



**Committee:** COUNCIL BUSINESS COMMITTEE

**Date:** TUESDAY, 29 SEPTEMBER 2020

**Time:** 12.30 P.M.

## THIS WILL BE A VIRTUAL MEETING

### A G E N D A

**1. Apologies for Absence**

**2. Appointment of Vice-Chair**

To appoint a Vice-Chair for the duration of the 2020/21 municipal year.

**3. Minutes**

Minutes of meeting held on 5<sup>th</sup> March 2020 (previously circulated).

**4. Items of urgent business authorised by the Chair**

**5. Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

**6. Response to the Proposed Changes to the Current Planning System Consultation  
(Pages 3 - 15)**

Report of the Director of Economic Growth and Regeneration

**7. Appointments to Committees and Changes to Membership**

## **ADMINISTRATIVE ARRANGEMENTS**

### **(i) Membership**

Councillors Joyce Pritchard (Chair), Victoria Boyd-Power, Darren Clifford, Joan Jackson, Paul Stubbins, David Whitaker and Katie Whearty

### **(ii) Substitute Membership**

Councillors June Greenwell (Substitute), Mel Guilding (Substitute), Mandy King (Substitute), Geoff Knight (Substitute), Abi Mills (Substitute), John Reynolds (Substitute) and Joanna Young (Substitute)

### **(iii) Queries regarding this Agenda**

Please contact Debbie Chambers, Democratic Services - email [dchambers@lancaster.gov.uk](mailto:dchambers@lancaster.gov.uk).

### **(iv) Changes to Membership, substitutions or apologies**

Please contact Democratic Support, telephone 582170, or alternatively email [democraticsupport@lancaster.gov.uk](mailto:democraticsupport@lancaster.gov.uk).

KIERAN KEANE,  
CHIEF EXECUTIVE,  
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DALTON SQUARE,  
LANCASTER, LA1 1PJ

Published on 21<sup>st</sup> September 2020.

**COUNCIL BUSINESS COMMITTEE****Changes to the Current Planning System Consultation****Tuesday 29<sup>th</sup> September 2020****Director of Economic Growth and Regeneration****PURPOSE OF REPORT**

To inform members of the '*Changes to the Current Planning System*' consultation. This has been prepared by the Ministry of Housing, Communities and Local Government and is seeking views on proposed changes to the current planning system being explored in advance of more radical changes being consulted on as part of the '*Planning for the Future*' White Paper.

The '*Planning for the Future*' White Paper sets out plans to undertake a fundamental reform of the planning system. These are long term aspirations. The '*Changes to the Current Planning System*' consultation looks at a series of shorter-term measures aimed at improving the effectiveness of the current system. It includes measures aimed at the calculation of future local housing need, the provision and securing of First Homes, the lifting of the threshold under which developers must contribute towards affordable housing and an increase in the number of schemes eligible to apply for Permission in Principle.

The document is currently out for consultation until the 1<sup>st</sup> October 2020.

Officers proposed response to this consultation is appended to this report.

**RECOMMENDATIONS**

- (1) **That the comments raised in appendix 1 of the Report are submitted to the Ministry of Housing, Communities and Local Government as a formal response from the City Council**
- (2) **That officers keep Members informed of progress on the implementation of these reforms**

**1.0 Introduction**

- 1.1 The Government have, for some time, indicated that it has been considering significant reforms of the current planning system citing concerns with the speed in which decisions are made and the rate of new development delivered. The '*Planning for the Future*' White Paper which is currently out to consultation, and which will be reported separately to this group at a later date sets out comprehensive reforms to the planning system. The proposed reforms are both extensive and significant, relating not only to the preparation of Local Plans but also how planning applications are determined and, in some instances, whether the planning application process is necessary.
- 1.2 These are very much longer term aims and will inevitably take time to come to

fruition. Recognising this the Government is also consulting on a series of shorter-term measures aimed at achieving the immediate effect of delivering more development and speeding up the process. The changes being suggested can be brought forward in advance of the legislative and regulatory process under which the wider reforms would be subject to.

- 1.3 This report provides an overview of the ‘Changes to the Current Planning System’ consultation and describes Officers comments on the consultation document (appendix 1 below), which subject to this committee’s agreement will be submitted to the Ministry of Housing, Communities and Local Government as Lancaster City Council’s formal response to the consultation. The consultation document can be viewed from the following link  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/907215/200805\\_Changes\\_to\\_the\\_current\\_planning\\_system\\_FINAL\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907215/200805_Changes_to_the_current_planning_system_FINAL_version.pdf)
- 1.4 The consultation and the proposed response to it has also been reported to the Council’s Local Plan Review Group at its meeting on the 10<sup>th</sup> September 2020. Members of the group were invited to feedback any comments to the consultation. Due to committee deadlines it has not been possible to incorporate these comments into this report. Should any comments be received these will be reported verbally to this committee at its meeting on the 29<sup>th</sup> September and subject to your agreement included within the Council’s response.

## **2.0 Proposal Details**

- 2.1 The consultation report sets out four main proposals:

*1) Changes to the Standard Method for assessing housing numbers in strategic plans*

- 2.2 Introduced in 2018 the Standard Method establishes the methodology for calculating housing need in an area. The current method was introduced to provide a consistent approach to the calculation of housing need across the country, updating the objectively assessed housing need (OAN) calculations which had until then been used to identify housing need.
- 2.3 Currently, the method takes the baseline of household projection using a 10-year average of the 2014-based national household projection figures and adjusts the figures to take account of affordability, subject to a cap (currently a 40% cap). The consultation report notes that this method has been heavily criticised for projecting past trends forward and for not reflecting more recent lower household growth projections (2016 householder projections). Under the current method a figure of 411 dwellings per annum is generated for Lancaster District.
- 2.4 Recognising perceived failings in the methodology, the consultation report recommends improvements to the standard method focussed on two new elements: the inclusion of a new housing stock baseline and an affordability adjustment taking into account affordability changes over time rather than just at the point of assessment. The following approach is suggested:
- Step 1 – setting the baseline – providing stability and certainty by incorporating a blend of housing projections and stock*
- 2.5 The consultation report advises that the baseline should be whichever is the higher of 0.5% of existing housing stock in each local authority area OR the latest projected annual household growth over a 10-year period.

2.6 The proposed approach creates a ‘top-up’ approach with the existing housing stock forming a baseline topped up by the housing projections. The report advises that this will create stability with the housing stock of an area more stable and not subject to fluctuations like household projection stock only data. The report also advises that this will ensure all areas, as a minimum, contribute to a share of the national total proportionate to the size of their current housing market.

2.7 For Lancaster district this means:

2019 existing housing stock	63,510	0.5% of this	318
Household Projections	2020 – 60,336 2030 – 63,737	Difference of 3,401 which is then divided over 10 years	340

2.8 On the basis of the above Lancaster District would use the household projection figure of **340** dwellings per annum as its baseline figure.

*Step 2 – Adjusting for market signals – maintaining price signals using the current affordability ratio and the change in affordability over the last 10 years.*

2.9 The current method looks at only how unaffordable an area currently is. Under the suggested amended approach, the uplift is based on the change in ratio over the last 10 years using the workplace based median house price to median earnings ratio.

2.10 The consultation report notes that the continued inclusion of this adjustment ensures that any imbalances in supply and demand are factored in with the affordability of homes viewed to be the best evidence that supply is not keeping up with demand.

2.11 The consultation report recommends an affordability adjustment be made using the following revised formula

$$\begin{aligned}
 & \text{Adjustment Factor} \\
 & = [((\text{Local affordability ratio } t=0 - 4 / 4) \cdot 0.25) \\
 & + ((\text{Local affordability ratio } t=0 - \text{Local affordability ratio } t=-10) \times 0.25)] \\
 & + 1 \text{ Where } t = 0 \text{ is current year and } t = -10 \text{ is 10 years back.}
 \end{aligned}$$

2.12 The following figures would be used for Lancaster District

- Affordability ratio (median, workplace) in 2019 = 5.67 giving adjustment factor 0.104375
- Change in affordability ratio between 2019 (5.67) and 2009 (5.18) gives second adjustment factor of 0.1225
- Total adjustment factor = 1 + 0.104375 + 0.1225 = 1.226875

2.13 Following this method the figure for Lancaster district is: 1.226875.

2.14 For each 1% the ratio is above 4 the baseline increases by quarter of a percent. Currently no adjustment is made where the ratio is 4 or below. The consultation report proposes to amend this including a downward adjustment as well as the current upward adjustment. It now proposes for each 1% the ratio is below 4 the baseline is decreased by a quarter of a percent. These areas would therefore not experience any uplift.

- 2.15 The Lancaster district figure is above 4 and so would experience an uplift of 1.226875%. On the basis of the suggested amendments to the methodology a figure of **417** dwellings per annum is generated for Lancaster district ( $340 * 1.226875 = 417$ ).
- 2.16 Whilst not applicable to Lancaster District the consultation report proposes the removal of stage 3 of the current standard method whereby a cap is imposed limiting the increase in figures experienced by an authority. The consultation report states that the capping of figures is not compatible with the Government's aim of significantly boosting the supply of new homes.
- 2.17 Importantly the consultation report notes that the standard method provides the starting point for planning for housing and does not establish the requirement, this continues to be done separately for the time being through the plan making process. The document highlights that the standard method identifies the minimum number of homes that a local authority should plan for.

### *2) Delivering First Homes*

- 2.18 Following the standard method the consultation report goes on to discuss the delivery of First Homes noting that ensuring access to home ownership remains one of the greatest challenges for the Government.
- 2.19 The Government intend to set out in policy that a minimum of 25% of all affordable units secured through developer contributions should be First Homes. Initially these will be secured through S106 agreements however under the separate reforms proposed these will subsequently be secured through the new Infrastructure Levy
- 2.20 The consultation report advises that the minimum amount of discount should be 30% from market price which will have been set by an independent registered valuer. The valuer should assume the home is sold as an open market dwelling without restrictions. Local authorities are to be given the discretion to potentially increase this to 40% or 50%.

### *3) Supporting small and medium sized developers*

- 2.21 The consultation report recognises the important role that small and medium sized builders (SMEs) make to the economy noting that these are able to build out more quickly than most larger sites and also help to provide more variety in design, type and sizes of property then often offered by the big developers.
- 2.22 Despite these benefits SMEs are noted to be in decline. They are also noted to be more vulnerable to the impacts of Covid-19.
- 2.23 The consultation and the proposed amendments aim to reduce the burden of contributions on SMEs for more sites for a time-limited period. On this basis the consultation proposes to raise the small site threshold from its current 10 dwellings to either 40 or 50 dwellings. This would be for an initial 18-month period.
- 2.24 Lower thresholds will still be able to be set in some designated rural areas.

### *4) Extension of the Permission in Principle consent regime*

- 2.25 Permission in Principle was introduced in 2018 as a new faster way of obtaining planning permission for housing land development. This was done by giving authorities the power to grant Permission in Principle to suitable sites allocated on

registers of brownfield land. Permission in Principle was extended in 2018, for minor development (i.e. small sites that support fewer than 10 dwellings).

- 2.26 Permission in Principle is designed to separate decision making on ‘in principle’ issues addressing land use, location, and scale of development from matters of technical detail, such as the design of buildings, tenure mix, transport and environmental matters. The aim is to give up-front certainty that the fundamental principles of development are acceptable before developers need to work up detailed plans and commission technical studies. It also ensures that the principle of development only needs to be established once.
- 2.27 The consultation report considers the removal of restrictions on the current Permission in Principle route effectively making it possible for more applications to be made for a far wider range of sites. The consultation does note that existing restrictions in the Permission in Principle Regulations will remain relating to Environmental Impact Assessment and Habitat Regulation requirements.

### 3.0 Details of Consultation

- 3.1 The Changes to the Current Planning System document is currently out to consultation with comments requested by the 1<sup>st</sup> October 2020. The full document is available to view from the following link  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/907215/200805\\_Changes\\_to\\_the\\_current\\_planning\\_system\\_FINAL\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907215/200805_Changes_to_the_current_planning_system_FINAL_version.pdf)
- 3.2 Following the consultation, a decision will be taken as to whether to proceed with the described approaches. If taken forward this could be through the introduction of a Written Ministerial Statement in the Autumn.

### 4.0 Options and Options Analysis (including risk assessment)

	<b>Option 1:</b> To formally respond to the Ministry of Housing, Communities and Local Government with the comments provided in Appendix 1 of this report.	<b>Option 2:</b> To formally respond to the Ministry of Housing, Communities and Local Government with any other comments	<b>Option 3:</b> To provide no comment to the consultation exercise
Advantages	That the views and opinions of the City Council are duly considered in the consultation process and preparation of the any revised guidance.	That the views and opinions of the City Council are duly considered in the consultation process and the preparation of any revised guidance.	No advantages
Disadvantages	That whilst the City Council submit comments there is no guarantee that these comments will be included.	That whilst the City Council submit comments there is no guarantee that these comments will be included.	That the views/opinions of the City Council will not be taken into account and future opportunity to feed into the process is lost.
Risks	The report may not be revised in light of the comments received from the City Council.	The report may not be revised in light of the comments received from the City Council.	The report may not be revised in light of the comments received from the City Council

			and future opportunity to feed into the process is lost.
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**5.0 Officer Preferred Option (and comments)**

5.1 Option 1 is the preferred Officer option. This option ensures that the City Council remains part of discussions and that future iterations are shaped by its involvement.

**6.0 Conclusion**

6.1 It is recommended that the response set out in Appendix 1 is submitted to the Ministry of Housing, Communities and Local Government as the City Council’s formal response to the consultation.

**CONCLUSION OF IMPACT ASSESSMENT  
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

If taken forward the proposed revisions will have an impact on the determination of planning applications in this district and in the preparation of the Local Plan. The Council will need to ensure that its decisions are in line with any future revisions. Whilst facilitating additional development and growth this could have impacts on the amount of affordable housing delivered. The general steer of the consultation report however is consistent with the City Council’s own priorities of ensuring the delivery of development and meeting the needs of its residents.

**LEGAL IMPLICATIONS**

There are no legal implications arising directly from this report.

**FINANCIAL IMPLICATIONS**

The consultation discusses the proposed fee structure for permission in principle applications.

The main implication is that the permission in principle is a faster route to obtaining the first stage of planning permission. If the public adopt this process the council will have tighter deadlines in which to determine applications.

Although at present, the impact is not quantifiable at this juncture and as such, there is a real possibility that current resources may possibly fail to deliver within the timescales stipulated. In the first instance this will be subject to constant review and if problems arise, the need for short-term additional staffing may be required to flatten workflow peaks. Should this happen then it will be highlighted via the council’s usual financial monitoring arrangements and reported back before taking a more permanent decision on the future.

**OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces**



There will also be information service implications in terms of advertising applications and in ensuring access to information for applicants, members of the public and other stakeholders.

**SECTION 151 OFFICER'S COMMENTS**

The S151 Officer has been consulted and has no further comments to add.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments to add.

**BACKGROUND PAPERS**

Available to view from the following link

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/907215/200805\\_Changes\\_to\\_the\\_current\\_planning\\_system\\_FINAL\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907215/200805_Changes_to_the_current_planning_system_FINAL_version.pdf)

Changes to the current planning system. Consultation on changes to planning policy and regulations (August 2020)

**Contact Officer:** Rebecca Richards

**Telephone:** 01524 58291

**Email:** rrichards@lancaster.gov.uk

**Ref:** N/A

**Appendix 1 – Proposed City Council response to the consultation**

The following responses to the consultation questions are proposed:

**Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?**

The consultation paper correctly recognises that the use of household projections has attracted criticism noting issues in their volatility and the problems associated with the projection forward of past trends. This is especially evident in the publication of recent projections which are well documented to have resulted in substantial increases and decreases for an area dependent on their location in the country.

Such variation is a significant issue for local authorities and has led to substantial costs and delays in the plan making process. Recognition of this issue and an opportunity to address this is therefore welcomed.

Whilst the use of the existing housing stock does allow for some stability for those areas where a fall in the householder projections are forecast it does little to create stability where projections result in significant increases with these then required to form the baseline for future calculations. In such situations the suggested approach would not allow for any consideration of how the level of growth related to the existing housing stock.

Such issues were previously addressed via the application of a cap under stage 3 of the current standard method approach. The City Council would welcome additional clarity on this with the potential for a cap linked to the existing housing stock explored.

Whilst welcoming confirmation that the most up to date projections should be used this does little to address the issues that local authorities face where new projections are published mid-way through Local Plan preparation. The volatility of projections would continue to remain an issue. Additional clarity is also sought in relation to the methodology to be used. As currently set out the proposed methodology remains subject to significant variation in terms of the time periods that should be used to undertake the calculations. This is a significant issue and until this uncertainty is addressed, challenges to figures are likely to remain, thereby undermining the whole intention of a standardised approach.

**Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.**

Whilst 0.5% might reflect the average increase in stock across the country, greater analysis of any local variation within this would be welcomed as figures vary not only across the country, but also within regions. Specific localities may therefore vary significantly.

**Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.**

The City Council support the application of this ratio as a means of ensuring the affordability of an area is factored into the consideration of housing need.

Whilst supporting the use of this ratio it should be noted the time period used can again impact on the calculations with the ratio itself subject to significant variations from year to year. This creates further uncertainties for local authorities and challenges to calculations. Until these issues are addressed it is unlikely that the application of the new approach will create the stability and certainty that the Government hope.

**Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.**

The inclusion of a longer time frame is supported. Whilst supported the start and end date used for these calculations can result in significant variations in figures. Greater recognition of this issue is requested and clarity on how this will be addressed is required.

**Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.**

Yes

**Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:**

**Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?**

**Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?**

**If not, please explain why. Are there particular circumstances which need to be catered for?**

The transition period would appear reasonable.

Additional clarity is required for those authorities who have recently adopted a Local Plan and the extent to which, and when, they would be expected to review their figures following publication of the revised guidance.

**Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):**

**i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.**

**ii) Negotiation between a local authority and developer.**

**iii) Other (please specify)**

Option i) is considered the most appropriate approach. Prioritising the replacement of other forms of affordable ownership, such as discounted sale would have the least impact upon viability and ensure that the overall percentage of affordable homes required by local plans would be the least affected. This would also continue to allow existing Local Plan policies which require an affordable ownership/rental split to be effective. When reviewed, Local Plan should then be able to re-prioritise the remaining 75% within policy to reflect local affordability and need for different tenures.

There are concerns about the impact of the First Home tenure upon local authority resources, deliverability and timescales, if the local authority is responsible for verification of valuations/qualifying persons at the first sale and every time a unit is sold on.

**Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to apply to this First Homes requirement?**

Yes

**Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.**

No

**Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.**

No

**Q12: Do you agree with the proposed approach to transitional arrangements set out above?**

Yes

**Q13: Do you agree with the proposed approach to different levels of discount?**

Yes

The approach which would allow Local Authorities to set a discount up to 40 or 50% would allow discounts to closer reflect local affordability and the discounts paid by Registered Providers for shared ownership homes.

**Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?**

No.

Allowing open market homes on exception sites, increases land value expectations adversely affecting viability.

It is not agreed that First Homes should replace all other types of affordable tenures on exception sites. In rural areas, where sale values are high, the percentage discount may not reflect local affordability or tenure preferences. A range of affordable tenures, like the proposals for First Homes on other development sites would be more appropriate.

**Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?**

No

The existing thresholds are appropriate to ensure that First Home exception sites meet genuine local need to a specific village or parish rather than seeking to meet the needs of the wider district. Where appropriate sites may be larger they should include a wider range of affordable tenures.

**Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?**

Yes

**Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?**

No

Small sites contribute most of the affordable housing in rural areas (which are not designated). The existing requirement and the affordable % in the Local Plan will only meet a small amount of the identified need. If thresholds are increased, it is likely that the affordable housing within rural areas will cease and needs of rural communities will not be met.

**Q18: What is the appropriate level of small sites threshold?**

iii) Other

As existing

**Q19: Do you agree with the proposed approach to the site size threshold?**

No

**Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?**

If the Government decide to proceed it must be for planning permissions granted over a short period of 18 months and controls must also be in place to ensure that the housing is built within a reasonable timescale and sites are not banked or built out slowly.

**Q21: Do you agree with the proposed approach to minimising threshold effects?**

Yes, the guidance should be provided as a requirement for developers without exceptions. It should be made clear that allocated sites, or sites adjacent to or in close proximity must be delivered as a single scheme and not in a piecemeal manner.

**Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?**

Yes

**Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?**

Grants and finance which are easier and quicker to access with low interest rates.

**Q24. Do you agree that the new Permission in Principle should remove the restriction on major development?**

Yes, subject to the retention of existing protections regarding EIA development and the application of the Conservation of Species and Habitats Regulations 2017. Our support for the removal of restriction is also predicated on an assumption that the proactive work of local planning authorities in assessing Permission in Principle submissions is covered by a robust and commensurate fee structure.

**Q25. Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of floorspace of the overall scheme)? Please provide any comments in support of your views.**

No, although there could be confusion regarding 'floorspace' and 'site usage' (i.e. some commercial uses of land may not require internal 'floorspace'). To resolve this, it would be prudent for the wording of the amended legislation to clarify that a Permission in Principle submission should ensure that residential uses will be the dominant use of the site.

**Q26. Do you agree with our proposals that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?**

A Maximum Height threshold parameter would be difficult for the reasons explained in Paragraph 106 of the consultation document. Given the likely future direction of the national planning system (*Planning for the Future, 6 August 2020*), we would suggest that users of the Permission in Principle be required to consent to participate in local design coding for their development schemes at the Technical Matters stage, alongside the local planning authority and other local stakeholders (e.g. Parish Council). This type of system could maintain a fast-track PiP regime, but achieve the interactive, localised design coding input into schemes that are still necessary if the planning system is to remain a locally democratic process.

**Q27. Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.**

No. See Q26 above.

**Q28. Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:**

- i) required to publish a notice in a local newspaper?**
- ii) subject to a general requirement to publicise the application?**
- iii) both?**
- iv) disagree**

**If you disagree, please state your reasons.**

Yes there needs to be additional publicity for major developments. The requirement to publish in local newspapers is outdated and local planning authorities are increasingly being adversely affected by rising newspaper advertisement costs. A new digital planning system requires a shift towards website and app advertisement instead.

**Q29. Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?**

No. If this is an expedited service, and local planning authorities are to be proactive in assessing the proposals, then developers should be prepared to pay for that faster service. A rise in the fee

structure is advocated for this reason. However, any increased fees should come with performance-related conditions for the local planning authority.

If Government wants to make this an expedited system, it needs to legislate regarding the decision level of PiP submissions. If decisions are to continue to be made at Committee, then the time limits for decision-making need to be longer (to accommodate Committee Cycles).

**Q30. What level of flat fee do you consider appropriate, and why?**

There should be a 10% increase in the flat fee (when compared to an outline application for the same development).

**Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why**

Yes.

**Q32. What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.**

There needs to be more 'branding' of PiP as a 'gold standard' of service from local planning authorities, to make them an attractive proposition for developers. But to achieve this there needs to be a recognition that such a service needs resourcing. Paying an additional 10% fee (on top of the usual outline fee) is not unreasonable provided that the local planning authority make a timely decision.

**Q33. What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?**

As with the *Planning for the Future* consultation (we will be submitting separate comments regarding this consultation), the revised system has to tackle the competing themes of speeding up the planning system whilst ensuring that the system remains locally democratic. This is a difficult to achieve without detriment to either of these ambitions, and one suspects that you will have to decide regarding where the balance should lie. We're not convinced that the current wording in this document – or *Planning for the Future* – satisfactorily remedies this conflict.

**Q34. To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible**

We would compare it to our current system of pre-application advice. At Lancaster, we charge a premium fee for our upper tier pre-application advice for major developments. This fee however guarantees a Development Team-style approach and a presentation event with representatives of the Planning Committee, the relevant Parish Council and Ward Councillors. By being inclusive and transparent, it seeks to remedy any major issues at the earliest stage. Developers and consultees have been complimentary about this system. Developers do not mind paying the additional fee because they know that their proposals will receive the input that they desperately need in order to make development decisions. Landowners and developers will use PiP if the same principles apply.

**Q35. In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality or opportunity and fostering good relations on people who share characteristics protected under Public Sector Equality Duty? If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact.**

The Council do not consider that the proposals set out in this consultation will have any direct or indirect impacts on this matter.