

Executive Committee

25 April 2017

Response to Consultation on Housing White Paper

For Decision

Portfolio Holders

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Statutory Authority

Town & Country Planning Act 1990 and subsequent amendments

Purpose of Report

- 1 To enable a formal response to the consultation on the Housing White Paper to be agreed.

Officer Recommendations

- 2 That the response set out in Appendix 2 be agreed as this council's response to the consultation on the Housing White Paper.

Reason for Decision

- 3 To ensure that this council's views on the proposals in the White Paper can be taken into account.

Background and Reason Decision Needed

- 4 The Housing White Paper, 'Fixing our Broken Housing Market', was published on 7 February and sets out a range of proposals aimed at addressing current problems with the housing market. Some of these proposals, relating to changes in planning policy, are subject to public consultation, with a closing date for comments of 2 May.
- 5 The paper is divided into four chapters, covering:
 - Planning for the right homes in the right places – a series of proposals for reforms to the planning system to create a positive planning framework to deliver housing

- Building homes faster – proposals which introduce funds and tools to enable houses to be built, as well as penalties for authorities which cause delays in housebuilding
 - Diversifying the market – proposals which support various sectors of the housebuilding industry, from small builders and self builders to housing associations and the public sector
 - Helping people now – proposals which support those wishing to buy and to rent property, and protecting those who already own or rent their property.
- 6 A general summary of the paper has been circulated to all members and is attached as [Appendix 1](#). This report concentrates on the changes that are subject to consultation – largely the changes proposed to the planning system. The paper recognises that the housing crisis is the result of a number of market variables, that there is no single solution, and that it is not all due to the planning system. There is however a shift in focus from delivering more planning consents towards the delivery of housing on the ground, with an expectation of more proactive approaches from councils, as indeed we are doing through our ‘Accelerating Home Building’ programme.
- 7 Some of the changes put forward for consultation include:
- Introducing a housing ‘delivery test’ for local planning authorities in addition to the requirement for the five-year land supply;
 - Introducing a standard methodology for assessing housing requirements, with the aim of reducing the time and complexity of discussions at local plan examinations;
 - An amendment to green belt policy to clarify the decision-making process for green belt reviews;
 - Changes to the National Planning Policy Framework, including: amendments to the ‘presumption in favour of sustainable development’; clarification of the key strategic policies that each local planning authority should maintain; the removal of the expectation that local planning authorities should produce a single local plan; and encouragement for the allocation and delivery of small sites.

Implications

- 8 The proposed response, set out under the themes of the consultation questions in the White Paper, is attached as [Appendix 2](#) and key points are summarised in the remainder of this report.
- 9 The introduction of the ‘delivery test’ means that local planning authorities will be tested on their delivery against housing targets in future, not only on their maintenance of a supply of deliverable land for housing. Failure to meet specified percentages of the targets would mean that an action plan would need to be put in place to improve delivery, that the 20% buffer requirement on the five year land supply would apply as it does currently, and that the ‘presumption in favour of sustainable development’ would apply in planning decisions even if there was a five year land supply.

- 10 The Partnership councils are very conscious of the wider role that councils can play in bringing housing delivery forward, and are taking a proactive approach including developing action plans for accelerating home building and working proactively with developers. Councils can clearly have an influence on delivery, but are not fully in control of it – much depends on developers and landowners and indeed the state of the national housing market. The introduction of the delivery test will increase the likelihood of councils being unable to give significant weight to their local plan policies and having to make decisions on the basis of the presumption in favour of sustainable development, undermining the plan-led system and reducing public confidence in the planning system.
- 11 The paper does recognise that councils are not solely responsible for delivery, and proposes a number of potential approaches to hold developers to account, including the requirement that they provide details of their intended build-out timing of development (so that their performance against these intentions can be assessed), the suggestion that developers' past record of delivery could be a factor to take into account when determining applications, and the potential reduction in the time that planning applications are valid, from three to two years. These proposals are welcome, insofar as they recognise developers' responsibility for delivery and will enable greater clarity and transparency over future delivery expectations. They will not necessarily improve supply, though they might lead to more realistic assessments of what is available.
- 12 The paper proposes the introduction of a standardised method of assessing housing requirements, though the detail of this is not yet set out: options are intended to be published for consultation later this year. The aim is to reduce the time and effort involved in determining housing requirements and debating them through local plan examinations. This has certainly been a problem for our councils: the West Dorset, Weymouth & Portland local plan examination was delayed by the exploratory meeting resulting in the need for a new assessment of housing requirements; and the North Dorset local plan was only found sound on the understanding that there would be an early review to take on the increased numbers coming out of the new Strategic Housing Market Assessment.
- 13 The new methodology would be used to assess five-year housing land supply figures and the delivery tests. Local planning authorities would be encouraged to use it to identify the objectively assessed housing needs for their areas unless there was a compelling case to do otherwise, and this was agreed with the Planning Inspectorate. A standardised methodology was one of the recommendations of the 'Local Plan Expert Group' that reported to Government two years ago, and could potentially be a valuable means of saving time and effort at examinations, though we will obviously need to see and comment on the options at the next stage of consultation.
- 14 None of our three councils include green belt land but the changes proposed to green belt policy could have an impact on land in our areas, particularly North Dorset which is currently identified as part of the Eastern Dorset Housing Market Area, along with Bournemouth, Poole, Christchurch, East Dorset and Purbeck. The changes are intended to clarify the circumstances under which green belt might be reviewed, and

include the detail that green belt should only be released for development if local authorities have fully examined all other reasonable options for meeting development requirements, including exploring whether other local authorities can help to meet some of the requirement. If developing in other local authority areas takes priority over releasing green belt land, this encourages a less sustainable pattern of development (meeting a town or conurbation's needs further away from where they arise, and encouraging longer commuting journeys). It also effectively gives green belt a much higher level of protection than other designated areas such as Areas of Outstanding Natural Beauty which are protected for their inherent qualities rather than their policy function.

- 15 The changes to the NPPF specifying the strategic policies that all local planning authorities should maintain (including strategic housing land allocations), and allowing local plans to be prepared as more than one document if necessary, reflect the recommendations of the Local Plan Expert Group. The NPPF currently says that authorities should normally prepare a single local plan, though there is some flexibility for additional documents. The changes allow for a high level strategic plan to be prepared, potentially jointly, and supplemented later by more detailed policies in separate Development Plan Documents or neighbourhood plans. The paper also suggests that combined authorities might prepare spatial development strategies that would provide the strategic policies for their areas. The flexibility allowed by this change, and the encouragement for joint working, is potentially positive, though if only the strategic policies would be a requirement, there is a risk of less comprehensive planning and place-shaping taking place in future. The proposed requirement that local plans must be reviewed every five years will also have resource implications. The Dorset Strategic Planning Forum (SPF) includes members from all local planning authorities and representatives from the Dorset Local Enterprise Partnership (LEP) and Dorset Local Nature Partnership (LNP). The purpose of the SPF is to fulfil the statutory obligations under the Duty to Co-operate and potentially provides an informal mechanism for considering the implications of the changes to the NPPF in relation to plan-making across the county.
- 16 Encouragement for more small sites to be developed is a strong theme of the paper. This is intended to improve delivery rates both by providing a wider choice of sites, and encouraging a wider variety of house builders in the market, including more small and medium sized enterprises, rather than the current domination by the major house builders. Proposals include the suggestion that at least 10% of sites allocated for residential development should be of half a hectare or less, encouragement of subdivision of larger development sites, and an emphasis on the role of neighbourhood plans and rural exceptions sites policies in bringing forward small sites. Encouraging a wider variety of sites to be included in an area's supply, and encouraging the inclusion of small sites suitable for smaller local builders, is recognised as a worthy aim, but many of these sites currently are within areas that plans simply identify as being generally suitable for housing development, rather than specifically allocated sites. Allocating more small sites will make plans longer and more complex, which is not compatible with the aims of their being reviewed every five years. It is also hard to see how this will be set out in areas where there

are two levels of plans (strategic and more local) as the strategic level plan will not be allocating small sites.

- 17 It is proposed to change the wording of the ‘presumption in favour of sustainable development’ in the NPPF to state that local planning authorities should plan to meet their housing requirements (and those of neighbouring authorities that cannot be met in their areas) “through a clear strategy to maximise the use of suitable land”. It is important that any such strategy is developed in this context. Local planning authorities should be able to restrict development, especially in less sustainable locations, if objectively assessed needs are being met and appropriate densities achieved in the most accessible locations. This is also important for taking forward the review of local plans, where the capacity of any options being considered can often be more than the minimum required to meet the identified needs (as is the case with the options for the review of the West Dorset, Weymouth & Portland Local Plan).
- 18 The changes to affordable housing policy are largely welcomed. The council submitted comments to the previous consultation about starter homes, which set out the proposal that 20% of all homes on larger development sites should be starter homes. This would have significantly reduced the opportunity for provision of other forms of affordable housing, and so the changes now put forward, that allow for a range of tenures still, and propose that 10% should be for affordable home ownership products of some sort, are welcomed. The more detailed definition of affordable housing, and the inclusion of ‘affordable private rented’ products, are also positive changes.

Corporate Plan

- 19 Relevant to the priorities of contributing to a stronger local economy, and increasing the number of homes built

Financial

- 20 No direct implications of the report, though the White Paper refers to a number of potential funding streams for supporting house building.

Equalities

- 21 The paper includes proposals for ensuring that local plans include policies to encourage provision of housing for those with particular needs, including people with disabilities.

Environmental

- 22 The introduction of the housing ‘delivery test’, in addition to the current requirement for the five year land supply, will increase the risk of housing having to be permitted on sites that are not included in local plans and that may have adverse environmental impacts. The paper proposes to clarify that development that would harm certain designations including Areas of Outstanding Natural Beauty and national and international nature conservation sites, would be contrary to the policies of the NPPF.

Economic Development

- 23 The proposals aim to increase the delivery of housing, which has positive economic benefits, as outlined in the councils' economic development strategy and 'Accelerating Home Building' programme.

Risk Management (including Health & Safety)

- 24 The 'delivery test' introduces a greater risk that development will have to be permitted in areas that have not been proposed in the local plan. The new methodology for housing requirements, if it results in higher figures for the area, will increase this risk. The risk can be reduced by planning to provide a robust supply of land to meet the requirements, planning a suitable variety of sites, and taking a proactive approach to bringing sites forward, as we are proposing. If the requirements are much higher than the market is able to provide, this will still be challenging however.

Human Resources

- 25 Delivery of housing involves primarily staff in the Planning (Community & Policy Development, and Development Management & Building Control) services. The Accelerating Home Building programme is led by a cross-divisional team and additional resources are being provided to support it.

Consultation and Engagement

- 26 The paper is subject to consultation, focusing on the planning issues.

Appendices

Appendix 1: Summary of Housing White Paper

Appendix 2: Draft Response to Consultation Questions

Background Papers

White Paper, Fixing our Broken Housing Market, DCLG, February 2017

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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Appendix 1

Housing White Paper – summary of main issues

The Housing White Paper, 'Fixing our Broken Housing Market', was published on 7 February and is available at <https://www.gov.uk/government/publications/fixing-our-broken-housing-market>. Consultation is taking place on the planning policy proposals within it and responses are due by 2 May. This summary has been prepared for information in the meantime.

The main sections of the paper cover:

- **Planning for the right homes in the right places** – a series of proposals for reforms to the planning system to create a positive planning framework to deliver housing.
- **Building homes faster** – proposals which introduce funds and tools to enable houses to be built, as well as penalties for authorities which cause delays in housebuilding.
- **Diversifying the market** – proposals which support various sectors of the housebuilding industry from small builders, self-builders to housing associations and the public sector.
- **Helping people now** – proposals which support those wishing to buy and to rent property, and protecting those who already own or rent their property.

Planning for the right homes in the right places

The paper continues previous statements about the importance of up to date local plans, and introduces a requirement that local plans should be reviewed every five years.

The Duty to Co-operate is to be strengthened by the introduction of a requirement for 'Statements of Common Ground' setting out how councils will work together on cross-boundary issues and meeting housing requirements. There is also encouragement for joint plans, including strategic plans prepared by combined authorities.

A new standard methodology for calculating housing requirements is proposed to be introduced, and five-year housing land supply is to be assessed against the new figures from April 2018. Options for this methodology will be subject to further consultation this year. It is also suggested that local authorities would need to give Neighbourhood Plan groups a housing requirement for their area.

There is support for the role of small sites in delivering homes, including the suggestions that local plans include policies to support windfall development, that 10% of sites allocated for residential development should be sites of half a hectare or less, and that the subdivision of larger sites should be encouraged.

There is an emphasis on making efficient use of land by developing at higher densities and height in appropriate locations, and an emphasis on setting design principles in plans, though with the expectation that design should not be a reason for refusal of applications if they accord with those principles.

Building homes faster

This section of the paper is about enabling the industry to deliver. There will be a significant Housing Infrastructure Fund that will be grant rather than loan, and will be allocated to areas of highest housing need to support necessary infrastructure provision.

The paper considers shortening the period over which planning permissions are valid, from three to two years, and allowing larger applications to be refused on the grounds of the applicant's track record of delivery.

Councils would have the option of having their five-year land supply independently examined each year: the conclusion would then hold valid for the whole year and could not be challenged again in that period.

The Community Infrastructure Levy will be reformed to increase simplicity and transparency, with an announcement on this to be made in the Autumn Budget.

Local authorities will be able to increase national planning fees by 20% from July 2017 if they commit to investing the additional income in the planning department. There is also the potential for an additional 20% increase for those successfully delivering homes.

A 'housing delivery test' for local authorities is proposed. This would mean that if delivery was below a certain percentage of the overall target, the presumption of sustainable development would apply even if there was a five year supply.

Diversifying the market

This section is about diversifying the market by supporting new and different providers, encouraging innovation in methods of construction, and supporting new investors into residential development. Funding proposals include a new Accelerated Construction funding programme for public sector land, focusing on small and medium enterprises, custom building and innovative construction methods.

There are proposals for encouraging housing associations and local authorities to build more homes, and support for Build to Rent, including proposals for positive policies in local plans. 'Family-friendly' tenancies of three or more years are encouraged.

Helping people now

The paper proposes to tackle some of the current impacts of the housing shortage, by supporting people to buy their own homes through Help to Buy and Starter Homes.

There is no mandatory requirement for a percentage of starter homes on development sites, though there is a policy expectation that housing sites will deliver at least 10% of affordable home ownership units, and the definition of affordable housing is widened to include starter homes, discounted market sales housing and affordable private rent housing.

Support for those in rented housing includes proposals for longer tenancies, and greater controls over private rent, such as banning letting agent fees and banning orders for the worst landlords/agents.

Appendix 2

Proposed response to consultation questions

Proposals from Chapter 1

1-2 Getting plans in place / Making plans easier to produce

The changes to the NPPF specifying the strategic policies that all local planning authorities should maintain (including strategic housing land allocations), and allowing local plans to be prepared as more than one document if necessary, reflect the recommendations of the Local Plan Expert Group. The flexibility allowed by this change, and the encouragement for joint working, are potentially positive. We agree with the proposal that combined authorities may prepare spatial development strategies provided that these require unanimous agreement of the combined authority members.

If only the strategic policies are requirements and others are optional, however, there is a risk of less comprehensive planning and place-shaping taking place in future. It is also unclear how a two-tier plan would meet some of the requirements set out elsewhere in the paper such as ensuring that 10% of allocated sites are of half a hectare or less.

A more proportionate approach to consultation and examination procedures for plans would be helped by guidance on proportionate evidence base requirements for plans. A significant amount of plan preparation and examination time is taken up with the setting and assessment of housing numbers. The proposals for a standard methodology would significantly help to reduce the time and costs involved – though it is still likely to be necessary to undertake detailed studies to support affordable housing policies.

3 Assessing housing requirements

The expectation for local plans to include clear policies for meeting the housing requirements of groups with particular needs, such as older or disabled people, is supported but there are dangers in establishing policies that are too prescriptive, as experience has shown that assessing such needs is a 'snapshot' and actual needs change over time. There is a relationship here with the national space standards, proposed to be reviewed, and 'Lifetime Homes' standards: less prescriptive approaches might be the inclusion of policies encouraging care homes and sheltered housing in the most accessible locations.

The aim of reducing the time and effort involved in determining housing requirements and debating them through local plan examinations is strongly supported. This has been a significant problem for our councils: the West Dorset, Weymouth & Portland local plan examination was delayed by the exploratory meeting resulting in the need for a new assessment of housing requirements; and the North Dorset local plan was only found sound on the understanding that there would be an early review to take on the increased numbers coming out of the new Strategic Housing Market Assessment. The option of using a standard methodology, if this would achieve the aim of being able to avoid debate and discussion at examination, would save time and resources and could significantly speed up the examination process – as long as it was not possible for developers to challenge it on the grounds that requirements should be higher for particular areas.

We would hope to see swift progress on identifying and consulting on options for this, to avoid progress on current plans being held up.

It will be important to make clear whether the new requirement figures, which it is assumed will use the ONS projections as part of the calculation, will hold for the five years between local plan reviews, or whether the requirement will change each time new projections are published, which would potentially make local plans out of date very quickly if there were significant changes between projections.

At present the NPPF specifies that 'objectively assessed needs for housing' should be met across housing market areas (HMAs). There is no reference to housing market areas in the White Paper: instead there are references to 'housing requirements', presumably for districts, being set through the standard methodology – though the encouragement for joint plans implies support for planning over wider areas. It will be important to understand what role housing market areas will play in the proposed methodology. One of the Local Plan Expert Group recommendations was that housing market areas should be defined nationally so that this did not have to be debated through examinations, and this would be strongly supported as part of the standardised methodology.

At present, the good practice advice is that HMA boundaries, for practical purposes, should be adjusted so that they are made up of entire local authority areas. Where this is not being done in practice, there are some districts (eg New Forest) that are being regarded as being split between two or three HMAs, without necessarily the agreement of the surrounding districts. This is significantly delaying plan-making and cooperation in those areas, and a national-level prescription of HMAs (covering whole local authority areas) as part of the methodology would be helpful, as would advice on how authorities should be meeting their duty to cooperate responsibilities in relation to objectively assessed needs for housing.

4-5 *Making enough land available in the right places*

If the NPPF is to be changed to state that local planning authorities must have a clear strategy in place for maximising the use of suitable land in their areas, it must be clear that this is in the context of meeting their housing requirements (and those of neighbouring authorities that cannot be met in their areas) rather than developing every site identified in a SHLAA as potentially 'suitable.' If the objectively assessed needs are being met and appropriate densities achieved in the most accessible locations, it should still be appropriate to restrict development in less sustainable locations.

It is helpful to have the position regarding the approach to be taken in considering applications in the specified designated areas clarified, though it is hoped that the second part of the decision-taking test, referring to any adverse impacts outweighing the benefits, will still allow other considerations such as local landscape value to be taken into account. The reference to these policies providing a 'strong reason' for restricting development in b(i) is also potentially ambiguous – is it intended that harm to these listed interests would be regarded as a strong reason, or that it would have to be a strong degree of harm to justify the restriction on development? Linked to the comments on questions 10-11 on Green Belt, we also have some concern about Green Belt review only being considered if needs cannot be met in adjoining areas, as this will potentially push development to less sustainable locations further away from where the needs arise and where the jobs and services are located.

The changes allowing local planning authorities to dispose of land with the benefit of planning permissions that they have granted themselves are supported.

The proposal to amend the NPPF to encourage weight to be attached to the value of using suitable brownfield land within settlements is welcomed, but it is important that only brownfield land in the more sustainable locations is prioritised. A recent legal case (the Dartford case) has confirmed that the legal definition of brownfield land excludes gardens within built up areas, but does not exclude gardens outside built up areas: this is contrary to the principles of sustainable development and needs to be amended.

6 *Improving local authorities' role in land assembly and disposal*

These proposals, which would resolve the discrepancy between the powers available in unitary and two-tier areas, are supported.

7 *Regenerating housing estates*

These are not particularly relevant to our areas and we therefore have no comments.

8 *Supporting small and medium sized sites and thriving rural communities*

It is agreed that neighbourhood plans provide important opportunities for identifying and allocating small sites for housing, and that the ministerial statement proposing that where a neighbourhood plan allocates land for housing, the plan will be considered up to date with only a three year supply of housing, provides a useful incentive for land allocation. The reference should be strengthened by referring to the 'role' of neighbourhood plans in identifying and allocating sites, rather than simply 'opportunities'. Allocating small sites in neighbourhood plans can also help to streamline the local plan process if fewer small sites need to be allocated in the local plan - though the requirement for 10% of allocations to be on small sites would require some of the small sites to be in a local plan.

Having a variety of sites within an area's housing supply, including a good range of smaller sites, is valuable in terms of deliverability as well as providing opportunities for small and medium sized enterprises. The requirement that 10% of allocated sites are small sites (of less than half a hectare), however, would mean that many sites that are currently within settlement boundaries and so regarded as appropriate for development but not allocated, would now have to be subject to specific allocations. This could make plans longer and more complex and potentially slow down plan-making. It also means that more sites that fall below the threshold for affordable housing provision should be allocated.

The emphasis on rural exception sites and development that helps villages to thrive is generally supported, but there should be some qualification to refer to the sustainability of villages. It is important to be aware that it actually takes very large amounts of development to make a difference to the viability of local services – generally the amount that significantly changes the character of a settlement. Often neighbourhood plans, and community-led housing schemes, are the best means to bring forward development proposals in villages that are of the scale and type that the local community considers is right for their area. Allowing market housing on rural exception sites incurs the risk of higher land values and landowner expectations and may not always assist in bringing such sites forward. However, more innovative approaches, such as allowing an element of self-build for local people in housing need, may help to bring exception sites forward with the support of local communities.

The subdivision of large sites will require the co-operation of developers to help deliverability. Any greater flexibility by local authorities in this respect should not

reduce their ability to secure the best outcomes for the area in terms of infrastructure provision and coordination. It is likely that greater weight will need to be given to masterplans to co-ordinate development across sub-divided large sites, which would have resource implications. Greater use of local development orders and area-wide design codes would also have resource implications.

9 *A new generation of new communities*

The principle of supporting the development of new communities where appropriate to meet housing needs is supported.

10-11 *Green Belt land*

We are concerned at the proposed changes that would clarify the development options that should be considered as preferable to green belt release. In particular, if developing in other local authority areas takes priority over releasing green belt land, this encourages a less sustainable pattern of development (meeting a town or conurbation's needs further away from where they arise, and encouraging longer commuting journeys). It also effectively gives green belt a much higher level of protection than other designated areas such as Areas of Outstanding Natural Beauty which are protected for their inherent qualities rather than their policy function, and should have stronger protection. It is preferable for councils to be able to assess the relative sustainability merits of sites in and outside the Green Belt rather than prioritise all non-Green Belt options.

The suggested requirement for compensatory improvements to remaining green belt land as a condition of green belt release would have an impact on development viability. We agree that appropriate facilities for existing cemeteries should not be regarded as inappropriate development in the green belt, and that when carrying out green belt reviews, local planning authorities should prioritise land that is previously-developed or close to transport hubs (though as referred to under questions 4-5, we do not consider that residential gardens outside settlements should be prioritised). We would have some concerns about allowing the detail of reviewing green belt boundaries to be carried out through neighbourhood plans, as these are reliant on the referendum results and the delivery of housing would not be certain.

12 *Strengthening neighbourhood planning and design*

As stated above, neighbourhood plans are a valuable means of allocating small sites for housing, but the opportunity is not always taken. Having a methodology for working out a neighbourhood housing requirement would have some value in giving clarity to groups about what they should be aiming for, and encouraging neighbourhood plans to make a positive contribution to housing provision. Neighbourhood plans are however not mandatory and it would be important not to rely too heavily on them to deliver the housing that a district requires. We look forward to seeing the further consultation on this alongside the proposals for housing requirements methodology.

It is agreed that neighbourhood plans, detailed local plans and area action plans are an appropriate place to set out clear design expectations, to ensure that new development preserves the valued characteristics of an area. Not all areas of course will have neighbourhood plans or more detailed local policies, and the preparation of design codes is potentially resource-intensive for neighbourhood plan groups. The suggestion that design should not be a valid reason to object to development where it accords with the design expectations set out in a statutory plan has some merit, but may be difficult to operate in practice unless the design expectations were very prescriptive.

13-15 Using land more efficiently for development

It is agreed that it is important to make good use of previously developed and well situated sites in the most sustainable locations, but building at high density can have negative impacts on the character and function of areas, as well as on local infrastructure. Open space within developments is also important to local character, amenity and recreation and this needs to be recognised. Any change in national policy should therefore retain flexibility to reflect local circumstances, and any indicative minimum density standards should be set locally rather than nationally.

We would support the review of the nationally described space standards, as their use is potentially deterring small and medium sized building enterprises and discouraging innovation and flexibility in design.

Proposals from Chapter 2

16-17 Providing greater certainty

The option of agreeing and fixing a five year land supply over a one-year period could be valuable in areas that were facing very significant development pressure and had marginal five-year land supplies. As it is proposed that this would be prepared in consultation with developers and infrastructure providers, and subject to examination, it should be a robust assessment and there seems to be no reason why this should have a 10% buffer attached to it, rather than 5% if the authority has no record of underdelivery.

It is noted that the protection for neighbourhood plans set out in the written ministerial statement of 12 December 2016 (essentially indicating that areas with a neighbourhood plan that includes housing allocations will still be regarded as having an up to date plan if they have a three-year, rather than five-year, land supply) will be carried forward into the revised NPPF. If this is to be amended to allow the same protection for a plan that 'meets its share of local housing need' rather than including site allocations, it will depend on how the neighbourhood's share of local housing need is to be calculated. Overreliance on neighbourhood plans to deliver housing would have implications for the overall five year land supply, though it is certainly desirable to encourage neighbourhood plan groups to make sure that they are facilitating more housing development.

18 Deterring unnecessary appeals

We note that there will be additional consultation on the proposal to introduce fees for planning appeals, but would support this in principle and consider that lower fees for less complex cases may be sensible in order to avoid deterring small and medium sized enterprises from bringing forward legitimate appeals.

19-20 Ensuring infrastructure is provided in the right place and right time

Paragraph 156 of the NPPF already sets out that local plans should include strategic policies to deliver many different types of infrastructure. The Government's agreements around fibre broadband provision to new developments are welcomed, and we have no objection to the suggestion that the intentions for high quality digital infrastructure provision in an area are also set out in local plans.

21 *Greater transparency through planning and build out phases*

The proposed requirement that developers provide estimated start dates and build-out rates as part of planning applications, and provide progress updates to local authorities, is welcomed and would help to enhance local authorities' monitoring of housing supply and completions, supplementing existing monitoring activities and potentially leading to more realistic assessments of what is available. The progress updates would be important, as market conditions change over the lifetime of a planning permission, and it is unclear what sanctions would be in place if the information was not supplied. Having a clearer picture of when homes would be delivered would also be helpful in planning for infrastructure delivery.

22-25 *Sharpening local authority tools to speed up building of homes*

The proposals to take account of developers' track records and the likelihood of non-implementation when granting permission are welcome insofar as they recognise developers' responsibility for delivery and could enable greater clarity and transparency over future delivery expectations. Withholding or removing planning permission will not in itself do anything to bring development forward, however. It is agreed that it would be important to avoid this penalising smaller developers and new entrants to the market.

26-27 *Improving the completion notice process*

The proposals to speed up this process by removing the need for notices to be confirmed by the Secretary of State are supported, though as the effect of a notice is that the planning permission ceases to have effect after the specified period, it does not necessarily result in the development being completed and the process may not lead to improvements in housing delivery.

28-30 *The housing delivery test*

The three councils within the Dorset Councils Partnership are very conscious of the wider role that councils can play in bringing housing delivery forward, and are taking a proactive approach including developing action plans for accelerating home building and working proactively with developers. Councils can clearly have an influence on delivery, but are not fully in control of it – much depends on developers and landowners and indeed the state of the national housing market. We are concerned that the introduction of the delivery test will increase the likelihood of councils being unable to give significant weight to their local plan policies and having to make decisions on the basis of the presumption in favour of sustainable development, undermining the plan-led system and reducing public confidence in the planning system.

The proposed new housing delivery methodology should be the basis for assessing housing delivery. For local authorities whose requirements significantly increase as a result of the new methodology, the use of these figures by 2018/19 will give them insufficient time to respond to the new approach: it may be preferable to have a longer transitional period during which councils have the option to use either local plan figures or the new methodology. Where councils have already set very ambitious targets in local plans it is important that they are not penalised for doing so, and can have their delivery assessed under the standard methodology.

It is agreed that net annual housing additions should be used to measure housing delivery. It is important to recognise that full field surveys of housing site progress are critical in monitoring housing delivery: the monthly building control

data on starts and completions, published nationally, do not pick up all completions and for example very significantly underestimate the actual housing delivery in our three councils' areas. This data should not be used as the basis for assessing the councils' delivery records.

In terms of support to local planning authorities to increase housing delivery in their areas, it is considered that funding, support and guidance to assist in the provision of large scale infrastructure necessary to unlock sites is critical. The total cost of infrastructure necessary to deliver development is often beyond what the development scheme can fund. Being able to bring in infrastructure at an earlier stage of the development would also be valuable.

31-33 Affordable housing

The proposed revised definition of affordable housing is supported, particularly the greater level of detail, and the inclusion of affordable private rented housing which allows greater flexibility and increases the options for provision, for example on smaller sites that registered providers may not wish to take on. We have concerns about the inclusion of starter homes, as expressed in our response to the previous consultation on this (in December 2015), as they are not affordable in perpetuity unlike other forms. However the amendments following that consultation are welcomed and have gone some way to alleviating the earlier concerns.

We do not believe that a transitional period is necessary, as it is more valuable to have certainty about what is expected and what we are asking for.

We are content with the inclusion of 10% affordable home ownership units on larger sites (over 10 units). Presumably this is not suggesting that financial contributions towards affordable housing cannot continue to be taken from sites of 6-10 houses within designated rural areas, as is currently allowed. We also support the suggested list of types of residential developments that would be excluded from this policy.

34-38 Sustainable development, climate change, flood risk, noise and other impacts on new development, onshore wind energy

We support these changes, which largely incorporate previous written ministerial statements into national policy or add clarification.