**Appendix A**

| Pillar One – Planning for development<br><br>Overview | |
|---|---|
| **Consultation Question** | **Response** |
| 1. What three words do you associate most with the planning system in England? | No comment |
| 2. Do you get involved with planning decisions in your local area?<br><br>2(a). If no, why not? | No comment |
| 3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? | No comment |
| 4. What are your top three priorities for planning in | • Sustainable development, including the protection of the Green Belt and place making |

| | |
|---|---|
| your local area?<br><br>[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify] | • Affordable Housing<br>• Supporting the local economy |

**Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.**

| | |
|---|---|
| 5. Do you agree that Local Plans should be simplified in line with our proposals? | Defining just 3 areas with a blanket approach within each area could be a very blunt tool.  It is potentially unsophisticated and lacking the fine grain required to address development in complex urban areas.  The proposal of using sub areas (allocations?) might address this, but again more detail would be helpful. |

| | It does seem better suited to managing change for major developments, such as new settlements, urban extensions, or large areas of targeted regeneration.

Examples of zoning systems from elsewhere (eg New York) do not support the stated aim of simpler and shorter Local Plans.

Welcome continued protection of the Green Belt and note that the 'protected' zone could be used to provide more stringent development controls. |
|---|---|
| **Proposal 2: Development management policies established at national scale and an altered role for Local Plans.** | |
| 6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? | Welcome the principle of a suite of national policies to achieve consistency and to enable local councils to focus on those local policies which reflect real local distinctiveness. Would suggest that the NPPF should be reworded to reflect a policy format, so that sufficient clarity is provided. Where national policies give a clear steer to developers, and provides a level playing field nationally, e.g. for carbon neutrality and other key elements of sustainable development, it could be beneficial. |
| **Proposal 3: Local Plans should be subject to a single statutory "sustainable development" test, replacing the existing tests of soundness.** | |
| 7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include | Simplifying the tests of soundness could help to speed up Local Plan examinations.

Sustainability Appraisals have become an industry in their own right, and simplification would be welcome.

Whilst the W.P. advocates removing the Duty to Cooperate, it does not offer up any alternative approach to dealing with strategic planning matters. The Duty to Cooperate may not be ideal, but without an alternative to planning for strategic |

| | |
|---|---|
| consideration of environmental impact?<br><br>7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate? | development across and between functional areas such as Housing Market Areas, the government will not meet its housebuilding aims. Too many LPAs are constrained, either through being urban and not having enough land to meet their own housing needs, or so environmentally constrained (Green Belt, AONBs etc) that they cannot meet their own needs. It is acknowledged that this recommendation could be tied in with the forthcoming Devolution White Paper.<br><br>However, the Duty has worked in the past in Greater Nottingham, and the proposals risk losing established mechanisms, without a replacement.<br><br>If most public engagement with the planning system is through plan making, then this undermines democratic controls later in the process. It is well understood that people engage in the planning system when it directly effects them, ie at planning applications stage, and less so when proposals are notional, as in a local plan. Contrary to the aims of the White Paper, the proposals risk reducing the opportunity for consultation and public input into planning proposals. |
| **Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.** | |
| 8(a). Do you agree that a standard method for establishing housing requirements (that takes | The planning system is often held to be responsible for the housing crisis, but around 90 per cent of planning applications are approved in England, and consent has been granted for up to one million homes that are yet to be built. |

| | |
|---|---|
| into account constraints) should be introduced? | However, it is agreed that a methodology is required to determining housing need, but this needs managing across functional areas, ie Housing Market Areas. Any methodology should be sophisticated enough to take account of areas like Greater Nottingham, which is made up of a number of authorities. The City is tightly bounded, so has little opportunity to extend the built up area, whilst surrounding boroughs are tightly constrained by Green Belt. Having a methodology linked to household projections does risk simply providing for more homes where they cannot be provided, so a regional or even national perspective is required.<br><br>The new standard method should not be based on an arbitrary algorithm. Flexibility is needed to enable cross boundary discussions to take place regarding the distribution of housing. Reference is made in paragraph 2.29 to the fact that the methodology does not yet adjust for Green Belt. How this is undertaken is particularly important for authorities such as GBC where all of the open countryside outside of the built up area is designated as Green Belt. |
| 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? | In relation to affordability, the suggested approach would not help in levelling up the Nation. The methodology for establishing housing need should factor in housing led regeneration to enable new housing development in areas of deprivation. |
| **Proposal 5: Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.** | |
| 9(a). Do you agree that there should be automatic | Broad support for automatic outline permission (for allocations). For Growth Areas, subject to appropriate design codes being in place. |

| | |
|---|---|
| outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? | |
| 9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? | b) Broad support for proposals for Renewal and Protected areas. |
| 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? | (c) Not sure what difference this would make. |
| **Proposal 6: Decision-making should be faster and more certain, with firm deadlines and make greater use of digital technology** | |
| 10. Do you agree with our proposals to make decision-making faster and more certain? | The proposal would result in a reduced emphasis on place making and a greater emphasis on performance and in reality some schemes take a long time to determine, and this is in the public interest. The timescales for determining a planning application are reliant on the input of 3rd parties and often outside the LPAs control. Concern is raised about the possible loss of extension of time agreements, which are often welcomed by developers to help resolve issues. Developers would always have |

| | the option of not agreeing to an extension of time and can appeal on non-determination grounds. |
|---|---|
| | The proposals to refund the fee or to give deemed consent are likely to lead to perverse outcomes in that it is likely to lead to more refusals of planning permission especially those applications getting close to deadline, as applications are likely to be refused to avoid repayment of fees. Where applications are marginal in terms of design quality and getting close to deadline then these may be approved, thereby reducing the quality of new development. The current Planning Acts set out the right for the developer to appeal on non-determination in any case. |
| | The proposed standardised approach to evidence, decision notices and S106 agreements etc. is welcomed. |
| 11. Do you agree with our proposals for accessible, web-based Local Plans? | Welcome model template for local plans, subject to publication of additional guidance. This guidance will be needed well in advance of the new system coming into force as a significant amount of preparatory work will be needed to move to new systems (digital and otherwise); and to start work on design codes etc. Local planning authorities will also need a clear understanding of how the infrastructure levy will work as this will have an implication for policy preparation and infrastructure delivery in order to support new development. |
| | On a cautionary note, web based local plans will increase accessibility for some but not necessarily everybody and there is a need to ensure that people without full access to the internet which may include a disproportionate number of elderly people and those in rural areas (with limited broadband) are not excluded. Existing experience of using 3D visualisation techniques has taught that care is needed when using 3D visualisations, which can be misunderstood by local communities as |

| | development proposals being wrongly perceived as "set in stone" even if presented for illustrative purposes only. |
|---|---|
| | Parag 2.44 states that 'any updates can be published instantaneously'. This needs clarification as under the current system, a local plan remains in force until it is formally replaced through the preparation and adoption of another local plan. Is this to change? Is the reference to 'updates' only to factual updates (e.g. where development has already taken place, or to reflect updated conservation area boundaries)? |
| | If adjoining authorities are using different software package and presentation materials, it will make it difficult for local communities to understand proposals that straddle or adjoin local authority boundaries. A consistent approach should be taken. |

**Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.**

| 12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? | The proposed timescales are arbitrary, as it cannot be based on any practical methodology of how long a new style local plan might take to prepare. Public consultation is intended to be front loaded (to reduce consultation at the planning application stage) but sufficient time needs to be built in to process and respond to comments made (likely to be significant). Examinations are likely to be longer as there is no opportunity to resolve objections before a plan is submitted. Also needs to build in time for local authority approval processes – for e.g. stage 5 is very short, given 4 week lead in time for decisions (even more so if a plan is being prepared in an aligned manner so are reliant on a number of authorities going through their approval processes). |
|---|---|

| **Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools** | |
|---|---|
| 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? | If the NPPF becomes the primary source of policies for DM and Local Plan policies are restricted to clear and necessary site or area specific requirements there would appear to be less scope for meaningful neighbourhood plans. However, the priority for a large number of neighbourhood plans is the importance of prioritising good design and the focus could perhaps be on establishing strong and effective local guidance. |
| 13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design? | If Neighbourhood plans are to continue, policies therein need to be restricted so that there is no duplication with national standard policies. Focus attention on design codes instead? There is also a concern regarding the capacity of parish councils/local communities to have digital hardware/software to comply with proposed digital agenda, which is likely to mean more support from LPAs is needed. |
| **Proposal 10: A stronger emphasis on build out through planning** | |
| 14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? | The option of including a variety of development types by different builders is unworkable. Accept that a large site will deliver more quickly if more than one developer is involved, but LPA has no control over this. Concern that this is to be addressed through design codes – codes cannot pre-empt who will deliver a site as this may well change from the start of the planning application process to site delivery. Consideration on build out of developments can be addressed through the Council's Housing Delivery Action Plan. |
| **Pillar Two – Planning for beautiful and sustainable places** | |

| **Overview** | |
|---|---|
| 15. What do you think about the design of new development that has happened recently in your area? | Gedling Borough Council places a strong emphasis on high quality development and consideration is given to detailed design matters, demonstrated by the increase in applications refused on design grounds (and successfully defended at appeal). |
| 16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? | Sustainability balances the economic, social and environmental impacts of projects, strategies or plans, so that the outcome promotes, rather than inhibits, sustainable development. |
| **Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.** | |
| 17. Do you agree with our proposals for improving the production and use of design guides and codes? | This is a significant new area for planning departments.  Many LPAs have very limited design expertise, and no specialist and staff resource implications would need addressing.  Note reference in paragraph 3.8 to the need to take account of inputs from the local community and what is popular in the local area. |
| **Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.** | |
| 18. Do you agree that we should establish a new body to support design coding | The proposal to have a chief officer for design and place making is very welcome and recognises the importance of achieving high quality design. |

| | |
|---|---|
| and building better places, and that each authority should have a chief officer for design and place-making? | |
| **Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places** | |
| 19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? | Yes in principle. Clarification is sought on whether the definition of design includes accessibility standards, so it is not just external design but takes account of whether proposals accord with Building For a Healthy Life, lifetime homes etc. |
| **Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.** | |
| 20. Do you agree with our proposals for implementing a fast-track for beauty? | A beautiful design is only part of planning consideration, and there may be other factors that require consideration through the development management process. Needs careful framing to ensure only appropriate development is fast tracked. Judging beautiful design is subjective and it is unclear how this would work in practice. Who would arbitrate? |

| | |
|---|---|
| **Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.** | |
| Proposals 15 | Proposal 15 is supported subject to their being clear and unambiguous government policies which create a level playing field nationally. |
| **Proposal 16: We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.** | |
| Proposal 16 | This would depend upon the detail, as the proposals for quicker and simpler impact assessments of what are complex environmental systems could potentially reduce environmental safeguards. |
| **Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century** | |
| Proposal 17 | The content of paragraphs 3.29 to 3.31 are supported in that in summary they set out a continued policy to protect heritage assets and for these to be identified in local plans.  The commitment towards ensuring heritage assets can fulfil a role in urban regeneration; and to ensure their significance is conserved while allowing, where appropriate, sympathetic changes to support their continued use and address climate change is also supported.  These are important objectives, but crude zoning is not going to facilitate this aim, for e.g. where growth could impact on historic assets or their settings. |

| **Proposal 18: To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.** | |
|---|---|
| Proposal 18 | The current level of ambition in this regard as expressed through the consultation on the Future Homes standard is not high enough, so further improvements to efficiency standards would be welcome, but they need to be universal and unambiguous to ensure developer buy-in. |
| **Pillar Three – Planning for infrastructure and connected places** | |
| **Overview** | |
| 21. When new development happens in your area, what is your priority for what comes with it? | All aspects are important although it may be different for different types of development such as retail development where contributions towards education are not necessary.  Should mitigate impacts of development. |
| 22(a). Should the government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? | 22 (a) Yes support. |

| | |
|---|---|
| 22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? | 22 (b) The rates should be set locally.  Development viability is a key consideration. |
| 22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? | 22 c) Yes should aim to capture more value as under the current system of CIL and S106 there remains a "gap" between the amount of finance raised to support necessary infrastructure and the actual cost of providing the infrastructure needed to support sustainable development. |
| 22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? | 22 (d) Yes this is welcomed and will provide the flexibility for local authorities to forward fund the necessary infrastructure which is often a show stopper for developments. |
| 23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? | Agreed but clarification is sought on how this would be achieved?  CIL uses 'notice of non-chargeable development' which could be adapted for this purpose although it is difficult to monitor. |

| Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision | |
|---|---|
| 24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? | 24 (a) Agree |
| 24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? | 24 (b) On site provision is preferred, but then prefer 'right to purchase' over 'in kind payment to increase the supply of affordable housing. |
| 24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? | 24 c) . Yes - it should be required that if the value secured through in-kind units is greater than the final levy liability, then the developer has no right to reclaim overpayments. |
| 24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? | 24 (d) Require that the scheme meets national standards for affordable homes. |

| **Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy** | |
|---|---|
| 25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? | It is important to keep the link between development and planned infrastructure and economic growth and where the Infrastructure Levy is spent, particularly in convincing local communities that development is acceptable.<br><br>The tests from the NPPF should remain (albeit that the mechanism will be different) and a link to IDP in order to prioritise spend should be made. Importance to mitigate the impacts of development is crucial but there should be flexibility as to how spend that proportion that is not needed for mitigation. |
| 25(a). If yes, should an affordable housing 'ring-fence' be developed? | 25 (a) Yes – should ring-fence all money needed for planning mitigation, including affordable housing. |
| **Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms. In doing so, we propose this strategy will be developed including the following key elements:** | |
| Proposal 23 | Skills and resourcing will be key. Making development in the round pay for planning services is a good idea in principle, but those Councils with low land values will not receive much Infrastructure Levy funding. Plan making costs should be covered by planning fees, as it is the policies they contain that planning applications are determined against. Regulating pre application fees is unlikely to assist in LPAs covering their operating costs. |
| **Proposal 24: We will seek to strengthen enforcement powers and sanctions** | |

| | |
|---|---|
| Proposal 24 | Agreed although resource issues for planning departments would need to be addressed. |
| 26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010? | There is a concern that these proposals will make it harder for Councils to fulfil the duty to meet housing needs identified on the Council's Housing Register.  It is likely to result in a significant reduction in the types of affordable tenure most needed to meet local needs thereby disproportionately impacting on the most vulnerable local residents and homeless people.

It is important the levy used for planning mitigation (if not, then there will be implications for older people, disabled, vulnerable members of society not able to access education, health etc. close to home).

Digital processes exclude those without access to computers /broadband who may be disadvantaged.

There are concerns that the standard methodology may perpetuate trends in growth that would direct even more development to higher value areas and needs to factor in the need for housing led regeneration in more disadvantaged areas.  Similarly, the proposed CIL reforms must recognise that development viability is key and rates are best set at a local level but should also recognise that areas with lower land values are lest able to rely on CIL to meet infrastructure needs potentially disadvantaging the more vulnerable groups.  Unless these two related issues are addressed it is difficult to see how the levelling up agenda for the Nation can be assisted through the proposals in the White Paper. |