

CHANGES TO THE CURRENT PLANNING SYSTEM CONSULTATION

Brenchley & Matfield Parish Council Response: 1st October 2020

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?

No. An overall percentage figure for housing stock doesn't show the size of unit or tenure breakdown and is therefore too blunt an instrument for measuring what is currently missing in housing stock. This needs to be broken down in order to inform the total of current and future housing needs.

The current OGS figures for household growth show most Local Authority (LA) areas having an increase in housing over the next 10-year period, with only Copeland Local Authority showing a decrease. As an example, in Tunbridge Wells Borough the increase over the next 10 years is projected at 7%. With many areas showing an increase in excess of the 1% quoted in point 26, the majority of LAs will not be using the 0.5% baseline.

For Tunbridge Wells borough 0.5% of the housing stock would provide 257 homes per annum, while the household projection averaged over a 10-year period would require 356 homes per annum.

Q2: In the stock element of the baseline, do you agree that 0.5% of existing

No. This level seems too low, as most LPAs on the OGS map have a projected growth at a higher percentage and a 0.5% baseline would rarely be adopted. Every LPA, except Copeland, appears to show a percentage increase in households in excess of 1% and many in excess of 7%, questioning the growth figure of 1% mentioned in Point 26. 0.5% seems a pointless parameter, if no more than a handful of LGAs will qualify to use it as a baseline.

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.

No. A simple demand & supply economic measure is inappropriate in rural but accessible locations, such as those within commuting distance of London. The median is inflated meaning prices are too high for local artisans/workers to buy a house, so it does not help the bottom end of the market. Affordability should be related to local workers average incomes.

There appears to be no connection between increasing the number of new homes and affordability. New homes in areas of high affordability are priced according to the housing market and do not result in a reduction in local housing prices

The government has made a commitment to provide 300,000 homes a year and has devised a questionable standard method formula to provide in excess of this housing figure. In the Government's 2014 Household Projections the annual average household growth was projected to be 210,000 per year between 2014 and 2039. In the 2016 and 2018 Household projections this 15-year figure reduced to 165,000 and 164,000 respectively. The present aspiration for 300,000 homes appears to have no empirical basis but only a desire for the headline of 'One million homes built' before the next election date.

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.

No. Many manual workers have to travel into our parish from outside the area to work, as they cannot afford to live here. Any data from our community is already overpriced for artisans.

The workplace-based median house price to median earnings ratio in Tunbridge Wells Borough is not a relatively stable figure over time, as suggested in Point 32 of the consultation. The ratio increased in 2005 and remaining relatively stable over the period to 2015. Since 2015 it has increased annually, increasing by 20% up to 2019, possibly as a response to the new housing levels required by the current standard method. During recent years there has been migration into the Tunbridge Wells area from London Boroughs, which has accelerated during the Covid-19 pandemic, further increasing the affordability ratio as housing prices have increased. In the case of Tunbridge Wells Borough, adding a ten-year growth adjustment which includes the rapid escalation of prices during the past five years, increases the housing requirement significantly. This rapid increase in housing during the last five years can also be seen throughout the South East, South West and particularly in London.

For Tunbridge Wells Borough this factor contributed 1.04 to the adjustment factor required to calculate the housing number, which is twice as high as effect of the affordability index alone.

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

No. There appears to be no evidence that increasing the number of homes in a LA will make them more affordable. Using affordability as a significant factor in the current and proposed standard methods has produced the highest housing numbers in areas of least affordability.

For a high house price area, affordability at the low end is lost. Affordability will not be solved simply by just building more houses. A simplistic demand and supply model doesn't address where the real problem is, at the lower end of the market. More specific targeted social housing measures are required.

Point 14b identifies emerging demand areas such as the Northern Powerhouse. The housing figures determined by both the current and proposed standard method do not reflect the increased demand in North East, North West, Yorkshire and Humber. Instead the housing growth is focussed in London and the South-East, the areas of least affordability. With the huge variation of house prices throughout England and the recent affects of Covid-19, Brexit and other events, a simple standard model is inadequate. It fails to provide the housing demands of the Northern Powerhouse, suggesting that a reliance upon affordability alone is insufficient.

Point 7 in the consultation states that the additional homes can be accommodated through a combination of intensification and densification of brownfield land, regeneration of former commercial sites and underused sites such as car parks. This implies that most of the new homes would be built in urban areas. In small rural parishes such as Brenchley & Matfield, which may be allocated a proportion of the homes required in Tunbridge Wells Borough, the opportunities for such brownfield sites is limited. 70% of the parish lies in the High Weald AONB and there is wealth of historic and environmentally sensitive areas.

For Tunbridge Wells area the affordability ratio contributes 0.53 to the adjustment factor, which is calculated at 2.57. This increases the housing requirement from at least 700 homes per annum using the current standard method to 916 homes per annum using the proposed standard method. Two Calls for Sites in the Borough failed to yield sufficient sites to accommodate the 700 homes per annum required under the current

standard model, resulting in a proposal to build a garden village on Green Belt Land and destroy acres of agricultural land.

A review of such consequences of a broad-brush approach to planning is needed as a matter of urgency. There are additional factors that reduce the number of houses being built, such as the current developers' land bank of one million homes already with planning permission. The current situation in England is in flux, complicated by Brexit, the Covid-19 pandemic, the potential transformation in working habits and a migration to rural areas. It seems an inappropriate time to further complicate such a challenging time by a drastic change in the planning system.

The Government's recent reliance on algorithms and models should make it wary of simplistic models based on limited evidence, such as the standard methods employing only a housing affordability factor. A determination of housing requirements involves complex factors, which vary throughout the country. In addition, a review of the spurious housing figure of 300,000 per annum, based on an aspiration with no empirical evidence, seems imperative to prevent further destruction of the countryside and the rural way of life.

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?

In order to achieve the transition to a new planning system, Local Plans that are already at the Regulation 19 stage should be encouraged to submit the plan to the Inspectorate within a reasonable time frame. More than six months extra time might be required to avoid 'difficult issues' being swept aside and local residents ultimately will be paying for the mistakes – eg poor design, inadequate highways infrastructure, insufficient cycle and walkways. The time frame should allow sufficient time for further consultation with the public and statutory bodies and the subsequent amendment of the plans.

Local Plans that have already reached the Regulation 18 stage normally take considerable time to amend the Plan to the Regulation 19 stage, following the consultation process. In the case of Tunbridge Wells Borough Council this process will have taken at least fifteen months, following a high rate of response to the Regulation 18 consultation.

Local authorities at Reg. 19 stage should be given at least nine months to submit their plan, otherwise there is a risk that plans will be delayed at least a further 18 months to gather further evidence and re-do Reg.18, causing massive delays and extra costs. This will be counter-productive to the aim of securing efficient planning and timely development.

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?

Plans close to the Regulation 19 consultation should be given nine months from the publication date of the revised guidance for submission. A further nine months should be given to submit plans to the Inspectorate. Local Planning Authorities do not have the resources to thoroughly respond to the consultation comments in six months.

Local Plans have previously taken up to seven years to develop and the new planning proposals are to condense this process to a 30-month period. Some Local Plans will not yet have reached the Regulation 18

stage, even though considerable time and budget have been spent in their preparation. The proposals should include provision for plans close to the Regulation 18 stage.

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)

(iii) The most appropriate options for the tenure of the remaining 75% of affordable housing should be set out in Local or Neighbourhood Plans that reflect the housing requirements of individual parishes or urban areas. In rural parishes such as Brenchley & Matfield there is a need for social rented housing, as houses at 20% or 30% discount on market prices are still unaffordable to residents on artisan wages.

Communities should be involved in the decisions and the provision of different tenures based on an identified need. The objective would be to ensure that local artisans (workers on low wages) are able to purchase and rent affordable housing, through schemes such as social housing, discounted housing, shared ownership and First Homes.

With regards to current exemptions from delivery of affordable home ownership products:

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

No, there should be no exemptions. All developments of more than 10 homes should have an affordable element, whether designated "First Homes" or not. In our small rural parish we need to encourage any scheme that offers deliverable affordable housing.

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

The income limits and criteria for inclusion in the Housing Register are prohibitive. There are families on intermediate income that are ineligible for the Register but still wish to purchase or rent affordable homes. The income restrictions on shared ownership and planned for First Homes (£90,000 in London and £80,000 in the rest of England) are too low to enable houses at a discounted value to be purchased in high affordability areas. A same 80,000 limit throughout England does not reflect the enormous variation in house prices between different areas of the country. Higher limits should be set in areas with a high affordability index, with London at a much higher price differential. The income criteria should also be relaxed to allow local parishioners to be listed on the Housing Register to enable them to qualify for affordable homes in their parish.

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?

No. We are not supportive of the change, therefore also not supportive of the transition. Neighbourhood Plans that may be made before Local Plans should be allowed to include First Homes in their housing policies.

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

The affordability of an area is highly variable throughout the country and the appropriate discount should be set at a local level through a Neighbourhood Plan that reflects identified needs. The level of discount in Brenchley & Matfield Parish would need to be higher than 30% to enable affordable housing to be purchased and a much higher discount rate would be necessary.

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?

A percentage of market housing could be allowed but the 'small' percentage should be more clearly defined. The percentage should not allow development sites to be permitted while masquerading as First Homes exception sites.

Brenchley & Matfield is a rural parish, we support the retention of the rural exception sites policy.

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

No. Exception sites should remain at the current size set out in the NPPF to accommodate the identified local need of the community and protect the rural nature of the area.

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

Yes. Brenchley & Matfield Parish is believed to be a designated rural area, where delivery would be through the rural exception sites policy.

For each of these questions, please provide reasons and / or evidence for your views (if possible):

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

No. A recovery from the Covid-19 crisis should be underway by the time these proposals are legislated. A small rural parish such as Brenchley & Matfield Parish, where artisan wages are low and house prices are high, needs affordable homes and particularly social housing for rent. Although the parish should be exempt as a designated rural area, this proposal will affect larger parishes. There appears to be no delay in the current developments being built and affordable homes are much needed in rural areas.

Within our Brenchley & Matfield parish all bar one recent development proposals have been from SME developers for sites with less than 45 houses. To raise the small sites threshold to a point where all proposed sites will be exempt would mean no affordable homes in the parish at all. This again goes to demonstrate that by trying to apply generic policies to smaller rural communities is counter-productive, where the primary identified housing need is for affordable homes.

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

1. **i) Up to 40 homes**
2. **ii) Up to 50 homes**
3. **iii) Other (please specify)**

iii. 10 houses, with an option to set the threshold at a lower level in a designated rural area through a Neighbourhood Plan.

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

No, such policies need to be locally driven based on local circumstances. In rural parishes larger developments, encouraged by the proposal of a larger threshold, would damage the rural nature of the settlements.

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

No. This will simply result in a rush of developers seeking consents to avoid the thresholds, but not necessarily that those developments will be implemented any sooner. Demand for purchasing homes in the next 18 months is likely to be dampened by the current slowdown in the economy.

The recovery from the Covid-19 crisis should be underway by the time these proposals are legislated and the proposal wording suggests that the initial period could be extended.

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

No, the current thresholds are there for a reason and should be retained. There are no specific details in the document on the planning guidance to LPAs to prevent large sites being built in stages, so no comments can be made.

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

No. As previously explained, central government "one size fits all" measures do not respect local market variances and differing needs.

Our parish may be a designated rural parish and the lower threshold will be maintained, which would be supported as well as the ability to set the threshold at an even lower level in a Neighbourhood Plan.

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

SME developers are particularly active in our parish already, with planning applications. They are not so active on starting schemes and therefore the changes proposed won't have any real beneficial impact. The focus should be on actually starting builds and reducing "land-banking".

The government is already supporting SMEs through a number of funding schemes, which could be extended. There seems to be a shortage of skilled workers, which could be improved by offering incentives for apprenticeship schemes. The value of land should also be reviewed to reduce the enormous escalation in agricultural land values.

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

No, we do not agree with Permission in Principle (PIP). The current limit on 10 dwellings/1 hectare should remain in place. In sensitive areas more information would be required to assess an application, particularly the impact of a large development, than is currently required for PIP applications.

Specifically with our parish being within the High Weald AONB such "permission in principle" suggestions are alarming and risk developers using this as a "back door" to by-pass a planning system that is there to protect the environment.

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 the floorspace of the overall scheme)? Please provide any comments in support of your views.

Local planning policy better determines what is appropriate in an AONB. Where larger scale developments are proposed it is important to include an element of commercial development, to help achieve the sustainability of that development. As a rural parish, sustainability for B&M is important, but large developments of the type suggested under this proposed "permission in principle" policy would be inappropriate.

Q26: Do you agree with our proposal 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?

No, we do not agree with PIP.

Permission in Principle is a blunt instrument that would cause permanent harm if use inappropriately. In particular, any suggestion of relaxation of height controls for propose schemes would be wrong and very damaging if used in a rural environment, which B&M parish is. An example of this would be Bracknell – where high rise buildings in the town centre are visible for miles across a largely rural surrounding landscape. It's

difficult to understand how that ever happened – and this proposed policy change would make this a more frequent risk.

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

We do not agree with PIP. Full details, including height parameters should be included to assess whether any planning application is acceptable. Height parameters must be set locally dependent on the surrounding landscape characteristics and the permanent impact that the high buildings would have on the environment.

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:

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

If you disagree, please state your reasons.

We do not agree with PIP. Publicity arrangements for present PIP applications should be at least the same as for full planning permission applications, with a consideration of using other means of publicity including social media. Much wider publicity should be required and option (iii) is a minimum must, the current planning publicity process as a whole is already woeful. The short 5-week determination period and two-week consultation should be brought in line with planning applications, with prompt notification to local councils.

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

We do not agree with PIP. We do not agree with a banded fee structure at a reduced fee level. Considering the end profit potential of schemes in the South East, fees are not a barrier to developers and no reductions or concession are warranted.

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

We do not agree with PIP. We would not support a flat fee or a reduction in the rate.

Limiting fees only reduces income for the planning authority and consequently their resources. If the objective is to speed up the planning process, then fees need to be set commensurate to provide the necessary funding for the resources required to process applications quickly.

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.

We do not agree with PIP but support sites being included in Part 2 of the Brownfield register. We welcome the national Brownfield Map which will bring together all of the sites in the Brownfield Registers throughout the country. Anything which facilitates more development on brownfield land as opposed to greenfield land, must be encouraged

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.

We disagree with PIP, which complicates planning and does not provide sufficient opportunity for public consultation and the proper evaluation of applications.

There needs to be better consideration of: connectivity to adequate infrastructure; AONB protection; Conservation Areas; actual housing requirement and mix of accommodation; local design guide; target prices for affordable flats and houses.

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

The benefits of extending PIP applications would belong to the landowners, SMEs or developers, introducing a fast track system with insufficient checks at a much lower cost than a conventional planning application.

The cost would be to the community, with housebuilders seeking to build their own style of mass-produced housing and this proposed process will only result in standard homes with design tweaks. It risks the developers being able to push through their own design style and limit the powers of the planning authority to have any influence on these generic designs.

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

Since PIP for small residential developments was introduced there have been no applications within this parish. If PIP proves a cheaper and quicker process, limiting the influence of the LPA, it will be used to push through poor quality schemes.

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 of opportunity and fostering good relations on people who share characteristics protected under the 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?

In rural communities the proposals risks over-riding the views of existing residents, who justifiably want to protect and enhance the rural environment they have chosen to live in.

