

Questions

1. What three words do you associate most with the planning system in England?

WBDC does not wish to comment on this question

2(a). Do you get involved with planning decisions in your local area? [Yes / No]

YES

2(b). If no, why not?

[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

N/A

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?

[Social media / Online news / Newspaper / By post / Other – please specify]

Proposals are already published in the local newspapers (freesheets as well as paid for), online and via social media (twitter). In addition interested parties are also regularly contacted by email directly. There must remain access for those who are unable to use electronic means or for those who do not read the local newspapers or listen to local radio.

4. What are your top three priorities for planning in your local area? [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]

The environment, biodiversity and action on climate change

Building homes for young people / building homes for the homeless (this is the same thing to many homeless)

Supporting the local economy

5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]

No.

The need for these changes to be made is not established. Past promises of efforts to tackle other factors such as land-banking or the dominance of the large housebuilders over the market have come to very little leading to market failure. The existing planning system delivers land for homes here, and a fundamental change to the system is simply not required.

As the White Paper consultation states, there are many zoning-based systems in other countries, particularly in Europe. These zoning systems may create the greater certainty that the government is looking for, but all systems have their pros and cons. However, this White Paper does not appear to have been based on any analysis of any of the zoning systems that have operated for many years elsewhere and the effects of which have been widely studied, but rather attempts to build a bespoke, experimental, extremely light touch zoning approach from scratch.

The proposal that land be zoned for only three categories ('growth', 'renewal' and 'protection') is extremely restrictive and does not in any way reflect the complexity of the areas that these local plans will cover. For example, mineral extraction does not seem to fit any of the categories and what about "open countryside" is it to be all zoned as protection?

No guidance is given to the size of these zones only that they should be machine code readable to provide complete coverage over England. This needs greater explanation as to how this would work in practice. There is no substitute for a human reading planning documentation and understanding the context and nuance.

In the town centre, it may involve high density redevelopment of underused areas including buildings of more than 5 storeys – or, within a few hundred metres of the same site, it may include low-rise, sensitively-designed development within a conservation area or its setting. Outside the town centre, it may involve medium density development along public transport corridors, extensive regeneration of suburban housing estates, or very small-scale infill within areas of existing high quality character. The current local plan system can, and does, reflect these vital differences, but simply badging something as 'renewal' on a map and then giving general guidelines on what is acceptable cannot.

The different application processes for 'growth', 'renewal' and 'protection' areas set out in this White Paper create an incentive for authorities to identify land for protection as open countryside, because it appears that the alternative is largely uncontrolled development. A protection designation under the current proposals at least results in a planning application. Some sites that might actually be appropriate for the right form of development may well end up in the protected category, and this may therefore serve to prevent supply coming forward in some cases.

The proposal also fails to fit with our experience of how the planning system operates. The proposals rely upon accurately predicting how developers and landowners will want to develop their sites in the future, but in our experience this can change substantially over time, and the development that comes forward is rarely the same as that which was proposed at the time the plan was drafted regardless of any SPD a site may have. This means that setting policies with appropriate levels of flexibility to take account of these changes is an essential part of local plan-making and actually helps to deliver development. Certainty in the local plan only works if that certainty is reflected in the developer intentions.

In summary the proposals have potential benefits but also huge implications, and may well not work in the manner intended, with risks including inappropriate design and mass for a particular setting within a zone, poor-quality development and, in some cases, actual suppression of supply. The need to make such a fundamental change must be much more clearly established based on real evidence.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

[Yes / No / Not sure. Please provide supporting statement.]

No.

This amounts to a wholesale centralisation of much of planning policy.

Local areas will lose much of the control that they have over the form of development, leaving only location and design in their hands. They will no longer have the ability to set policies that respond to their own local priorities and deliver the development that the local community needs. This will lead to a further deterioration in confidence in the planning system, and will undermine any notion of changing public opposition to development. It will further erode public trust in the system and is likely to destroy what remains of local community identity in "place-setting". It won't end "NIMBYism".

In addition, the tendency for national government to continually change the planning system means that it is highly unlikely that there will be any consistency in these policies, which will almost certainly change frequently according to a change of government or minister, and in ways which some developers will exploit to provide poor quality developments. It is also fair to say that national leadership on some matters, for instance climate change, has been considerably behind some local authorities (West Berkshire had a Core Strategy policy requiring zero carbon housing by 2016 back in 2012), and a reliance on purely national level development management policies may well mean a reluctance to meet key challenges.

If national development management policies are to be set, the process for putting them in place needs to be improved. The National Space Standards of 2015 for example, require local authorities to adopt them through the local plan process.

Local planning policies have to go through a rigorous process including consultation, sustainability appraisal (or equivalent) and public examination. This means that they can be given considerable weight at determination. National planning policy goes through a much lighter-touch process, and one of the consequences of this is that it can change much more frequently. A process would be required which ensures that policies are appropriately tested. There does not appear to be any suggestion in the consultation that such a process will be in place.

**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 consideration of environmental impact?
[Yes / No / Not sure. Please provide supporting statement.]**

No – greater details are needed before a judgement could be made.

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

We do not support removal of the Duty to Cooperate. The duty is far from the ideal tool in ensuring that areas are properly planned to take account of strategic matters, but it is better than nothing at all.

We cannot imagine how central government can manage all 'strategic' planning decisions for the whole of England. Some means of democratic cross-boundary decision making needs to be retained and improved by centralising everything to Whitehall cannot be the answer.

Without any firm proposals for stronger strategic planning, the removal of the duty to co-operate will mean that strategic issues are often simply not planned for, leading to disjointed development and failure to support development with the right strategic infrastructure.

8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]

No.

A standard methodology for assessing needs, where that methodology is soundly based and does not fluctuate significantly from year to year, is a helpful way of eliminating much of the back and forth at local plan examination stage. However, it needs a local assessment of constraints for this to be translated into a proposed supply figure. There is no way for constraints to be accurately assessed at the national level for an authority such as ours. Whilst it may be possible to use broad definitions such as Green Belt, AONB and designated wildlife sites to calculate a capacity for some areas, in an urban area where many of those constraints do not exist and where almost all development is brownfield, the only way to reliably assess capacity is a site-by-site analysis taking account of the unique circumstances of each site. This cannot be done at a national level. It is far better to calculate the need at a national level and continue to allow local planning authorities to use their local knowledge of capacity to assess what can actually be delivered.

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? [Yes / No / Not sure. Please provide supporting statement.]

No.

Affordability is an appropriate indicator of "need", although it needs to be carefully balanced by other factors.

The extent of existing urban areas is not a good indicator of the quantity of development to be accommodated, in part because relying on this will create a self-perpetuating cycle whereby the more homes are delivered, the greater the need.

9(a). Do you agree that there should be automatic permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

No – getting consent is not a barrier (90% of all planning applications submitted got approved last year) it is the availability of finance to development proposals plus an unwillingness for developers to implement schemes when they look at the commercial prospects of all development across their market area.

The proposed automatic outline permission gives no scope to consider whether there has been a significant material change that means that development is no longer appropriate. Even with the streamlined process, a new local plan would take 30 months to prepare, which may not be sufficiently fast to respond to those changes. The current system, in its wording of Section 38(6) of the Planning and Compulsory Purchase Act 2004, allows for these material considerations to be taken into account.

The need for a masterplan to be in place prior to submission of the detailed application is noted, but if these are to follow on from the local plan (which is probable, as the 30-month timescale for local plan production is unlikely to give sufficient time to prepare a masterplan) it would need to be an established principle that authorities can refuse the detailed permission if such a masterplan does not exist.

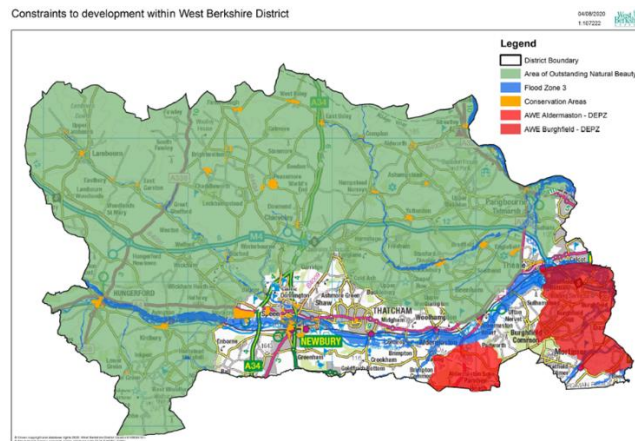
Finally, the proposal would require the local planning authority to produce things that are currently prepared by developers such as: traffic models; ecology reports; drainage assessments which have big cost implications at a time when the local authority would not benefit from any planning application fee to recover its costs.

9(b). Do you agree with our proposals above for the consent arrangements for *Renewal* and *Protected* areas?

[Yes / No / Not sure. Please provide supporting statement.]

No – greater details are needed before a judgement could be made. For example the document does not mention “Minerals” once and “Waste” is only mentioned with regards to nationally significant projects. Also most residential areas would be areas of renewal and it would not be possible to prevent “overlooking” by a simple area-wide code.

Judging by the comments in the White Paper, we anticipate that most of our area would be an area for ‘protection’.



This would mean that the majority of the annual requirement would have to be squeezed in to the few urban areas.

However, just because an area is protected does not mean that planning applications can't be submitted. Developers, benefitting from automatic consents elsewhere, will be able to simply funnel their resources towards areas defined for protection, where there could be an increase of appeals.

Finally, the proposal states that the ‘protection’ areas can include back gardens. On a purely map-based local plan system, is the suggestion that a local planning authority should map every back garden that is proposed to benefit from this protection? It does not seem practical to do so, and would potentially lead to much discussion of individual gardens at examination stage, which cannot be a good use of time. Further thought is needed about how this would operate.

9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

[Yes / No / Not sure. Please provide supporting statement.]

No.

The Nationally Significant Infrastructure Projects process removes all local democratic accountability from the process, and using it to determine proposals for new settlements would amount to a huge power grab by central government, as the Secretary of State would be the decision-maker.

10. Do you agree with our proposals to make decision-making faster and more certain?

[Yes / No / Not sure. Please provide supporting statement.]

"Faster" – Yes, "More Certain" - No

No evidence has been presented to show that decisions are uncertain. 90% of all applications are approved.

There are some elements of the proposals which would be helpful to all concerned, including shorter and better presentation of the key data and technological solutions to improve validation timescales. However, these could easily be introduced within the current framework.

As for proposals on local plans, there is a massive reliance on technological solutions to make processes faster and more consistent. Although we have used various software packages to manage the application process over the years, and our experience suggests that this is a considerable hurdle to overcome, not least in view of the past track record of major IT initiatives. Therefore, we are very concerned that legislation could end up being introduced before the technology is in place to allow local planning authorities to adequately comply with it.

The proposals would delegate technical details to officers where the principle of development has been agreed, and would therefore reduce democratic oversight of planning decisions on some very major developments. Technical details in some cases are much more wide-ranging than the title suggests, and may include such things as height. Removal of local democracy from this process will only serve to further erode public confidence in planning.

We do not agree with any notion that there should be either a refund of the application fee or a deemed consent for any application that is not determined within statutory timescales. Difficulties in determining applications within timescales are often the result of lack of resources or a poor submission from the developer, and this will hardly be solved by the fees on which local authority planning departments depend being returned. In terms of deemed consents, allowing poor quality developments simply because applications were not determined in time punishes a whole community and may cause severe environmental impacts simply because of a procedural issue. Also it is likely to encourage gaming by developers in the hope that timescales would be exceeded.

In addition, we fundamentally disagree with any suggestion that local authorities should have to refund the application fees for developments when an appeal is allowed. This would only exacerbate any financial incentive to appeal a decision, and would create a climate in which local authorities cannot refuse an application without certainty that an appeal would be dismissed. Such certainty is rarely possible, as Planning Inspectors' decisions are not always predictable, and can be inconsistent.

11. Do you agree with our proposals for digitised, web-based Local Plans?

[Yes / No / Not sure. Please provide supporting statement.]

No – total disenfranchises the visually impaired (including colour blindness), the elderly, and the financially less secure.

Nevertheless WBDC is supportive of the principle of plans being web-based and accessible from all devices (including Apple as well as Android), which can only aid transparency and make consultation processes run more smoothly. However, this will only be the case if functioning software can be rolled out to achieve this. Our strong concern is that legislation will be brought in in advance of that functioning software (not unrealistic, given the recent and past history of governmental IT projects), resulting in a situation where local planning authorities are expected to comply with legislation for which the technology is simply not in

place.

In terms of being purely map-based, in practice this will be difficult to achieve, even if development management policies are set out at the national level. The White Paper talks about the potential for design codes to be part of the local plan, and there will be a need to set out parameters for what development is identified for growth and renewal areas. An accompanying document will always be necessary, even if it is slimmed down.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

[Yes / No / Not sure. Please provide supporting statement.]

No – without a) a stable planning system that doesn't change every couple of years and b) suitable levels of investment it is not achievable

Or

No.

The only way a 30-month timetable is achievable is by significantly reducing opportunities for the community to be involved.

This is demonstrated by the proposed process, which has two stages at which the community are involved – Stage 1, where there is a call for ideas, and Stage 3, after the plan has been submitted. This means that there is no stage at which the local planning authority publishes a draft plan and is then able to respond to the consultation, because at this point the plan has already been submitted.

In addition opportunities for the public to make their voices heard are proposed to be removed at the planning application stage, due ostensibly to the front-loading of involvement at the plan-making stage – yet, in actual fact, opportunities for involvement are also proposed to be removed at plan-making stage.

Even with the restricted consultation process proposed, a 30-month timescale would be challenging in West Berkshire where local plan consultations regularly generates more than 5,000 representations, simply reading and considering those representations is a hugely time-consuming process, and trying to fit this into a very short timeframe will mean needing a huge investment in temporary resources to deal with them. Technology on its own will not be a substitute. Even if technology allows for quick analysis of a standard questionnaire, in practice consultees want to make comments that do not necessarily fit into standard questions and they will respond by letter and hand written submissions.

Other constraints on achieving a plan within this timescale will be the capacity of the Planning Inspectorate. The consultation notes the delays with the Inspectorate as needing to be addressed, but does not include any proposals for doing so.

Finally, it is worth noting that one of the biggest reasons that there is a delay in plan-making is because of constant changes with planning by central government. Plans reach advanced stages of preparation, yet policy or legislation at national level changes and authorities need to redraft their plans or review their evidence base, or wait to see whether changes that have been mooted in white papers, ministerial announcements or, as recently, opinion pieces in national newspapers will be followed through, and how.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

[Yes / No / Not sure. Please provide supporting statement.]

No.

Neighbourhood plans as they currently exist simply do not fit into the proposed system. If development management policies are set nationally, and a local plan has defined all land within its area for growth, renewal or protection, and design codes are also outside this process, there is nothing left for Neighbourhood Plans to do. Furthermore, if local plans are to be made every 30 months then volunteers would need to be found to keep the neighbourhood plan process alive as well.

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?

It would appear that the two are incompatible.

If there is no clear role for neighbourhood planning in the new system, there would be no purpose in reflecting community preferences, and doing so will only increase mistrust.

**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?
[Yes / No / Not sure. Please provide supporting statement.]**

Yes.

The government is correct to say that there is a need to examine ways to secure timely build out of developments, and prevent ways of housebuilders sitting on land with planning permissions. However, there is a misplaced belief that the best way to do this is through the planning system, as planning permission generally relates to the land, not to the identity of the developer. The government needs to look at other ways of regulating the market rather than the planning regime, which is unlikely to be an efficient way of tackling the issue.

For example financial penalties could be imposed if the development is not built out in the timescales on the approved plans. If the development is delayed by more than two years the land should be subject to compulsory purchase at the predevelopment price i.e agricultural land value by the local authority.

Or payment up front of a percentage (25%) of the Infrastructure Levy.

**15. What do you think about the design of new development that has happened recently in your area?
[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]**

It is not possible to generalise about the design of development in our area in this manner. Quality differs between developments. However, it is certainly worth stating that some of the poorest development that has taken place has come through the permitted development route with offices changing to residential.

**16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?
[Less reliance on cars / More green and open spaces / Energy efficiency of**

new buildings / More trees / Other – please specify]

All of the above and more. In 2012 we had an approved local plan policy that all new development should be Carbon Neutral by 2016 until DCLG stepped in and abolished Code for Sustainable Homes in 2014.

Our sustainability priority is tackling and adapting to the climate emergency. All of the items specified in the question are a bare minimum requirement in achieving this priority, as is much more, such as dealing with flood risk and extreme weather events, protecting and enhancing biodiversity, promoting renewable and decentralised energy and reducing waste. These priorities cannot be divorced from one another and action for which must be taken before 2050.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure more detail is needed – will they need to be replaced every 3 years?

Design guides and codes can be very useful, and the principle of wider use of them is reasonable. However, the increased use of local design guides and codes is highly dependent on sufficient resources in terms of time, money and skills being available.

The White Paper also proposes that design guides should only be given weight where it can be demonstrated that local input has been secured. Further, will they need to be replaced every 3 years?

18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure.

The establishment of a new body would be one way of helping to address the skills and resourcing issues that local authorities are likely to face. However, the specific remit of such a body would need to be defined before we could comment further.

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

[Yes / No / Not sure. Please provide supporting statement.]

Yes and then maybe we wouldn't get such poor proposals Homes England which go against local opinion and adopted SPDs.

20. Do you agree with our proposals for implementing a fast-track for beauty?

[Yes / No / Not sure. Please provide supporting statement.]

No.

The fast-track to beauty is a seriously misleading concept. A fast-track route for development that complies with the plan and a design code does not equate to beauty, however good that

design code is.

Beauty is a hugely subjective term. The more prescriptive a design code is to try to achieve this intangible 'beauty', the more likely it is to restrict truly innovative design and architecture that might actually deliver what many consider to be beautiful developments.

This also betrays a lack of understanding of local opposition to development. The aesthetic quality of development is rarely the main reason that local residents object. Strain on infrastructure is much more significant, as are noise and disturbance and environmental impacts. However 'beautiful' a development is, if it places an unacceptable burden on roads and schools, residents will object, and it is not clear that the infrastructure proposals in this White Paper will do anything to resolve that. Planning is about much more than agreeing with the design of a development, but the proposal does not make clear how all of the other issues that need to be considered will be resolved.

The White Paper proposes that permitted development rights should be rolled out to 'popular and replicable' forms of development, using a pattern book approach. This will inevitably lead to the increasing standardisation of development across England, and result in an accelerated decline in local distinctiveness. As such it is likely to actively work against achieving 'beautiful' development. Such a proposal will also hugely benefit the large housebuilders that already dominate the market, who will tailor their standard products to these national pattern books and roll them out at scale across the country. The proposal that local areas can define elements such as materials might help achieve some level of local distinctiveness (where there are locally-distinctive materials in the first place), but this will only be skin-deep.

We are also generally concerned that permitted development rights are being proposed to be further expanded even within the context of a planning system with much reduced local oversight. Surely a new system should be in place of expanded permitted development rights, not alongside it? If the system is designed properly, and a well thought out zoning system is introduced, there should be no need for further deregulation via permitted development.

21. When new development happens in your area, what is your priority for what comes with it?

[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

More affordable housing / more or better infrastructure / Design / Climate change amelioration and adaption including greenspace and biodiversity

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?

[Yes / No / Not sure. Please provide supporting statement.]

No – it will never be enough.

In order to meet the infrastructure funding gap arising from the implementation of the Adopted Local Plan, and as set out in the IDP and CIL Charging Schedule, WBDC will need to collect over £163M over the plan period to 2026.

Since 2012 the combination of CIL and S106 to WBDC has contributed just £28 million.

In relation to the previous consultation to the changes in the CIL regime in 2018 and

the Government's response to that consultation, a flat rate CIL Charge was dismissed. No evidence has been presented as part of this consultation to demonstrate why the conclusions in 2018 should be set aside.

WBDC therefore has no confidence in what is now being suggested. It will simply not meet the costs of infrastructure associated with development for any authority. Schemes in the North of England would not be financially viable with such a charge whilst schemes in the South would result in being greatly subsidised by existing residents which would allow developers to make even greater profits.

Other important issues are:

- The proposed changes imply a financial levy therefore, non-financial planning obligations will not be captured.
- The proposed changes imply a threshold, therefore small developments which contribute greatly to financial provision of infrastructure in West Berkshire would not be captured. This will inevitably increase the burden on local residents.
- The proposed changes imply setting a low rate to apply to all. This, as indicated above will have a huge impact on what infrastructure can be delivered in the area.
- Timing of the calculation of the proposed levy – it is going to be enormously difficult to calculate the levy before the development is completed. This will give rise to huge uncertainties in the development industry.
- The proposed system will require a valuation system with qualified personnel to undertake the valuations. Thus the resource impact of implementing such an approach on councils has not been considered carefully enough, the amount of time, post planning permission that it will take to undertake this work. There would inevitably be a delay in schemes getting started which runs contrary to the aim of speeding up the development process and lifting the burden on development. How will non-compliance/enforcement be dealt with? It is difficult to see how in practice the proposed levy can be collected prior to a change in ownership.
- Development value is not all together in accord with site viability. Inevitably, it will become difficult for an authority to collect the proposed levy at all. Gaps in infrastructure provision will therefore widen and disparities between areas will become inevitable.

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

Locally

Given the vast differences between values in different parts of the country, a flat national CIL rate would lead to extreme reductions in the amount of money available for infrastructure provision in more buoyant parts of the country such as ours where infrastructure is already under strain. Far from maximising revenue nationally, it would have the opposite effect.

It is far better that rates be set at a local level to enable differences in viability between areas, and indeed within an authority's own area, to be addressed.

There is no clear rationale for national government to take over the setting of CIL rates. The CIL charging schedule process has been substantially slimmed down, with examinations often taking place by written representations, and is relatively straightforward. The White Paper does not say what the advantages are of taking the setting of rates out of local authority hands, and it therefore simply seems to be part of the centralisation of planning powers that is a running theme in these

proposals.

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? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

Greater/more value.

Any change proposed to the now very over-complex system of the Community Infrastructure Levy should be supported by a clear evidence base supporting the proposed change. WBDC consider that any change should thus be aimed at capturing more value to contribute to investment of local infrastructure, this should only be proposed if it can be demonstrated that the evidence points to the change having the desired effect. (See answer to Question 22a for the developer contributions collected by WBDC against the funding gap identified through the Adopted Local Plan and IDP.)

For example, if affordable housing is no longer to be via S106 then it must be greater otherwise no affordable housing will ever get built.

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]

No, absolutely not. The cornerstone is that infrastructure should be provided in a timely manner in order to support the delivery of new development. There is no logic to allowing the collection of a levy following occupation, given the timeline needed to build new roads, junction improvements, new schools etc that are a result of development.

However, if the new proposed Combined Infrastructure Levy is only to be paid on occupation and not construction it could lead to a significant time lag of years between the money being borrowed and the money being paid back to the local authority and it might never get the money if the original proposal changes. Why should the local community pay for the interest associated with the loan to provide the infrastructure, which should have been provided by the developers in the first instance?

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

Yes otherwise the existing residents are supporting the developer and enhancing the profits on the scheme. The change to permitted development rights to allow offices to convert to residential has placed additional burdens on our services which would have been compensated for by CIL.

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? [Yes / No / Not sure. Please provide supporting statement.]

Yes if not more

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?

[Yes / No / Not sure. Please provide supporting statement.]

In-kind payment wherever possible. However, we have concerns about how this would work in practice.

Once the levy is paid and, potentially, the site sold, it is difficult to see what enforcement mechanisms there would be to ensure that the affordable housing remains affordable in perpetuity without a legal agreement of some format. And, without such an owner, if the housing does cease being affordable, and the current owner is not the individual/company that was responsible for compliance with the levy, it may not be clear who is legally responsible without the legal agreement

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

[Yes / No / Not sure. Please provide supporting statement.]

Yes no local authority should over pay for anything

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? [Yes / No / Not sure. Please provide supporting statement.]

Probably yes, but there are a lot of problem in accepting an in kind development.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

[Yes / No / Not sure. Please provide supporting statement.]

Yes it should only be spent on infrastructure

25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

Yes

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?

These are extremely wide-ranging proposals, and as such their effects on groups with protected characteristics could potentially be significant, and may only become more apparent when further detail emerges.

A move towards much greater reliance on engagement using digital technology will favour younger age groups and those who can afford a laptop, tablet and/or a smart phone. It is recognised that these groups tend to be underrepresented in planning

consultations at the moment, but that does not mean that changes should be made that exclude many older people or those who cannot afford expensive IT equipment or fast internet access. Maps and plans do not display well on small screens so those who rely on phones and tablets could be further disadvantaged. Proposals will have to be carefully developed to avoid that effect.

The proposal to set development management policies at national level could have effects on people with disabilities. Local plans contain expectations for the accessibility and adaptability of new housing, based on local evidence of likely need. National development management policies may well result in less accessible and adaptable housing being provided.