appears to 'water down' previous definitions linking affordability to the 'ability to pay', and more towards being anything below market value.

Incorporate a definition of affordable private rent housing?;

Yes.

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

Yes. The transitional period suggested of 6-12 months appears very short to do a single issue review and have it examined not to mention the potential cost involved.

Increasing delivery of affordable home ownership products

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 suggested that there is a caveat added 'Local authorities have the right to demand higher discounts and proportions where local market conditions such as wages and land values can be demonstrated to evidence this'. In addition the word 'minimum' should be retained.

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

There needs to be a local dimension to defining the affordable housing percentage in order to reflect local OAN and affordability. However, a national minimum would save a lot of argument. Perhaps it would work as a national minimum of 10% and local addition above it where justified by evidence?- see above answer to a)

Might this be one area LPAs would need to revisit under delivery action plans?

Agree with the threshold in b).

Question 33

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

No types should be excluded but possibly consider the requirements for mixed housing on smaller developments.

Sustainable development

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?

Yes. This would make it clear to developers that all 3 aspects of sustainability are important, not only economics, which presently appears to take precedence of the other dimensions.

Meeting the challenge of climate change

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?

Yes, but planning practitioners would need evidence of what the rising temperatures mean and the implications for policy responses (shading, design to address extreme weather events, how is this required in the light of viability considerations, etc.).

b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?

Yes, policies should support measures.

Flood risk

Question 36

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

Yes.

Noise and other impacts on new developments

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 – the Borough has experienced increasing noise complaints from residents in inner urban areas such as the Waterfront from e.g. air conditioning units on commercial/restaurant uses.

Onshore wind energy

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?

No comment – the Borough does not experience a great number of wind energy applications.

APPENDIX 2

Build for Rent Consultation – Ipswich Borough Council Response

‘The consultation proposes amending national planning policy to put further emphasis on Build to Rent; it also encourages an alternative approach to affordable housing exclusively for Built to Rent schemes, called “affordable private rent”. The Government intends these proposals to increase the quantity and pace of Build to Rent development across England as part of our plans for driving up housing supply ‘ - applies to England only.

Support for Building for Rent is set out in the 2017 Housing White Paper. Demand for rental property is very high and the principle of a better balance in the housing market, particularly building for “affordable private rent” is supported.

Efforts to encourage the institutional housing sector as owners of rented housing and as partners to the wider housing providers such as local authorities is also a positive . It should encourage a higher level of service provision and amenities for tenants and boost professional management. However, it is also important that rents remain at a level suitable for local market conditions such as wages.

Build to rent will boost housing supply faster than homes built for sale because they can be absorbed into the market more quickly. This is important in terms of maintaining a 5 year land supply and improving completion rates. It is agreed that there can be contributions to town centre regeneration and acceleration of local authority revenues in the form of council tax, new homes bonus and business rates and monetising surplus public sector land. However, Ipswich Borough Council is one of only 11 or 12 local authority areas which are still building Council homes in England so a balance needs to be maintained.

The sector for Build to Rent also still requires further development and there is a lack of consumer awareness that needs to be addressed. It would be helpful to consider having clear policies in the local plan for build to rent purposes which would help to address some of the unpredictability of planning outcomes subject to a proportion being for “affordable private rent” so that it meets local needs. The need for market rented housing is considered as part of the Strategic Housing Market Assessments.

It is important that space standards are not reduced to accommodate viability issues, despite Build to Rent developers calling for greater flexibility on space standards. This is something that the Borough would not like to see encouraged otherwise there will be a two-tier housing supply in the private rental sector.

The national planning guidance already includes an amended viability section (2015) referring to the private rented sector which provides some flexibility for large build to rent schemes already and this should be reflected in local authority planning policies and the approach to planning applications for such schemes. It states:

“Some privately rented homes can come from purpose built schemes held in single ownership which are intended for long term rental. The economics of such schemes differ from build to sale and should be determined on a case by case basis. To help ensure these schemes remain viable while improving the diversity of housing to meet local needs, local planning authorities should consider the

appropriate level of planning obligations, including for affordable housing, and when these payments are required. So these homes remain available to rent only, local planning authorities may choose to explore using planning obligations to secure these schemes for a minimum period of time. Local planning authorities should enforce these planning obligations in the usual way.”

If further revisions to the NPPF are made to include reference to Build to Rent as a form of housing, it is equally important that consideration is also taken of “affordable private rent” and that extra annual payments for maintenance are not used as a means of securing additional money but to meet actual maintenance costs. Affordable private rent schemes within a scheme for build to rent can potentially be easier to manage than other forms of affordable housing but it is important that a wide range of securing different forms of affordable housing is maintained and that this does not replace this entirely although it is sensible within Build to Rent Schemes.

The Government’s proposed terms for the provision of Affordable Private Rent are a minimum of 20% of the homes, at a minimum of 20% discount, provided in perpetuity. However there should be some scope for locally determining the level of discount and proportion for affordable private rent. This means that the word ‘minimum’ as used in the consultation should remain. However, it is also suggested that an additional sentence is added ‘*Local authorities have the right to demand higher discounts and proportions where local market conditions such as wages and land values can be demonstrated to evidence this.*’

Subject to the above, it is agreed that Build to Rent should be included as a housing type in the NPPF and that Affordable Private Rent could play a useful role in the delivery of affordable housing within Build to Rent Schemes in the Borough. Efficiencies arising through on-site provision of affordable private rental properties within a build to rent scheme could materially improve the viability of build to rent schemes but not necessarily better than other affordable housing tenures.

Longer term tenancies will also provide more stability for tenants than the existing private rental market. Therefore it is reasonable for Planning Authorities to specify minimum tenancy lengths in Build to Rent schemes. We welcome any initiative that allows for good quality, well managed private sector properties. The particular attraction with this proposal is increasing the length of the tenancies to three years. The current norm in the private rented sector is for six month assured shorthold tenancies which means that tenants only have to be given two months’ notice of the termination of their tenancy. The loss of a Private Sector Tenancy is the second biggest reason for homelessness in the Borough and if this initiative leads to a resurgence in institutional investment in the sector it would be welcomed. Permission in principle or presumption in favour of Build to Rent schemes meeting certain characteristics is not supported. However the allocation of land specifically through the Local Plan is a vehicle that provides more certainty for developers in the planning system given that it remains a plan led system.

The Borough Council supports in the definition that it should include a covenant to ensure that schemes remain as rented for a minimum period, one or two generations i.e. 20-40 years could be applicable. If the Government as implied is not supportive of this method, whatever is supported must provide an element of perpetuity. There should also be some reference to maintaining demonstrable maintenance costs and that this should not be used as a profitmaking exercise on top of agreed rents.

It is not agreed that a minimum scheme size should be prescribed as this will vary across the country.

The existing definition of affordable housing in the National Planning Policy Framework implicitly allows Affordable Private Rent to count as intermediate housing where the following conditions apply:

- *The housing is provided to eligible households whose needs are not met by the market.*
- *Eligibility is determined with regard to local incomes and local house prices.*
- *The homes 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.*
- *The housing is provided at a cost above social rent but below market levels.*

Subject to these NPPF conditions the Borough supports that Affordable Private Rent qualifies as affordable housing in Build to Rent schemes. The 2017 White Paper definition of Affordable Private Rent Housing is largely supported but should be amended to include the following.

“Affordable Private Rent housing is housing that is particularly suited for providing affordable housing as part of Build to Rent Schemes. It is made available for rent at a level at least 20 per cent below local market rent however this may be higher where local market conditions can demonstrate it is appropriate. 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 or for alternative affordable housing provision to be made if the discount is to be withdrawn.

The Government is minded to leave determination of eligibility and nomination criteria for Affordable Private Rent to negotiation between the developer and the local authority. This is supported in principle; however it may require additional resources to implement.

The Government considers there is no need for a fixed minimum covenant period, so long as appropriate claw-back arrangements are provided for. Traditionally, covenants are the most appropriate vehicle as they run with the land therefore this is not supported.

It would be helpful for Government to produce model clauses (which would not be mandatory) that could be used in Section 106 agreements to give effect to Affordable Private Rent.

A transitional period of six months appropriate for the introduction of the policies proposed in this consultation is not supported as it depends on where an individual Council is with their local plan preparation and whether their Housing Need Market Assessment is up to date. A year/18 months would be a more appropriate transition period to allow those authorities who need to time to update key related studies.

Housing White Paper – ‘Fixing our Broken Housing Market’
February 2017
(Consultation deadline May 2nd 2017)

Joint Response of the Cabinet Member for Planning, Suffolk Coastal District Council and the Cabinet Member for Planning and Coastal Management, Waveney District Council

Introduction

Suffolk Coastal and Waveney District Councils welcome the Government’s commitment to tackle the undersupply of housing in the UK and the Housing White Paper as a basis for having these further discussions on increasing the delivery of homes of all forms of tenure.

The continued emphasis and support for a plan-led system is also welcomed.

The Suffolk Local Authorities are making a joint strategic response to the consultation and this response complements that response by providing additional detailed and local comments on some of the questions from a Suffolk Coastal and Waveney District perspective.

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

Response

- a) Agree, with the addition of green infrastructure, particularly the mitigation of ecological impact, as this is an important cross border issue in east Suffolk and neighbouring authorities that is intrinsically linked to options for the delivery of growth. Flexibility is required to allow these strategic policies to be set out in one or more Local Plan documents. Some issues may be relevant for a joint strategic document covering two or more local authority areas, whereas others may only be relevant to an individual local authority area document that may cover the same geographic area as the joint plan. In terms of planning for the allocations for the area’s housing requirement at the strategic policy making level, it is not clear how this will work. The implication is that all necessary housing allocations to

deliver the housing requirement would need to be made in the LPA's strategic Local Plan document and not in any supporting AAPs or Neighbourhood Plans.

- b) N/A
- c) Agree, this would provide clarity and certainty.

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?

Response

Examining strategic policies first, particularly where there are joint plans, would assist in providing early clarity and certainty for any supporting documents. In terms of the examination procedures, removing the need to consult on main modifications would assist in speeding up the process. There are few cases where consultation influences changes to the main modifications or hearings are reopened. The main modifications already largely derive from public representations and discussions at hearings and so removing this stage of consultation is unlikely to have a serious impact on public accountability.

In addition, it seems inequitable that the examination process and scrutiny for Local Plan documents is so onerous, particularly for non strategic issues, when compared with the examination of Neighbourhood Plans when they can carry the same weight in decision making. Some neighbourhood plans tackle significant issues and housing sites, similar to a Local Plan document but have a lighter touch.

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?
- 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?

Response

- a) Agreed.
- b) Support for a standard methodology but disagree that it should be applied from April 2018. In a plan-led system it is important that the housing requirement figure is tested before it is used for assessing 5 year housing land supply.

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

Response

- a) Agreed
- b) Agreed
- c) Agreed
- d) This is too prescription. The provision of a range of sites in terms of size, type and location is supported but it should be left to each local authority to determine what is appropriate for their area.
- e) Agreed. But the Government need to provide the teeth for the LPA to make this happen. It will not just happen through encouragement.
- f) Agreed

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?;
- 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?;
- 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?;

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

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?

Response

- a) It is not clear how this would work in practice, given the wide variety of neighbourhood areas that can be designated, in both rural and urban areas. Most follow parish boundaries but when these boundaries lie within contiguous built up areas considerable detailed work on site capacity would likely be required by the LPA before a figure could be defined at such a local level. Designated neighbourhood areas can, in some cases, have boundaries which do not relate to or reflect the pattern of the built or natural areas around them, for example where they follow a parish boundary. If a neighbourhood area boundary cuts through an open field on the edge of a town, for example, which is already allocated for housing or has outline planning permission, the LPA will not necessarily know where housing will be located within the site and where facilities such as schools and open space will go until a detailed application. This could have a significant impact on the number of houses in a particular neighbourhood area, making it extremely difficult for the LPA to provide a housing figure in some cases.

It should be made clear to Neighbourhood Planning Groups that housing numbers are minimum numbers and not maximum. Expectations would need to be carefully managed. Otherwise, there is a danger that communities will expect all development to come to a halt in their area once the housing number is achieved if they do not clearly understand the housing number is a minimum.

The further consultation referred to on the standard methodology for assessing housing requirements to assist with this question is welcomed and awaited.

- b) Agreed

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?;
- 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?;

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?;

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?

Response

- a) Agreed
- b) Agreed
- c) Agreed
- d) Agreed

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?;

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?

Response

a) The text in A.78 refers to consulting with developers as well as other interests such as infrastructure providers to take advantage of this test. This should be required as good practice in preparing 5 year land supply assessments regardless.

It is not clear what the basis for maintaining a 10% buffer is. Why 10%?

We would welcome justification for the land supply assessments of supply being over a 5 year period. Why not 4 or 6 years? It has been 5 years for over 20 years, and seems to be a given which should be questioned.

- b) Agreed
- c) The test should focus on the approach.

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?;
- 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?
- 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?

Response

a), b), c), Neighbourhood Plan groups should be able to determine the issues and policies that they wish to cover in the Neighbourhood Plan. This all seems over complicated and there should be one approach for both LPAs and Neighbourhood Plan groups as both have a role to play in working together to deliver the housing requirement, assuming that this is an issue the group wishes to cover in their plan. This is added unnecessary bureaucracy. It is the fundamentals that should be addressed i.e. as well as considering the deliver of housing, the test should include how many planning permissions the LPA has waiting to be delivered.

This also raises the need for clarity over which part of the plan making process will be expected to address the housing requirement figure. (Q1). Is it the Local Plan at a strategic level, in which case Neighbourhood Plan provision is over and above, or a combination of all levels of plan making?

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?

Response

Suggestions for how this can be achieved through planning policies would be welcomed.

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 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 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 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 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?

Response to Questions 22 to 26

The above are all useful suggestions for getting housing permissions implemented and delivering development on the ground. However, careful thought is needed around how the suggested mechanisms would work and making sure that any additional tools to speed up delivery have the teeth to make a step change in delivery. Merely knowing about an applicant's track record of delivery is useful but how can it make a difference to delivery on the ground when determining a planning application for housing development unless there are sanctions that can be applied. This may also prohibit small and medium sized builders entering the housing market. There is particular concern over the delivery of large sites and being able to get stalled sites moving again. At the moment, it seems that the development industry is overly market demand driven, with fixed 20% minimum profit margins being required before they will build out sites. When borrowing rates are very low LPAs need the powers to be able to assess the viability of schemes assuming much lower developer profit margins. These are the aspects of the housing market which the Government need to concentrate on shifting.

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?

- 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?
- c) Net annual housing additions should be used to measure housing delivery?
- d) Delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17?

Response

a), b), c), d) There is concern that the definition of an up-to-date Local Plan, one which is 'less than 5 years old', is too crude a tool, particularly when it can take 2-3 years to review a plan and a plan is not necessarily out of date after 5 years. It depends on the flexibility of the policies in the plan and the nature of the local authority area. Planning should also be about long term vision and objectives and this definition could undermine long term thinking.

The concept of forming an action plan, if delivery falls below a certain point, does have merit. However, there is a mismatch in the balance of tools available for local planning authorities to ensure the delivery and the consequences for non-delivery. The use of net annual housing additions, whilst justified if monitoring delivery, could penalise authorities that have a significant supply of sites with planning permission that have not yet started. Whilst there is a role for authorities to be actively engaged in the market, delivery is largely in the hands of landowners to release land and developers to build. See also response to 3b).

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?;
- 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%?;
- c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%?;
- d) From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%?; and
- e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%?

Response

a)-d) Whilst some clarity over when a 20% buffer should be applied and when the presumption in favour of sustainable development is triggered is to be welcomed, in terms of removing the costly arguments at inquiries, this approach to under-delivery still misses the fundamental point that the market has a significant role to play in delivery and reliance

on landowners and developers to implement permissions. The LPA does not have the tools to ensure the delivery and the consequences for non-delivery.

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 0.5ha?

Response

a) No, this should be left for determination at the local level based on the findings of the Strategic Housing Market Assessment which includes the assessment of the need for affordable housing. The greatest need can be for affordable housing for rent and achieving this could be undermined by a national restriction for a different tenure.

b) No, this should also be left for determination at the local level for all forms of affordable housing. If lower thresholds can be justified there should be the freedom to apply them. In both Suffolk Coastal and Waveney many small sites come forward for development and the opportunity to secure a proportion of affordable housing on viable sites is lost through application of the current national threshold.

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?

Response

- a) Agreed
- b) Agreed

Question 36

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

Response

The suggestions for changes to the NPPF would provide greater environmental safeguards but the addition of minor applications and changes of use could significantly add to the workload of lead local flood authorities. There will need to be adequate resources made available to lead local flood authorities in order for them to support planning authorities to determine applications.

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?

Response

Agreed

02/05/2017

BABERGH DISTRICT COUNCIL or / and MID SUFFOLK DISTRICT COUNCIL

From: Assistant Director – Investment and Commercial Delivery	Report Number: XXXX
To: Administration Meeting	Date of meeting: 24/04/2017 & 25/04/2017

HOUSING WHITE PAPER CONSULTATION – OUR RESPONSES:

- **FIXING OUR BROKEN HOUSING MARKET (FOBHM) &**
- **PLANNING & AFFORDABLE HOUSING FOR BUILD TO RENT (PAHBTR).**

1. Purpose of Report

- 1.1 In February 2017 the Department for Communities and Local Government (DCLG) published its ‘Fixing Our Broken Housing Market’ document with an Annex comprising further details and consultation proposals setting out how together we are going to fix our broken housing market.
- 1.2 This report provides Members with Joint BMSDC operational team responses to the Housing White Paper consultation proposals named above and incorporates input from the Senior Leadership Team and Members through the Housing Delivery Portfolio Holders meetings.
- 1.3 It should be noted that there are two separate consultation documents, the first (FOBHM) is a complex set of 38 proposals broken down to 83 component parts with the intention of covering the whole house building process from finding sites to house sales, but going further by seeking to build a consensus for a new, positive mind-set to house building and delivering an increase in housing supply. The second (PAHBTR) consultation focusses solely on the proposal of Planning and Affordable housing for Build to Rent and comprises of 26 separate questions.

2. Recommendations

- 2.1 That, subject to any final minor amendments, the joint district response drafts attached as Appendices A and B be approved. Members are asked to add any other comments that they would like to see represented in the consultation response in support of the Joint Strategic Plan.
- 2.2 That the Assistant Director – Assets and Investment be authorised to agree, on behalf of Babergh and Mid Suffolk District Councils, any amendments as referred to in 2.1 and 2.2 above.

3. Financial Implications

- 3.1 None directly from submission of these responses to DCLG. It is unknown as yet if any specific aspect of the white paper would result in matters of financial

note – when more technical regulations are published for some of the key areas then it will be possible to make the appropriate assessment at that time.

4. Legal Implications

- 4.1 None as a direct result of this report. This is a higher level discussion paper only, open to any person or organisation to respond to.

5. Risk Management

Risk Description	Likelihood x Impact	Mitigation Measures
Failure to contribute and collaborate on a response across the Suffolk-sector will miss important opportunities to further housing delivery, infrastructure and planning policy priorities. Collaboration will strengthen key messages and provide a platform for future discussions with Central Government.	2 x 3 (unlikely)	Review, collaborate and respond to 'Fixing our broken housing market' and 'Planning AHBTR' on a) high level strategic outcomes b) locality based needs, narrative and opportunities. Use the established Suffolk framework, including Suffolk Housing Board to craft a response reinforcing key shared Suffolk messages.
Failure to supplement a Suffolk-wide response with local BMSDC issues will miss important opportunities to further our JSPs, or support our local housing delivery strategic framework programme, and Joint Local Plan development.	2 x 3 (unlikely)	Focus Suffolk Growth Programme board on benefits of joint working on housing delivery.
Failure to engage the local housing delivery community in the Suffolk and local responses. Different to the Infrastructure strategy risk	2 x 3 (unlikely)	Alert local developers, Neighbourhood Plan teams etc

6. Consultations

- 6.1 This is a public consultation to which any interested party may respond directly to central government by 1st and 2nd May 2017 respectively. *White papers are policy documents produced by the Government that set out their proposals for future legislation. White Papers are often published as Command Papers and may include a draft version of a Bill that is being*

planned. This provides a basis for further consultation and discussion with interested or affected groups and allows final changes to be made before a Bill is formally presented to Parliament (extract from www.parliament.uk). This White paper references to the Housing and Planning Act 2016, the Neighbourhood Planning Bill 2016-17, and the National Planning Policy Framework and some elements of the Localism Act 2011.

- 6.2 Acts of Parliament are known as primary legislation. Collectively, they make up Statute Law which along with conventions, court decisions and treaties is seen as the basis of the UK constitution. If a Bill is passed by both Houses of Parliament and receives the Royal Assent it becomes an Act of Parliament and part of UK law. It is anticipated that once the consultation responses have been collated and considered, there will follow a consultation on the revision of the National Planning Policy Framework before work on a formal Bill is progressed.
- 6.3 Several operational teams have been involved in providing draft responses to the consultations; Planning Policy, Development Management, Housing Enabling, Housing Allocations, Assets and Investment, Infrastructure and CIL, and Environmental Protection.
- 6.4 Housing Delivery Portfolio Leads and other Administration Members were initially consulted on 13th March 2017 for a steer on responses to the main proposals. These have been included in the final draft and Members have contributed their views in the Housing Delivery Portfolio Holders meeting on the 12th April. The responses are due to be submitted by the 1st and 2nd May.
- 6.5 SLT have also considered the White Paper response at its meeting on the 12th April.

7. Equality Analysis

- 7.1 No direct equality impacts arising from the content of this report. There will need to be equality impact assessment work on specific aspects of the white paper proposals particularly around the affordability of Starter Homes and Affordable Private Rent.

8. Shared Service / Partnership Implications

- 8.1 The Suffolk Housing Board which is attended by Senior Housing Officers from all Suffolk Local Authorities has discussed the White paper and will be feeding their comments back to the Suffolk Growth Programme Board.

9. Links to Joint Strategic Plan (JSP)

- 9.1 The item most closely aligns with:
- Housing delivery: more of the right type of homes, of the right tenure, in the right place.

The cross-cutting nature of the Housing White Paper proposals and intended cohesion with other strategies, work programmes and the development of a new BMSDC Joint Local Plan impacts upon several of the JSP outcomes.

Additionally, this item impacts on the Suffolk Growth Strategy, regional Strategic Economic Plan (including 2017 refresh), the Suffolk Spatial and Infrastructure Plan Framework and broader regional housing delivery work underway.

- 9.2 Increasing speed of new homes delivery (not written in JSPs but Members have discussed this on numerous occasions), also being clear about what housing is needed and making best use of our housing assets / other assets and investments.

10. Key Information

- 10.1 It was agreed by SLT that BMSDC would jointly respond to the Housing White Paper proposals through the DCLG consultations process as this is an opportunity to influence government thinking prior to amendments being made to the National Planning Policy Framework 2012, and reforms to Neighbourhood Planning guidance as part of the Localism Act 2011. Closing dates for responding to the current proposals are 1st and 2nd May 2017.
- 10.2 Members attending the Housing Delivery Portfolio Holders meetings on 13th March and the 12th April 2017 offered a steer on specific issues to be included in the final responses.
- 10.3 'Fixing the broken housing market' document is based on 4 themes:
- i. Planning for the right homes on the right places
 - ii. Building homes faster
 - iii. Diversifying the market
 - iv. Helping people now.
- 10.4 However, the consultation proposals focus on the first 2 themes only, as shown below:
- i. Getting plans in place (Q 1 – 3) - The Housing White Paper repeats much of what is proposed in the Neighbourhood Planning Bill (currently being debated in Parliament), about how to incentivise speedier plan adoption and what is to be done about Local Authorities who have fallen behind, as well as strengthening the role of neighbourhood plans. These proposals include intervening in local-plan making when necessary and requiring authorities to review their plan every 5 years to ensure they are up to date as well as setting out strategic priorities and improving the use of digital tools to make planning data more accessible.
 - ii. Making enough land available in the right places (Q 4 – 11) Following on from the government's consultation on brownfield land, the White Paper suggests that

National Planning Policy will be amended to indicate that great weight should be attached to the value of using suitable brownfield land within settlements for homes.

- iii. Strengthening neighbourhood planning and design (Q 12 – 15)
 - iv. Providing greater certainty (Q 16 – 18)
 - v. Ensuring infrastructure is provided in the right place at the right time (Q19 – 20)
 - vi. Holding developers and local authorities to account (Q21 – 30)
 - vii. Affordable housing (Q31 – 33)
 - viii. Sustainable development (Q34 – 38)
- 10.5 The FOBHM consultation consists 38 individual parts, broken down further to 83 separate response opportunities. The BMSDC joint response provides technical commentary on all these except those referring to Green Belt issues, as there is no Green Belt designation within either local authority area and is therefore not considered relevant.
- 10.6 Broadly many of the proposals are supported with some requests for more detail or further clarification – it is unlikely either will be available in the short-term.
- 10.14 The consultation paper asks as its final question “**what support would be most helpful to local planning authorities in increasing housing delivery in their areas?** At the Housing Delivery Portfolio meetings, Members were keen to emphasise that increasing housing delivery could be aided by the government relaxing some of the restrictions on housing spending restrictions for the Housing Revenue Accounts.
- 10.15 Members also cautioned around the unintended consequences of a higher rate of new housing delivery impacting on rural heritage assets and quality of environment. They also emphasised working as a part of the wider Suffolk system as well as a local housing authority and a local planning authority and the need to use all partnerships and collaborative working techniques to maximise public estates assets and skills.
- 10.16 Without underplaying rural district council’s contribution to new housing supply, we should emphasise that a rural housing market is very different to an urban housing market on which it is felt many of the proposals are predicated. Lack of scalability in rural areas mitigates against many of the proposals being used to best effect in both consultation papers. Members are encouraged to identify other areas where they could see housing delivery being increased and maximise potential for growth.
- 10.17 A recent DCN representation makes the case for District councils to be given greater fiscal freedoms to fully unlock their ability to build more homes, including the removal of the HRA borrowing cap, the use of Right to Buy

receipts in their totality and other borrowing freedoms. Below is the text from the DCN response which we propose should be included in our response.

10.18 “Economic growth, housing growth and the health of our society are inseparable. This is a core reason why district councils are so central and intrinsic to local growth. Many district council areas are situated in some of the most attractive parts of the UK to live in and local economic growth is dependent on attracting and retaining our young entrepreneurs providing the eco system for business to achieve and thrive. This includes building homes including affordable homes being available to support the future workforce. Districts councils are - and will continue to be - at the forefront of delivering the country’s housing needs since they already enable one out of every two new homes built nationwide.

10.19 District councils will need to take up the challenge of providing the new types of housing needed for older people if we are to provide a comprehensive response to the social care crisis but the reduction in the reward for delivery of more new homes changes, alongside the 1% rent reductions, the very tight rules around the treatment of Right to Buy receipts and the refusal to consider lifting the housing borrowing cap will frustrate our desire to deliver housing growth. The DCN will continue to make Councils case to Government both in this response and in our response to the Industrial Strategy Green Paper of the need to extend the fiscal freedoms available to local authorities to allow more housing to be delivered in local areas.”

10.20 Within the consultation document that looks at the Affordable housing definitions - Members were keen to highlight the significance around rent cap issues within Local Housing Allowances and difficulties it will bring for lower income households in regards to general housing affordability.

10.21 All consultation responses are shown within Appendix A.

11. PLANNING & AFFORDABLE HOUSING FOR BUILD TO RENT (PAHBTR)

11.1 The build to rent sector started in the 1920’s and 30’s but has more recently been relaunched as a potential investment model for institutional investors such as insurance companies and pension companies who are looking for long term investment returns.

11.2 The White Paper sees Build to Rent as another way to boost supply by creating additional capacity in the housing market, bring supply into town centre brownfield sites which are not as attractive to major housebuilders, potentially built to higher densities and are managed on a sufficient scale and for long term return to be able to provide good levels of service to tenants.

11.3 The Government are looking to increase supply of BTR to 10,000 homes per year by 2020 although it is still seen as an emerging sector of the housing supply chain. In order to increase the number of schemes coming in to the system, the white paper and this separate consultation paper seeks to

introduce some changes in the NPPF to make BTR more attractive to develop.

11.4 Key issues seen as barriers to the Affordable BTR product –

- (a) Market failure – where the market does not and cannot be expected to deliver an efficient outcome – in the case of BTR, the established build for sale developers are able to exert significant market power and land does not become available for BTR.
- (b) As a new product with low customer awareness, it is difficult for BTR investors to build into their financial modelling the rental premium for services and amenities provided should command relative to the private market as a whole.
- (c) Regulatory failures – a lack of familiarity of BTR might mean that planning officers are unsure how to assess the application or consider the tenure within financial viability assessments.
- (d) Rental yields – BTR is seen as a model of investment that works in more urban/city areas and is a form of housing being developed in London, Manchester and Birmingham, building on a similar model that has and continues to provide new build student accommodation. In a rural area such as Suffolk it is hard to see how sufficient yields would be generated to make the initial investment worthwhile. Both Councils have already investigated this approach but as yet unable to get a sufficiently robust financial case to make the investment a viable option.

11.5 In order to improve the opportunities for BTR to grow as a sector, the PAHBTR consultations sets out a number of proposals: -

- (a) Placing further emphasis on Build to Rent through Planning Policy;
- (b) Encouraging an alternative approach to affordable housing for Build to Rent called Affordable Private Rent (sometimes referred to as Discounted Market Rent); and
- (c) Strengthening the expectation on BTR schemes to offer a Family Friendly Tenancy of three years or more, to those tenants who want one – at the Housing Delivery Portfolio Holders meeting in March there was broad support from Members on the availability of longer tenancies.
- (d) The Government also intends to establish a joint committee with industry to provide a forum in which the government, industry and the wider public sector can work together to play a part in overcoming hurdles and barriers to BTR.
- (e) A new definition of affordable housing to include “Affordable Private Rent” to be included in the NPPF. The Governments proposed terms for the provision of Affordable Private Rent are a minimum of 20% of the homes, at a minimum of 20% discount, provided in perpetuity.

11.6 The consultation questions are shown in Appendix B.

12. Appendices

Title	Location
(a) Consultation response matrix for FOBHM	Attached Appendix A
(b) Consultation response matrix for PAHBTR	Attached Appendix B

13. Background Documents

13.1 Localism Act, 2011 (changed decision making powers from central government control to individuals and local communities).

13.2 Housing and Planning Act, 2016 – introduced concept of starter homes as an affordable housing product.

13.3 National Planning Policy Framework, 2012

13.4 Neighbourhood Planning Bill, 2016 - 2017

13.5 DCLG 'Fixing our broken housing market' February 2017

13.6 DCLG 'PAHBTR' February 2017

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This is the complete list of questions contained in the 'Fixing our broken housing market' consultation.

The response matrix has been broken down into 4 sections to follow the consultation layout.

Question number	Question	Response	
Proposals from Chapter 1 PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES			
Getting Plans in Place			
1a	<p>Do you agree with the proposals to:</p> <p>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?</p>	<ul style="list-style-type: none"> In principle we agree, provided it is clear that planning policies need to take forward these strategic priorities as far as they relate to spatial planning. 	
1b	<p>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?</p>	<ul style="list-style-type: none"> In principle we agree with this proposal to allow Spatial Development Strategies to allocate strategic sites is supported, provided this is related to sites which need to be allocated at the strategic level and where there are cross boundary implications. 	
1c	<p>c) Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?</p>	<ul style="list-style-type: none"> In principle this proposal is supported. However it is considered the NPPF could usefully explain the purpose of evidence required and acknowledge that not all evidence listed will be necessary for every Local Plan. The proposed amendment should make it clear that the plan should set out 'an' appropriate strategy for the area (rather than 'the most') and we very strongly supported this. If changed like this it will potentially reduce time and resource spent in Examination on whether a more appropriate strategy exists. 	
2	<p>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?</p>	<ul style="list-style-type: none"> The present requirements for consultation and Examination are considered to be proportionate. Whilst consultation takes time, it is important to ensure that those who have an interest or will be affected by a plan have time to consider and respond to proposals. 'Statements of Common Ground' are considered to be potentially useful in terms of agreements on strategic matters, and could 	

		potentially reduce time spent on Examination of such matters.	
3a	<p>Do you agree with the proposals to:</p> <p>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?</p>	<ul style="list-style-type: none"> • This proposal is supported in general but national policy shouldn't be too prescriptive in this regard and should only be relevant where this relates to housing type or tenure. It is considered that there is a need for planning policies to consider the need for residential care homes which, as institutionalised populations, fall outside of Objectively Assessed Need. • As both our districts have an ageing demographic we consider this proposal to be particularly relevant to enable us to plan effectively both locally and strategically at county-wide level. • Additionally, the Planning Advisory Service report on Planning for Older People's Housing in September 2015 supported the changes made by DCLG through PPG in March 2015 that: <p>Planners can help the local authority to prioritise housing for older people by writing up-to-date policies based on evidence shared between councils (particularly in two-tier areas) and other stakeholders.</p> <p>The guidance says that authorities should, where appropriate 'identify specific sites for all types of housing to meet their anticipated housing requirement.'</p> <ul style="list-style-type: none"> • We would welcome a requirement for Local Plans to be clearer about promoting the need for older persons housing and use of demographic evidence base to support it in our districts. This does not mean that the NPPF has to be prescriptive in regards to tenure or type of housing but that it requires Local Plans to include clear policy guidance on the need for suitable housing to meet the needs of over-55's both in regards to general needs and specialist forms of housing. This would include adding developers of older persons housing to the list of local plan consultees. • The All-Parliamentary Group (APPG) has advocated to the government that increased attention is paid to developing homes for older people and not just focus on 	

		<p>first time buyers. They also advocated that local authorities ensure that their local plans recognise the changing demographic profiles of their areas and prioritise housing building for this age group.</p>	
3b	<p>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?</p>	<ul style="list-style-type: none"> • As a principle the proposal for a standardised approach to assessing housing requirements is supported. This however depends upon the extent to which the new methodology is prescriptive and whether it relates to Objectively Assessed Need only (i.e. policy off) or to the housing requirement (i.e. policy on). It is apparent that certain considerations need to be made at the local level in light of local circumstances such as selecting an appropriate migration trend. • As rural authorities we wish any changes to the detail to consider and reflect the differences between delivering new housing in urban and rural areas. • The Councils look forward to having an opportunity to comment on detailed proposals in due course. • The term 'up-to-date plan' needs to be specifically defined and due to the regularity with which new household projections are published this in itself should not render a plan out of date. 	
Making enough land available in the right places			
4a	<p>Do you agree with the proposals to amend the presumption in favour of sustainable development so that:</p> <p>a) Authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?</p>	<ul style="list-style-type: none"> • There are no issues with this, provided that this is considered in combination with answers under question 14 in relation to density. See here in italics and repeated in response to q. 14 • It is not considered appropriate for indicative minimum (or absolute minimum) densities to be set as an appropriate density will depend on local circumstances including those referred to under question 13. • Maybe in an urban setting where estate regeneration is being proposed or in a new settlement. This could be set by the Local Authority based on the circumstances of that location. 	
4b	<p>b) It makes clear that identified development needs should be accommodated unless there are strong</p>	<ul style="list-style-type: none"> • This proposal doesn't appear to amend the current situation in practice so we would welcome 	

	reasons for not doing so set out in the NPPF?	more clarity on this proposal.	
4c	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?	<ul style="list-style-type: none"> The list of policies/designations set out in footnote 9, with the addition of Ancient Woodland and aged or veteran trees, seems reasonable and acceptable. 	
4d	d) Its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?	<ul style="list-style-type: none"> This proposal seems reasonable and acceptable. 	
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?	<ul style="list-style-type: none"> Yes, there is broad agreement and support for this amendment and we consider this type of change may help to unlock some additional development sites. 	
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 developments)?	<ul style="list-style-type: none"> Land pooling can be effective when the purpose and collaboration pathway is transparent to all parties from the outset. Our rural LAs would welcome the opportunity for more dialogue on a specific approach. We do have concerns that culturally land pooling will be not without timely (and therefore costly) hold-ups. Land pooling could allow the use of land with complex ownership to deliver housing, whilst avoiding the expense of the often protracted and controversial Compulsory Purchase Order process. We would welcome proposals to create better/more effective Compulsory Purchase Order powers or similar framework documents to ensure allocations not being brought forward are speedily resolved within parameters aimed at new delivery. 	
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?	<ul style="list-style-type: none"> Yes, we agree to this proposal provided sufficient resources can be mobilised to meet the 'high standard'. For example, all, or a greater proportion of, 'Right to Buy' receipts to be retained by the LA to help deliver estate regeneration, or similar. The White paper does not make sufficient link to the planning issues and availability of funding to cover the higher than normal costs of carrying out regeneration over 	

		<p>and above new build on an average site. Giving LA's more flexibility on the use of receipts or lifting HRA borrowing headroom caps would enable more regeneration to be done with the provision of an improved tenure mix on such sites. The social and economic benefits of regeneration should be a material consideration in any planning assessment.</p>	
8a	<p>Do you agree with the proposals to amend the National Planning Policy Framework to:</p> <p>a) Highlight the opportunities that neighbourhood plans present for identifying and allocating small sites that are suitable for housing?</p>	<ul style="list-style-type: none"> • National Policy should be strengthened to include an expectation that Neighbourhood Plans will allocate sites, where the impact of allocating these sites is contained within the Neighbourhood Plan area. • A Neighbourhood Plan would not be the appropriate mechanism for allocating strategic or larger sites where alternatives beyond the Neighbourhood Plan area should be assessed. • The proposed approach would concur with the new Community-led Housing Fund initiative within the government's current programme to deliver locally determined community-led housing schemes and also link in to the proposal for 10% of allocations to be for sites under 0.5 hectares. It is feasible that sites of this size could be included within a Neighbourhood Plan. Such developments would help to support and work with SME's locally to diversify the number of players in the construction industry. 	
8b	<p>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?</p>	<ul style="list-style-type: none"> • Whilst local planning authorities can help to support villages and services through the provision of housing, it is not clear what other specific opportunities are being referred to and how this relates to the planning system. Request for more detail to accompany this proposal. • However, it is acknowledged that there are villages where services are under threat due to insufficient customers/footfall – this can be in the form of schools with falling roll, local shops with reduced customers, – where increased levels of additional housing would improve their longer term viability. If this were to include a range of housing types and tenures then this would assist in the local authority 	

		meeting its wider housing needs and helping communities to remain sustainable or become more sustainable.	
8c	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?	<ul style="list-style-type: none"> • The principle of allowing an element of market housing on rural exception sites is already established. The element of market housing needs to be justified by genuine considerations of viability and by the scale of the affordable housing this would facilitate and how the affordable housing relates to meeting need. • Paragraph 54 already allows for a proportionate amount of market homes on rural exceptions sites in order to cross-subsidise the affordable provision. As build costs have increased in recent years the costs of providing small numbers of homes (Rural Exception Schemes are typically 6 – 8 units) becomes more difficult and attracts less willing land owners, if a small proportion of say 20 – 30% of the units aren't for open market sale to provide the subsidy. Local Authorities could include in their local plans that the open market homes should meet a local need in the market, and give greater weight to applications that include such provision. For example, based on Local Housing Needs survey evidence there may be a need for some older persons housing to enable owner occupiers to downsize but remain in their local community. 	
8d	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?	<ul style="list-style-type: none"> • It is considered that this is too prescriptive. In reality a proportion of sites allocated for residential use would come forward on smaller sites, but site allocations should be selected on the basis of sustainability appraisal and deliverability rather than to meet an arbitrary threshold. • This would make provision for small builders but it is a costly time consuming process (examination in public as part of the Local Plan) that surely the normal planning process could pick up? In reality wouldn't they all get developed before the end of the Plan process? Wouldn't it be better for these to be identified through the Neighbourhood Plan process? 	

		<ul style="list-style-type: none"> Part of the Council's Investment and Delivery Plan is to work to support SME builders working in our area. Our Members supported this proposal and it is acknowledged that more needs to be done to diversify the builder/developer supply base. 	
8e	e) Expect local planning authorities to work with developers to encourage the sub-division of large sites?	<ul style="list-style-type: none"> It is thought that the intention behind this proposal relates to supporting smaller builders. However, this proposal is likely to increase the complexity of delivering large sites particularly in relation to provision of infrastructure, and is therefore not supported by Planning Policy colleagues. It is hard to see how local authorities secure or enforce this? We would welcome more in-depth dialogue to bottom out the detail of such a proposal in action, on the ground. 	
8f	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?	<ul style="list-style-type: none"> Where up to date policies are in place, and in combination with Permission in Principle, it is not thought that the use of Local Development Orders would in general enable small sites to be brought forward more quickly. It is recognised that LDO's can be useful in some situations, but their use should be targeted. We are not sure why area design codes would necessarily deliver development <u>faster</u>? Wouldn't it just ensure that all the development was the same and dilute innovative approaches and ignore the context for development – in rural areas context is something that local communities consider is very important. LDO's could be used in a targeted way in order to address a local issue – such as development of specialised housing in a given area, or provision of sites for Travellers. As these three comments show, more consideration of this proposal is required and we would welcome the opportunity to contribute to any further changes at a later date. 	
9	How could streamlined planning procedures support innovation and high-quality development in new garden towns and villages?	<ul style="list-style-type: none"> Local Development Orders and 'oven ready' land for certain types of development only - such as off site and modular construction buildings - could be one method of 	

		<p>enabling innovative schemes and faster delivery.</p> <ul style="list-style-type: none"> Timely starts and completion of schemes conditioned in planning permission. Community Land Trusts and Neighbourhood Plan policies could both play a part in the delivery process particularly in rural areas by identifying land and types of development that are acceptable for their area. 	
10a	<p>Do you agree with the proposals to amend the National Planning Policy Framework to make clear that:</p> <p>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?</p>	No comment as no Green Belt in this area	
10b	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?	No comment as no Green Belt in this area	
10c	c) Appropriate facilities for existing cemeteries should not to be regarded as 'inappropriate development' in the Green Belt?	Although we have no Green Belt in this area the proposal is considered to be common sense.	
10d	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?	N/A as no Green Belt in the LAs	
10e	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?	N/A as no Green Belt in the LAs	
10f	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?	N/A as no Green Belt in the LAs	
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?	<ul style="list-style-type: none"> Although we do not have a green belt in this area, surely any amendment to Green Belt land must have assessed the quality of the environment before amendment not whether the land can accommodate development? 	
Strengthening neighbourhood planning and design			
12a	Do you agree with the proposals to	<ul style="list-style-type: none"> The proposal should not just relate 	

	<p>amend the National Planning Policy Framework to:</p> <p>a) Indicate that local planning authorities should provide neighbourhood planning groups with a housing requirement figure, where this is sought?</p>	<p>to Neighbourhood Plan groups who request a figure, but should also apply to all Neighbourhood Plan groups. The figure should relate to a proportion of District – wide need, and not be based solely on needs local to the Neighbourhood Plan area.</p> <ul style="list-style-type: none"> • We would propose that the amount of housing that a Neighbourhood Plan should provide for should also take into account any Local Needs Housing Survey information and what size settlement the NP covers within the Councils overall settlement hierarchy discussed in the Local Plan. • With a caveat that if everything is evidence based, how can we just offer a figure when this would need to be impact tested? 	
12b	<p>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?</p>	<ul style="list-style-type: none"> • We agree to endorse this proposal. • However, one operational team has reservations that this approach may pull away from the importance of context within plan making, and whether the development designed is fit for purpose and location. The White paper needs to take account of rural communities where design is very important to existing communities particularly where there are heritage assets present as is the case in many rural areas of Suffolk. • In the writing of Neighbourhood Plans, design is a locally important issue, so anything that helps to clarify design expectations will help prospective applicants to put forward a scheme that will be more acceptable locally and hence more chance of being approved. We would suggest however that the use of design codes or similar does not overburden the development and make it unviable. 	
12c	<p>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?</p>	<ul style="list-style-type: none"> • This proposal is endorsed. • Babergh & Mid Suffolk supports the use of design review panels and more emphasis should be put on pre- application discussions which involve working with the community and engaging directly with them because early pre-app and community engagement will help all parties to understand the constraints and opportunities for development in an area and the 	

		design of dwellings proposed.	
12d	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?	<ul style="list-style-type: none"> • Whilst there is no obvious issue with this proposal, it is logical that if a proposal accords with design guidance it wouldn't be refused on those grounds. • However, our Members view was that in certain circumstances there may be valid reasons to refuse an application where very particular design considerations needed to be included. 	
12e	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? http://www.udg.org.uk/publications/other-publication/building-life-12-2016-edition	<ul style="list-style-type: none"> • This proposal is endorsed. • 'Building for Life' is a good concept –if this were set as a policy requirement it would be tested through the Local Plan Whole Area Viability Process. • On the basis that new housing supply remains an asset in the community for 60+ years the quality of that housing in terms of internal design and layout (and this includes space standards) is a key element of the contribution of that housing to a sustainable community. We would wish to see all, or a substantial percentage of housing built to Lifetime Homes standards or their equivalent. 	
13a	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?	<ul style="list-style-type: none"> • We deem this to be N/A within BMSDC as there is no shortage of land. But we note this continues with current approach to making effective and efficient use of land. 	
13b	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?	<ul style="list-style-type: none"> • This is supported subject to provisions in questions 13c and 13d below, and would also need to be subject to consideration of viability. • If there are no adverse impacts, why not? However this is an urban issue and not really applicable in a rural area. • There could be scope for some types of housing to be built at higher densities such as for older people or affordable private rent. Currently in our two council areas there are no high rise residential developments above 4-storeys, but could see that densities may need to increase in more urban areas. 	

13c	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?	<ul style="list-style-type: none"> • See 13b 	
13d	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?	<ul style="list-style-type: none"> • See 13b • Yes, agreed. Any approach should be flexible. 	
14	In what types of location would indicative minimum density standards be helpful, and what should those standards be?	<ul style="list-style-type: none"> • It is not considered appropriate for indicative minimum (or absolute minimum) densities to be set as an appropriate density will depend on local circumstances including those referred to under question 13. • Maybe in an urban setting where estate regeneration is being proposed or in a new settlement. This could be set by the Local Authority based on the circumstances of that location. 	
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)?	<ul style="list-style-type: none"> • We are clear that such proposals may be facilitated by the use of Local Development Orders. • We would like to emphasise that all land should be used as effectively as possible, not just public sector land. 	
Proposals from Chapter 2 BUILDING HOMES FASTER			
Providing greater certainty			
16a	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?	<ul style="list-style-type: none"> • We agree that this seems to be a reasonable proposal. 	
16b	b) the Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy?	<ul style="list-style-type: none"> • In order for this proposal to work effectively we believe the Planning Inspectorate will need to be properly resourced to undertake this task in a timely manner in order that authorities are not delayed in publishing their 5 year supply, which is usually shortly after the end of the financial year. 	
16c	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?	<ul style="list-style-type: none"> • The role of the Planning Inspectorate should be to agree the approach the local authority has taken, rather than undertaking an assessment of the figure itself. 	

		<ul style="list-style-type: none"> Following an initial consideration, we propose that 'assessments' in subsequent years should involve more of a 'light touch' approach, only focussing on circumstances that have changed rather than a wholesale review. 	
17a	<p>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:</p> <p>a) a requirement for the neighbourhood plan to meet its share of local housing need?</p>	<ul style="list-style-type: none"> Neighbourhood Plans should be required to meet a proportional share of District housing need i.e. 'local' as in the proposal (not just need local to the Neighbourhood Plan area) with the proportionate view taking account of the classification of the settlement within the hierarchy set out in the Local Plan document In our experience to date the definition of "local" needs to be clarified. Most NP activity within our two districts have focussed on the local needs of the village but have been silent or reluctant to consider their role in meeting the wider housing needs of the district. 	
17b	<p>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?</p>	<ul style="list-style-type: none"> The requirement to meet the delivery test and maintain a 3 year supply (in the case of Neighbourhood Plans) appears to be creating a double penalty for not meeting requirements. (See comments on housing delivery test under question 28) 	
17c	<p>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?</p>	<ul style="list-style-type: none"> Neighbourhood Plans should contain allocations; otherwise the certainty that the Neighbourhood Plan will deliver its share of District need will be significantly reduced. 	
18a	<p>What are your views on the merits of introducing a fee for making a planning appeal? We would welcome views on:</p> <p>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.</p>	<ul style="list-style-type: none"> 18a) and b). We believe a nominal fee could be introduced but question which organisation gets to keep the fee? Would it be PINS or the Local Planning Authority? We believe the LPA should keep the fees to cover the work involved in this statutory function. Is the fee to cover administration costs or is it to incentivise appeals or penalise Local Planning Authorities? Greater clarity is required on this point in terms of which organisation gets the fee and what to use it could and should be put. 	
18b	<p>b) the level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful.</p>	<ul style="list-style-type: none"> A sliding scale of charges dependent upon the size of proposed development seems reasonable if a fee is introduced. Are the fees being introduced to cover administrative costs and for 	

		<p>which organisation (PINS or the LPA). Fees should not be returned when an appeal is successful. There are many cases where a legitimate appeal can be lodged and where a case can be heard where a case can turn on points which are material but the weight which is given to the points may differ between PINS and the LPA but it does not necessarily follow that the refusal was poor or the appeal decision good. This point runs to the heart of the matter...is the fee to cover costs of the appeal work or to penalise local authorities; might an appeal cost stifle the ability to get appeals heard.</p>	
18c	c) whether there could be lower fees for less complex cases.	<ul style="list-style-type: none"> • Lower appeals fees for smaller, less complex developments could be considered and we deem this not to be unreasonable. 	
Ensuring infrastructure is provided in the right place at the right time			
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?	<ul style="list-style-type: none"> • Yes, we agree this is reasonable and could be included on the Regulation 123 List in respect of CIL. • If setting out how high quality digital infrastructure will be delivered becomes a local planning policy how does this help delivery, as its normally technological advancement that sorts out what is possible? 	
20 – both parts	<p>Do you agree with the proposals to amend national policy so that:</p> <p>a) the status of endorsed recommendations of the National Infrastructure Commission is made clear?; and</p> <p>b) Authorities are expected to identify the additional development opportunities which strategic infrastructure improvements offer for making additional land available for housing?</p> <p><i>Background:</i></p> <p><i>1.1 The National Infrastructure Commission (NIC) has been established as an executive agency of the Treasury to provide impartial, expert advice and make independent recommendations to the government on economic infrastructure. The NIC will operate independently, at arm's length from government. Its objectives are to:</i></p> <ul style="list-style-type: none"> • <i>support sustainable economic growth across all regions of the UK</i> • <i>improve competitiveness</i> • <i>improve quality of life.</i> 	<ul style="list-style-type: none"> • We are supportive of both these proposals as long as the infrastructure investment money is created to back this up to make it happen. 	

	<p>1.2 The Commission will advise the government on all sectors of economic infrastructure, defined as follows: energy, transport, water and wastewater (drainage and sewerage), waste, flood risk management and digital communications. The Commission will also consider the potential interactions between its infrastructure recommendations and housing supply.</p> <p>NIC document and what we do</p>		
Holding developers and local authorities to account			
21a	<p>Do you agree that:</p> <p>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?</p>	<ul style="list-style-type: none"> • 21a)-d) this would help inform infrastructure provision delivery discussions such as where new schools should be provided and built. • It would also help to plan for delivery of the different house types and tenures which helps local authorities to monitor how effective their Housing Strategies are delivering the different types of homes needed in the district. 	
21b	<p>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?</p>	<ul style="list-style-type: none"> • This approach is endorsed and would assist in housing land supply calculations. 	
21c	<p>c) the basic information (above) should be published as part of Authority Monitoring Reports?</p>	<ul style="list-style-type: none"> • It is agreed that this should be published in the Annual Monitoring Report. 	
21d	<p>d) that large housebuilders should be required to provide aggregate information on build out rates?</p>	<ul style="list-style-type: none"> • Yes, we feel this would be helpful especially if it could be available at single district level, and some comparators and context put in place. • For example, numbers of house type built and buyers, housing tenures, type and size of site. • We would intend to use this information to better understand which locations are getting the highest large housebuilder build out rates compared to our own, so we can focus in on the factors that support 'better' build out rates. However, we are always primarily focussed on building homes to meet identified and evidenced need. 	
22	<p>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</p>	<ul style="list-style-type: none"> • Generally supportive as delivery (and in turn viability considerations) could be more central to the grant of planning permission and 	

	housing development?		
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.	<ul style="list-style-type: none"> Proposals 23 and 24 concerning delivery shouldn't be about judging the applicant, it is about judging the merits or not of the case and whether the scheme is deliverable (as in viable). However if a Local Authority has experience of a developer routinely achieving planning permission and not delivering on those permissions, this should be considered as an additional factor and should be taken in to consideration by the LPA. 	
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.	<ul style="list-style-type: none"> Proposals 23 and 24 concerning delivery shouldn't be about judging the applicant it is about judging the merits or not of the case and whether the scheme is deliverable (as in viable). However if a Local Authority has experience of a developer routinely achieving planning permission and not delivering on those permissions, this should be considered as an additional factor and should be taken in to consideration by the LPA particularly for larger sites or where the site is a strategic allocation. 	
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.	<ul style="list-style-type: none"> This seems reasonable, although in practice might not have a significant effect. Members are keen to see this legislated and fully support this proposal. 	
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?	<ul style="list-style-type: none"> Members are keen to see this simplification and clarification from a Local Planning Authority perspective, as it will potentially increase the speed of delivery. 	
27 Both parts	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?	<ul style="list-style-type: none"> This is an interesting proposal but what penalties exist and what would deter a Local Planning Authority from doing this? We believe this question is better answered directly by the market stakeholders. 	
28a	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	<ul style="list-style-type: none"> Yes, we agree with these proposals and in particular the term 'up-to-date plan' should be clearly defined. 	

	where this is set out in an up-to-date plan?		
28b	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?	<ul style="list-style-type: none"> • Yes we agree, with clarity also provided over the use of OAN figures published in Strategic Housing Market Assessments in the interim. 	
28c	c) Net annual housing additions should be used	<ul style="list-style-type: none"> • Yes we agree as this reflects current practice. 	
28d	d) Delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17?	<ul style="list-style-type: none"> • Monitoring delivery should not go back beyond the start date of the plan. There also appears to be creation of a double penalty for under delivery, in that under delivery in previous years is already accounted for in the 5 year supply calculations. 	
29a	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 authorities annual housing requirement?	<ul style="list-style-type: none"> • The production of an action plan in itself may not effectively tackle the issue of under delivery, and is likely to be dependent on gathering secondary information from developers. Local authorities' resources would be better used to address specific issues that they are aware of. 	
29b	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%	<ul style="list-style-type: none"> • Yes. This would provide a definition of 'persistent' in the NPPF, as this has been widely debated. 	
29c	c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%	<ul style="list-style-type: none"> • The proposal to apply a transition period to the housing delivery test is supported. 	
29d	d) From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%		
29e	e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%		
30	What support would be most helpful to local planning authorities in increasing housing delivery in their areas?	<ul style="list-style-type: none"> • Strengthen the part to play that viability assessments make in the process. Require all developers to submit them and for the LPA to have them tested so that all developments that are granted are viable and thereby prevent reapplication for no fee at a later date so that we do the job right first time thus being more effective and efficient. • For those Local Authorities that 	

		have Housing Revenue Accounts where the borrowing headroom has been reached – allow an extension to this to enable LA's in this position to carry on building new homes.	
AFFORDABLE HOUSING			
31 31a	<p>Do you agree with our proposals to:</p> <p>a) Amend national policy to revise the definition of affordable housing as set out as follows?</p> <p>Proposed definition of affordable housing:</p> <ul style="list-style-type: none"> • <u>Affordable housing</u>: 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. • <u>Social rented and affordable rented housing</u>: 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. • <u>Social rented housing</u> 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. • <u>Affordable rented housing</u> 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). • <u>'Starter homes'</u> 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 	<ul style="list-style-type: none"> • In principle but with the following comments: • Eligibility is determined by housing need under the Housing Act 1996 but the consultation mentions OAN modelled housing eligibility related to house price and income. The Housing Act and Planning Acts are in conflict. • Social rented: Does not mention who it is let to but affordable rented says let the same as social rented, it should be clearer • There may be a gap between Local Housing Allowance and affordable rented - the definition should reflect the ability to be locally determined. Three new build 2 bed houses were recently advertised on our Choice based Lettings website at an affordable rent of £156.92 per week; the LHA rent cap for this property was £126.31 a difference of £30.61 per week. • <u>Starter Homes</u> – We consider that this disadvantages those on lower income if the houses are priced too high. What is the criterion set out in statute? Is this set by Local Plan? • <u>Discount Market Sale</u> - agree in principle but will need clarification over perpetuity issues. It will be acceptable in a broad sense as part of an overall mix and will meet some need but not the needs of those on the housing register. May be useful for aspiring open market sale first time buyers in line with income limits on starter homes. On our current housing register we have a number of applicants on Band E which is the lowest band and assesses the applicant in no immediate housing need, i.e. they are technically adequately housed in terms of adequate space for the household size. We know from our evidence base that these households register for a number of reasons – insecure tenancies, high private rent levels etc. Income levels – some applicants in band E 	

	<p>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).</p> <ul style="list-style-type: none"> • <u>Discounted market sales housing</u> 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. • <u>Affordable private rent housing</u> 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. • <u>Intermediate housing</u> 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). 	<p>may be able to afford starter home but many will not. There are problems for those wanting to rent from band E - how do they access market homes - starter homes and low cost home ownership?</p> <ul style="list-style-type: none"> • <u>Affordable private rent housing</u> - Will not work well in rural areas, the developer may receive grant but it will be / may be too high a risk for developer unless on larger scale. Rental yield in rural areas is not sufficiently attractive or commercially viable - would Government consider a model for rural areas? • <u>Intermediate housing</u> - Shared ownership ought to have its own definition. Intermediate does not reflect the market and the definition is confusing and too woolly, and requires clarification. It is considered that we do not require "intermediate" term as we now have affordable rent, consider rewriting definition from a householder's perspective to make the products clearer. 	
31b	b) Introduce an income cap for starter homes?	<ul style="list-style-type: none"> • Yes in principle - but locally set from the Strategic Housing Market Assessment data held locally and LA's should be able to set their own thresholds which reflect wage levels. The existing income cap of £80,000 for Shared ownership products does not reflect the considerably lower average earnings that we have in this area of around £23k pa. 	
31c	c) Incorporate a definition of affordable private rent housing?	<ul style="list-style-type: none"> • In principle as it adds to housing 	

		options and has the benefit of longer tenancies than current private rent models and will enable more security for households requiring it, although concerns that this will not be an attractive proposition financially for developers in rural areas. See answer to 31(a) on Private affordable rent.	
31d	d) Allow for a transitional period that aligns with other proposals in the White Paper (April 2018)?	<ul style="list-style-type: none"> • Yes as long as it doesn't delay further than April 2018 - changes in NPPF that may affect this? 	
32a	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?	<ul style="list-style-type: none"> • 10% is agreeable in principle but have concerns over site sizes – we would propose there is a restriction on numbers of units to over 30 or 1.0 hectare. • We are concerned we could end up in a position where we only get 10% home ownership and no affordable rent on sites below 30 units due to viability issues. Would be in agreement on sites of over 30 units but in our local context where earnings to house price ratios are at 9 or 10:1, rented products are still in high demand. • Rural schemes may be affected. Would propose that Rural Exceptions sites and Community Land trust projects are exempted from this proposal 	
32b	b) that this policy should only apply to developments of over 10 units or 0.5ha?	<ul style="list-style-type: none"> • We disagree with this proposal - 10 units would be too low for rural areas, would propose that this is a requirement for all sites over 30 units but that inclusion of home ownership on sites below 30 units is left to the discretion of the Local Authority to reflect local need and demand. On small sites we are experiencing issues around mortgage lenders being willing to lend on small number of shared ownership units, or RP's finding small numbers difficult to sell due to their rural location. 	
33	Should any particular types of residential development be excluded from this policy?	<ul style="list-style-type: none"> • Affordable housing or housing which is for elderly or specialist older accommodation or disabled accommodation which is meeting a specialist housing need. • Yes build to rent, Rural Exception Sites, Community Land Trust schemes, and supported housing schemes all should have local discretion and not be included. 	

SUSTAINABLE DEVELOPMENT

34	<p>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?</p>	<ul style="list-style-type: none"> • This seems reasonable. Clarity is good and to be welcomed. • We agree with the proposal which clarifies the Government's view of what sustainable development means for the planning system i.e. sustainable development must perform an economic, social and environmental role. • We would welcome a change in the terminology used so that the phrases 'sustainable' and 'sustainability' are used in the correct way i.e. the ability to be sustained, supported, upheld, or confirmed rather than being generically applied to 'green' and 'environmental' issues e.g. "If I am sustainable I am green"; such a claim is not always true. • The desired result would be that environmental issues such as increases in emissions, energy conservation, temperature rise etc. are clearly identified and recognised issues with specific policies and actions designed to address them. 	
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Meeting the challenge of climate change

35a	<p>Do you agree with the proposals to amend national policy to:</p> <p>a) Amend the list of climate change factors to be considered during plan-making, to include reference to rising temperatures?</p>	<ul style="list-style-type: none"> • In principle we agree to the proposals but have concerns about how it would be assessed and what will the criteria and measures would be? • Proposal to amend a) and b) We agree, but the removal of national policies that relate to climate change e.g. removal of 'The Code for Sustainable Homes', removal of 'Zero Carbon Property', discourages local authorities from imposing supporting policies as they will be open to challenge in the courts. The tendency is 	
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		<p>that development will always be constructed to the lowest possible standard, as to exceed this creates additional cost and potentially lower profit margins.</p> <ul style="list-style-type: none"> • Developers are often not the end-users and so there remains a 'disconnect' between builder and owner, as well as the two having differing aims. Is there any mechanism for ensuring this does not happen in practice i.e. to strengthen / bring together the joint aims of a developer and end user? 	
35b	b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?	<ul style="list-style-type: none"> • How would it be assessed and what would the criteria and measures be? 	
Flood risk			
36	<p>Do you agree with these proposals to clarify flood risk policy in the National Planning Policy Framework? (See accompanying text A.137- A.139) specifically to:</p> <ul style="list-style-type: none"> • Make some amendments to clarify the application of the Exemption test • Clarify that planning applications for minor developments and changes of use are expected to meet the requirements of para 103 • Clarify that planning policies to manage flood risk, should, where relevant, also address cumulative flood risks which could result from the combined impacts of a number of new but separate developments in (or affecting) areas identified as susceptible to flooding. 	<ul style="list-style-type: none"> • This seems reasonable and as flood risk is an issue for many sites, more clarity would be welcome. 	
Noise and other impacts on new developments			
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?	<ul style="list-style-type: none"> • We agree with these proposals and it makes sense to take account of nearby existing land uses when granting permission. 	
Onshore wind energy			
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?	<ul style="list-style-type: none"> • We have no objection to this proposal in principle. • We agree that no transition period is required as sufficient time has passed since the Ministerial Statement has been issued. • <u>However</u>, we <u>do not</u> agree with all of the wording of the 	

		<p>amendment to paragraph 98 NPPF.</p> <p>The proposals are:</p> <p><i>Clarify which parts of existing policy relate specifically to onshore wind energy development and which to all forms of renewable and low carbon energy development;</i></p> <ul style="list-style-type: none"> • We agree that this clarification should go ahead. <p><i>Remove the need for wind energy development applications outside of suitable areas identified in plans to demonstrate that the proposed location meets the criteria used in identifying suitable areas;</i></p> <ul style="list-style-type: none"> • We disagree with this amendment. If suitable areas have been identified then wind development should happen in these areas. If a proposal is put forward for another area it should include justification otherwise what was the point of identifying suitable areas in the first place? <p><i>Be clear that proposed wind energy development involving one or more wind turbines should 'not be considered acceptable' rather than 'should only grant planning permission' to reflect</i></p> <ul style="list-style-type: none"> • We do not believe this provides clarity. If onshore wind is no longer required or desirable then this must be clearly stated. 	
END			

This is the complete list of questions contained in the 'Planning and Affordable Housing for Build to Rent' consultation.

Any questions please contact Julie Abbey-Taylor on 01449 724782 julie.abbey-taylor@baberghmidsuffolk.gov.uk

Question number	Question	Response	
1	<p>Please Provide your name and contact details in the box provided, and whether you are responding:</p> <ul style="list-style-type: none"> As an private individual On behalf of an organisation 	<ul style="list-style-type: none"> Julie Abbey-Taylor Tel 01449 724782 or julie.abbey-taylor@baberghmidsuffolk.gov.uk Responding on behalf of an organisation. 	
2	<p>If you are responding as a private individual, please identify in what capacity you are replying and whether your main interest is as:</p> <ul style="list-style-type: none"> A person living in private rented accommodation A person living in affordable housing A private landlord Other 	<ul style="list-style-type: none"> N/A 	
3	<p>If you are responding on behalf of an organisation, please identify in what capacity you are replying and the main interest of your organisation (tick all that apply)</p> <ul style="list-style-type: none"> An investor in Build to Rent schemes A developer of Build to Rent homes A lender to Build to Rent schemes A supplier of management and/or other services to Build to Rent homes Other private landlord Social Landlord (either Registered Provider or Local Authority) A developer of other housing tenures besides Build to Rent A trade or other representative body Local Authority Other 	<ul style="list-style-type: none"> Responding on behalf of two Local Authorities in regards to their function as a Local Planning Authority, Strategic housing enabling function and Local Plan making authority 	
4	<p>Please specify the part of England in which you live, or your organisation's activities (or Members) are principally located.</p>	<ul style="list-style-type: none"> The organisations are located in the East of England. 	
5	<p>Do you consider there are market and regulatory failures impeding the rapid development of the Build to Rent market that merit national policy intervention? Please add</p>	<ul style="list-style-type: none"> There are market failures or market distortions that already exist - this depends on the specifics but they are not restricted to the delivery of the Build to Rent sector. BTR may fulfil some areas of housing need so any 	

	comments.	<p>intervention which would be restrictive would need to be fully considered to ensure it does not result in less delivery.</p> <ul style="list-style-type: none"> • Policy intervention at a national level would ensure regulations exist to deliver Build to Rent through the local plan where there is an identified need to do so. Build to Rent will cater for a range of housing needs that supports economic growth, providing easy access to accommodation, stability and good quality accessible housing. • Build to Rent schemes need to be defined in such a way as to clearly differentiate them from other forms of development. The Council supports the proposals that they should be 100% rented, possibly as part of a mixed tenure development but have to be on the same site or contiguous, offering 3+year length 'Family Friendly' tenancies and that they will be professionally managed in single ownership. 	
6	Do you agree with the proposal to refer explicitly to Build to Rent in the National Planning Policy Framework?	<ul style="list-style-type: none"> • Yes – subject to there being demonstrable need in the locality on this specific affordable need and with clarity on the definition in terms under which it is offered and managed as part of an application. • Affordable Private Rent should be described as a form of affordable housing that is delivered exclusively through a Build to Rent scheme. We would not want to see Affordable Private Rent substituting the more traditional affordable housing managed by registered providers on other sites that are not specific to Build to Rent. • There needs to be robust mechanisms to ensure Affordable Private Rent is allocated to households whose needs are not met by the market based on local incomes. 	
7	Do you think that the Government should set a policy expectation on Affordable Private Rent in the NPPF, or not?	<ul style="list-style-type: none"> • No – This would be dependent on the levels of local need and it would be part of the provision and overall affordable housing position. It would be based on the outcome of the assessments that the quanta and expectations should be set and therefore not a blanket approach. • The consultation paper states that schemes will typically be professionally managed stock in single ownership and management control. It is therefore presumed that there will be no registered provider role in the Affordable Private Rent; this should be clearly stated in its definition. There is some concern that 	

		there will be no safeguards in place as to the management of Affordable Private Rent if there is no regulation as there currently is through the more traditional forms of affordable housing.	
8	Will a policy expectation in the NPPF send a sufficiently strong signal to support Affordable Private Rent as the main vehicle for affordable housing in Build to Rent?(please state your reasons)	<ul style="list-style-type: none"> • See the answer to Q7 where a policy expectation is not supported. • We would support a policy expectation in the NPPF if the definition of Affordable Private Rent is restricted to Build to Rent schemes only and that it is the only form of affordable housing that is to be delivered on Build to Rent schemes. 	
9	Do you consider that Affordable Private Rent could play a useful role in the delivery of affordable housing in the area you operate?	<ul style="list-style-type: none"> • The definition of affordable housing has continued to expand over the past 5 years – there are now numerous products which to the housing applicant is confusing. Some of the products are questionably affordable in its true sense and can be much higher than Local Housing Allowances would support in terms of rent or are affordable in terms of mortgage debt. • It may be a product that would be an alternative to those households that are already in private rented accommodation or will end up moving in to that tenure by providing longer term tenancies than the standard Assured shorthold tenancy. However in this area the rental yields are unlikely to be sufficient to encourage institutional investors to come to this area. 	
10	Do you consider that the efficiencies arising through on-site provision of Affordable Private rent can materially improve the viability of Build to Rent, compared to other affordable housing tenures?	<ul style="list-style-type: none"> • It may help the overall viability of a scheme in comparison to standard products we seek such as Affordable rent or shared ownership; however as per bullet point 2 in Q9, the rental yields are too low to make this tenure a viable alternative for most parts of the two districts we cover. The local market of developers is familiar with the more traditional AH tenures. The large housebuilders that work in Suffolk are unlikely to be the developers of Affordable Private rent and they control most of the larger sites coming forward. • The efficiencies that could be achieved with such a tenure could deliver depends on the scale of the development. In a more urban area we could see a high density scheme which delivers numbers on a smaller site area would improve viability. Such densities are unlikely to be delivered in market towns with a rural hinterland so we cannot see such a model working in this area. • Current guidance on viability 	

		<p>appraisals is geared towards residual valuations, which suit open market sale led schemes. Alternative appraisal models are needed that are accepted by investors and developers alike that encourage Build to Rent to be seen as an equally viable form of development. It should also be appreciated that the procurement of Build to Rent schemes is quite different from Market Sale developments, which are often Housebuilder led and often favour slower (traditional) construction methods and longer marketing periods.</p> <ul style="list-style-type: none"> • Build to Rent schemes could be procured by investor / owner / managers who may prefer the higher quality and quicker build opportunities that Off Site Manufacturing (OSM) can deliver. The ability for the schemes to be occupied quickly after completion and en mass is another key differentiator of Build to Rent from Market Sale 	
11	Do you consider that there could be unintended consequences of Affordable Private Rent if it is accepted as form of affordable housing?	<ul style="list-style-type: none"> • Yes – if Affordable Private Rent is not restricted exclusively to Build to Rent, then there is a risk that developers could, for example, attempt to reduce the requirement for other forms of affordable housing, especially Affordable Rent and Social Rent on schemes that are market sale led. • The management of Affordable Private Rent that is not part of a larger Build to Rent scheme would be a cause for concern that these would not be managed appropriately. Affordable Private Rent should be restricted to the Build to Rent Sector with the restrictions set out in our responses to Q6 – Q10 above. 	
12	If your answer to 11 is yes, would these consequences be mitigated by limiting affordable Private Rent only to Build to Rent schemes?	<ul style="list-style-type: none"> • Yes but with some safeguards included in regards to management arrangements. 	
13	Do you think it is reasonable for Planning Authorities to specify a minimum tenancy length in Build to Rent Schemes? Please add your reasons, and give examples of such agreements where appropriate.	<p>Yes a minimum tenancy of one year as a standard and longer for households that want them as detailed in Q14. This product is not known to the wider public so its availability needs to be promoted and as a potentially longer term option than most open market rented tenancies.</p>	
14	Do you agree that Build to Rent tenancies should be for at least three years (with a one month break option for the tenant after the first six months) for all customers in the development who want one?	<ul style="list-style-type: none"> • Yes agreed. Our Members were very keen to see that families with children could secure longer tenancies to provide continuity within a community and particularly for school age children. Equally older people may be inclined to choose this as a suitable 	

		tenure if longer term tenancies were available.	
15	Does the definition of Build to Rent set out on page 20 capture all of the appropriate elements? (If not please state why, and what criteria should apply).	<ul style="list-style-type: none"> Yes agreed with the definition but would also propose the inclusion of a covenant to remain as rented housing for a minimum period of 7 years. 7 years is equivalent to the claw-back included within CIL regulations where exemptions have been applied on the basis of a specific tenure and the owner changes the tenure to one that is not eligible for an exemption. 	
16	Do you agree that the NPPF should put beyond doubt that Affordable Private Rent qualifies as affordable housing in Build to Rent schemes? (If not, please state why.)	<ul style="list-style-type: none"> Yes agreed – subject to the requirement for clarification sought in Q6. 	
17	Do you agree with the proposed definition of Affordable Private Rent set out on page 21? (If not, please state why, and what criteria should apply.)	<ul style="list-style-type: none"> It is considered that Planning Practice Guidance would be more appropriate for any detail. 	
18	<p>The Government intends to set the parameters of Affordable Private Rent as:</p> <ul style="list-style-type: none"> A minimum of 20 % of the homes to be discounted; The discount to be set at a minimum of 20% relative to the local market; An offer of longer term tenancy of three years or more; The discount to apply indefinitely (subject to a “claw-back” arrangement if Affordable Private Rent homes are withdrawn). <p>Taken as a whole. Are these parameters:</p> <ul style="list-style-type: none"> (i) reasonable; (ii) too onerous (iii) insufficient (iv) Which, if any of them would you change and why? 	<ul style="list-style-type: none"> The parameters are considered to be reasonable taken as a whole. 	
19	Should the parameters for Affordable Private Rent appear on the face of the NPPF or within Planning Practice Guidance?	To be included within Planning Practice Guidance	
20	The Government is minded to leave determination of eligibility and nomination criteria for Affordable Private Rent to negotiation between the developer and the local authority. Do you support this position? Will it affect take-up of the policy? Please give your reasons	We would prefer to see the eligibility and nomination criteria determined by the Local Authority in discussion with the developer. It is also detail that we would seek to include in any Affordable Housing SPD that would follow our Local Plan preparation.	
21	The Government considers there is no need for a fixed minimum covenant period, so long as	Given the considerations with starter homes, and the CIL exemption for affordable homes, we consider that there should be a covenant	

	appropriate claw-back arrangements are provided for. Do you agree?	period of at least 7 years and a claw-back. Both are essential or else the units could simply be exchanged to open market housing and would not encourage institutional investors to invest money on a long term basis or invest in good quality management services.	
22	Do you think Government should (a) prescribe the basis for calculating the amount of claw-back, (b) set a possible basis for calculating the amount of claw-back in guidance, or (c) leave the amount of claw-back to be agreed between the local authority and the applicant?	(a) – yes agree there should be a prescribed basis for calculating the amount of claw-back. (b) Agree that the Government should provide a methodology for the calculation of claw-back in order to bring some certainty to both parties and to provide standardisation to prevent another area of negotiation which would add in delay to assessing an application. (c) Disagree – see answer to (b)	
23	Should the Government’s Build to Rent and Affordable Private Rent policy be identical across the whole of England or does it need to be set differently between London and the rest of England? If it should be set differently, please use the comments box to tell us how and why the policy should vary from the rest of England.	The housing market in London is recognised by being distinctly different to the rest of the country. Many of the Governments housing initiatives recognise this and have introduced different salary or price thresholds for London and elsewhere. We would propose that any Build to Rent Policy should reflect this and set different parameters to demonstrate the market differences.	
24	Would it be helpful for Government to produce model clauses (which would not be mandatory) that could be used in S106 agreements to give effect to Affordable Private Rent?	Yes agreed these would be useful - subject to consideration of their content.	
25	Is a transitional period of six months appropriate for the introduction of the policies proposed in this consultation? If not, why not?	Six months is considered to be insufficient. An introduction date of April 2018 would be more practical and would assist in the LA’s Annual Monitoring role for future monitoring of this as a delivery product.	
26	Does the summary Equalities Statement in Annex A represent a fair assessment of the equalities impacts of the policy proposals in this consultation? Please provide any further evidence on this issue, including how any negative impacts might be minimised and positive impacts enhanced.	Negative <ul style="list-style-type: none"> • No right to renew tenancy after 3 years • Could result in fewer affordable rented (and intermediate) homes being delivered • Lack of minimum covenant period means a tenant’s home may not remain affordable in the longer term • Lack of legislation to enable the local authority to nominate tenants. Concern that this could have a negative effect for people with protected characteristics, such as the elderly or disabled, or may be reliant upon benefits, who could be discriminated against if the private landlord will not accept those on benefits 	

		<ul style="list-style-type: none">• Risk that Councils may not be able to invest / own / operate Build to Rent scheme• If DCLG decides all tenants in property developments owned by the Council have the Right to Buy• No regulation for Affordable Private Rent in terms of management. <p><u>Positive</u></p> <ul style="list-style-type: none">• Minimum tenancies up to 3 years• Could improve tenure security for those living in private rented sector• Could reduce demand on Council housing waiting list through increased delivery of affordable homes in the District• Could provide additional private rented accommodation to secure suitable housing to discharge the local authority's duty to homeless households.	
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