

Changes to the current planning system

POS response to consultation

30 September 2020

1. Planning Officers Society

- 1.1. POS is the single credible voice for public sector planners, pursuing good quality and effective planning practice. The Society's aim is to ensure that planning makes a major contribution to achieving sustainable development in ways that are fair and equitable and achieve the social, economic and environmental aspirations of the community.
- 1.2. We operate in three main ways:
 - As a support network for planners in the public sector
 - As promoters of best practise in planning
 - As a think tank and lobbying organisation for excellence in planning practice
- 1.3. Where we can, we will work across the sector to craft proposals that have widespread support from the people who operate the planning system at the coalface: landowners, developers, agents, legal, local authorities and politicians. We will be both radical and practical as we look for solutions to tangible problems that will make a real difference to crucial areas. Our objective is to improve the planning system to enable it to deliver its key aim of sustainable development. It is within this context that we have set out this advice to Government so we can plan together for a better future.

2. The proposed new Standard Method

- 2.1. POS is supportive in principle to the provision of a standard method for assessing housing need to inform plan-making. This will save LPAs time and expense. However, any approach has to be credible. In addition there needs to be a reasonable level of stability between one set of projections to the next. However the official household projections vary significantly from one set to the next, with dozens of authorities typically seeing the household growth estimates going up or down by 20% or more. POS understands that ONS also publishes an alternative set of projections which uses a 10-year trend period rather than the 2-year period used for migration flows within the UK in the latest principal projections. These are readily available and are likely to be much less susceptible to changes from one set to the next as only 2 out of 10 trend years change between consecutive sets of projections.
- 2.2. Having considered the “policy off” figures (as undertaken by Lichfields) the approach produces what appear to be flawed housing numbers, particularly having had regard to paragraph 14b of the consultation which states that part of the purpose of the approach is to ‘*Achieve a better distribution of homes where homes are identified in more high-demand areas and in emerging demand areas across the country (such as the Northern Powerhouse)*’ This doesn’t appear to be borne out when considering what the proposed methodology would mean for three of the core cities within the Northern Powerhouse as set out below.
 - *Leeds City Council’s average delivery over the past three years has been 2,845 homes per annum (hpa) whilst the proposed new method indicates a need for 2,387 hpa – a 16% reduction from that delivered*

- *Liverpool City Council's average delivery over the past three years has been 2817 hpa whilst the proposed new method indicates a need for 1154 hpa – a 59% reduction from that delivered.*
 - *Manchester City Council's average delivery over the past three years has been 2370 hpa whilst the proposed new method indicates a need for 1645 hpa - a 31% reduction from that delivered.*
- 2.3. POS acknowledges that the new Standard Method would ultimately become a “policy on” approach under the proposals contained in the ‘Planning for the future’ White Paper. However, it is unclear as to what will form the basis for MHCLG to make those decisions. Whilst some considerations have been identified there are a significant number of matters that local planning authorities have to assess in order to derive their housing requirement figure. POS is concerned that undertaking such an approach on a piecemeal basis will have significant unintended consequences. If such an approach is to be pursued then it needs to be done so within the context of a clear vision and a national plan or at the very least a regional approach.
- 2.4. The proposed approach means that land will continue to be released in unaffordable locations and property hotspots. This will add to existing hot spots around the South East and do nothing to level up the current imbalance between the North and South of the country, but rather exacerbate it.
- 2.5. Housing markets, particularly those on the edge of cities, are very complex and house prices are affected by a number of different factors. For example housebuilders will benchmark their sales prices against those of existing prices within that local housing market area. If those prices are already high then it is questionable as to whether increasing the supply of land in that area would make any material difference in affordability. So whilst POS considers that, on the face of it, it may seem reasonable to add more homes where prices are highest this ignores the fact that there are some areas in which prices will always be higher because they are close to city centres and jobs or have attractive countryside and environmental designations such as Area of Outstanding Natural Beauty Designations or National Parks or other amenities nearby. No matter how many homes are built in these areas, POS is of the view that house prices will continue to remain high and therefore will impact on demand. Asking authorities to provide more homes in these areas will not address the issue. Instead there should be more focus on areas in which the affordability of housing has deteriorated most over time rather than focusing on an absolute level of affordability.
- 2.6. In addition, even if making provision of land to build significantly more homes in these areas were to bring down land values (which POS is not convinced it would) it would simply provide a greater profit for housebuilders as they would be highly unlikely to sell their product at a materially lower value than that of existing properties in the local area.

- 2.7. In the last decade LPAs have permitted over 2.5m homes yet the house building industry have only delivered just over 1.5m homes. POS is of the view that this data demonstrates that land supply is not a barrier to delivering homes including in areas such as London and the South East. The standard method as proposed would do nothing to address the core issue that it is house-builders who determine whether to build or not. In a market system it is understandable that, from a business perspective, housebuilders would not want to saturate the market or build when there is no demand to buy as a result of the cost of the product and the inability to secure the funding to purchase. Therefore allocating even more land for housing would not result in more homes being built. The effects of seeking to rectify this issue through the proposed standard method when then having regard to demand within high-cost areas can be seen below:
- In the South East (excluding London) average delivery over the past three years has been 50,562 hpa whilst the proposed method indicates a need for 81,427 hpa - an increase of 61% from that delivered.
 - London's average delivery over the past three years has been 35,815 hpa whilst the proposed method indicates a need for 93,532 hpa - an increase of 161% from that delivered.
- 2.8 POS would strongly argue that instead Government needs to produce a National Plan. Such an approach would identify where the growth, and the infrastructure and jobs needed to support it, is best placed in order to achieve a 'levelling up' and therefore how it relates to strategic investment across the country. Even taking potential Local Government Reform into account there needs to be a national vision. This should incorporate other priorities, including supporting economic recovery, maximising opportunities for renewable energy provision, protection of valued landscapes, reducing pressure on areas subject to flooding and so on. This would provide a clear and informed approach for allocating preferred areas of the country in a way which meets international objectives including those set out in the United Nations Sustainable Development Goals with UK Government has previously signed up to.
- 2.9 The lack of control for councils over delivery rates means that penalising councils and the communities they support when targets are not delivered on a backward-looking basis appears to demonstrate a fundamental refusal to acknowledge and address the reasons for this i.e. that delivery is based on business decisions. LPAs don't build houses and LPAs cannot force anyone with planning permission to implement that permission. Nor can LPAs force anyone with a site allocated in a local plan to submit an application for its development. POS therefore cannot see how setting even higher targets will do anything to change these fundamental 'truths'. There should therefore be an introduction of mechanisms to encourage delivery, such as through allowing councils, after a certain period, to impose council tax or a land value tax, or pursue Compulsory Purchase action, on unimplemented full permissions, or where outline permission has been granted but no progress has been made on the submission of reserved matters. LPAs spend a huge amount of resources assessing planning applications which, once granted, can sit and gather dust. For a profession that is already over-stretched this cannot be a good use of resources. You certainly would not choose to run a business in this way.

2.10 POS has published a paper as part of our manifesto suggesting three improvements to the Compulsory Purchase Order (Manifesto Background Paper 7). These improvements could help Local Authorities tackle some aspects of the under delivery of homes. It is common ground in the sector that the CPO regime is complex and in desperate need of reform. The paper introduces ideas to use CPO as a tool to tackle land banking, including suggesting simpler alternatives such as Compulsory Selling Orders, public body model or market model. More information can be found here, <https://www.planningofficers.org.uk/uploads/POS%20MBP7%20CPO.pdf>

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*?

There should be a consistent method to determine housing numbers. However, that method should involve strategic decisions on where growth should be encouraged and where constraint is needed. The consultation does not explain how this would be done by Government.

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.

POS considers the 0.5% figure to be arbitrary and there is no explanation as to how it was arrived at. Furthermore paragraphs 19 and 20 of the consultation set out that:

‘The new standard method should ensure that all areas of the country are encouraged to build the homes their communities need. The reasons for which homes are needed varies in different areas of the country. In some areas, new homes can play a vital role in schemes to regenerate deprived areas. In others the existing stock doesn’t meet the needs of the existing communities in terms of providing the right size, type and tenure for different groups within the community and new homes are required to address this.

We therefore propose to introduce a new element into the standard method, a percentage of existing housing stock levels, which takes into account the number of homes that are already in an area. This should ensure that diverse housing needs in all parts of the country are taken into account. It should also offer the stability and predictability which has been absent when solely relying on household projections.’

POS supports the premise that plans should ensure that the needs of existing communities are met in terms of providing the right size, type and tenure of homes but is struggling to understand how the use of the 0.5% figure will achieve this. The approach provides a number, but does not identify the composition of the current stock or provide any analysis of the size, type and tenure of homes that are likely to be needed in the future. Therefore, the primary purpose stated for incorporating this figure is not being met. LPAs have used, and continue to, use Strategic Housing Market Assessments and household projections to drill down into this next level of detail to be able to develop planning policies that are based on local circumstances. The proposed approach would not negate the need to undertake this work or achieve the stated objective.

POS acknowledges that the proposed formula has sought to recognise that for some areas just using the household projections as a baseline would produce a very low housing need figure. It seeks to correct for this by specifying that the baseline figure should be the higher of the projected annual household growth and 0.5% of the number of existing homes in the area. However, the number of homes needed in an area often bears little or no relation to the number of homes there at present: in the past household growth has varied between being negative and up to 3% a year of the number of existing homes. An alternative proposition could be to use a baseline for which data is readily available such as using the number of homes built on average over the last 3 years. Housebuilders only build where there is demand so the number of homes built over a three year period could be taken as an indication of demand. The number of homes built (based on net additions to the housing stock) is published annually for all local authorities by MHCLG in Live Table 122.

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 affordability factor in the current method is misplaced. House prices are not related to the supply of housing. It does not function like a commodity. It relates to demand to live in certain areas (generally for favourable economic reasons) and the supply of money to purchase what are seen as investments/assets rather than homes. As an investment housing is one of the safest and least taxed. Since banks have been able to issue mortgages (following the abolition of the Building Society system in the 70/80s) the economics around mortgages have changed and has been the main contributor to the current problems. In countries where this hasn't happened (e.g. Germany) they have not faced the same problems. This was bad enough in the old Standard Methodology but now the cap has been removed it has produced very flawed figures as can be seen in the calculations above.

Interestingly, paragraph 9 of the consultation states that *'By directing that sufficient land should be released as above, the amount of need identified by the standard method has a direct influence on how many homes will be built in the future. **It does not ensure that the homes are actually built - that is reliant on wider market conditions and targeted government interventions to support the market (our emphasis).** However, identifying sufficient land so that the market is not prevented from delivering the homes that are needed is vitally important to prevent the under-delivery of the past from continuing to happen.'* As stated previously the number of homes granted planning permission when compared with those actually built does not bear out the contention that there is insufficient land which is preventing the delivery of new homes but is rather associated by non-planning factors as highlighted and discussed earlier in this submission.

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 because of the reasons set out above.

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

No because of the reasons set out above.

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?

There should be a recognition that once a Regulation 19 Plan has been published for the purposes of seeking representations (for the sake of clarity it is not a consultation) there are only limited changes that a LPA can make to that Plan. In addition, much of the evidence base to support a Regulation 19 Plan, as well as any site allocations within it, will have been based on that Plan's housing requirement which will have been developed using the housing need for the area at that time as a starting point. Any changes to the housing need starting point post publication may well require that evidence base and those site allocations to be reviewed. This may result in a need to make changes to the Regulation 19 Plan which go beyond that which is currently 'allowed'. Consequently POS would recommend that, in the interests of maintaining momentum in plan-making to support the delivery of new homes, there should be no requirement to have regard to the revised standard method need figure once a Regulation 19 Plan has been published or subsequently as part of the Examination into that Plan.

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?

For the reasons set out above and taking into account the current unknowns with COVID-19, recovery planning and Local Government Reform POS would suggest this is set at 6 months and that there should be no requirement to consider the revised standard method figure as part of the Examination (again for the reasons set out above).

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

See above.

3. Delivering First Homes

- 3.1. POS welcomes certain aspect of the First Homes proposals as they are evolving. The proposal to lock in the discounts in perpetuity is something the Society alongside others has strongly argued for, as is the proposal to allow authorities to introduce further restrictions on who can purchase First Homes by setting local connection restrictions, key worker status and the ability to set lower prices and income caps. The Society also welcomes the requirement that purchasers must have a mortgage to cover at least 50% of the discounted purchase price as this should prevent wealthy cash purchasers benefitting from the discount.
- 3.2. However, the Society remains strongly of the view that there should be discretion for local authorities to set through their local plans the percentage of affordable housing delivered through First Homes so as to reflect the local housing need in their area. Although the reduction in the percentage of First Homes from 40, 60 or even 80% suggested in the earlier First Homes Consultation to 25% is a step in the right direction, it is the Society's view that the affordable Housing mix in an area should be set locally to reflect the very different housing markets and needs across England. First Homes can have a useful role to play in this mix, but the percentage should be set locally. A nationally set target which overrides other forms of affordable housing will seriously undermine the efforts of local authorities to meet the housing needs of their area as set out in NPPF and PPG which requires affordable housing mix policies to be based on local evidence of need and viability.
- 3.3. As proposed, First Homes will impact on the ability of Local Planning Authorities (LPAs) to meet all types of housing need through the planning system.
- 3.4. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) require affordable housing mix policies to be based on local evidence of need (and viability). However, the framework for First Homes would elevate First Homes above all other tenures. This undermines the local plan-led approach. It is crucial to ensure the primacy of Local Plans, using local need and viability evidence to decide what affordable tenure is most appropriate – not a national one size fits all.
- 3.5. Almost all housing market assessments, and councils' registers of housing needs, point to a serious under provision of affordable rent properties.
- 3.6. POS would suggest that the First Homes proposals, whilst better than the Starter Homes proposals are the wrong timing, considering the governments 'Build, Build, Build' approach to recover pose Covid-19. In previous recessions the early sale of significant amounts of affordable housing to housing associations has provided the capital for developers to help kick start construction on sites, the so called "golden brick". If we do get a deep and long recession, then the main need is likely to be for affordable housing for rent and if matched by significant Government funding for affordable housing, then this will help housing construction pick up.
- 3.7. A major increase in funding for affordable housing for rent would be a much better approach for Government to support recover post Covid-19.

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)**

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

As set out above, the Society considers that there should not be a minimum percentage of First Homes set nationally or a nationally set requirement for the remaining percentage. The affordable housing mix should be set locally based on local evidence through the local plan process or where there is a strategic plan (as in London or where there are combined authorities), through the preparation of strategic plans for those areas.

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?

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?

No. It is good that there is a recognition of the need for transitional arrangements but in view of the time it takes to progress a local plan through the plan making process a period of 12 months should be allowed. This would allow sufficient time for plan making authorities to revise their housing needs surveys and develop policies which cover First Homes including higher discount levels, further restrictions on local connection and income requirements, subject them to public consultation and submit plans for examination.

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

No. The minimum level of discount should be set through the local plan making process reflecting local housing needs and local site viability

The proposed exemption from CIL of First Homes in para. 61 is unacceptable. Local authorities must provide the social infrastructure facilities and services, including public transport that would be required by the occupiers of First Homes, otherwise they would not be complying with the NPPF sections 2, 8 and 9.

Without the infrastructure, there will be overloading of existing facilities causing resentment and opposition to growth by existing residents and potentially place additional financial burdens on existing local communities if an authority has to cover the cost and pass it on through increases in council tax and costs of services that it is allowed to charge for.

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. The key viability variable in bringing forward exception sites is the land value required by the land owner. If First Homes are meeting local needs then it is more likely that local landowners will release sites for development at a lower than market value. If market housing is allowed this will simply increase the expectation of higher land values and make it more difficult to secure community support for such exception sites. The priority should be meeting the need for affordable homes.

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

No. It is helpful to have some guidance on the entry level sites exception threshold to reduce debate at planning application stage.

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

Yes. National Parks, AONBs and other designated rural areas are under enormous pressure for housing with very high house prices, Finding suitable sites for local affordable housing is extremely difficult and the priority on such sites should be to for meeting the needs of local or key workers or those with a local connection who often need social rented accommodation.

4. Encouraging small medium sized builders

- 4.1. The consultation does not suggest a definition of SME housing developer. Any future legislation would need to be clear on this point.
- 4.2. There would need to be a legal agreement that the development would be personal to the SME to whom the permission would be granted to ensure that the permission could not be sold on, especially not to a large housebuilder as a means of avoiding the need to provide affordable housing.
- 4.3. Legislation would need to have a trigger in case of 'threshold abuse' to avoid having a number of applications for adjoining sites, allegedly by SMEs, all coming in at 39 (or 49) units, all producing no affordable housing.

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, there is no evidence that this will help SME builders but it will negatively affect affordable housing delivery as the consultation paper acknowledges.

Affordable housing is the main requirement and grossly under delivered as evidenced in many housing needs assessments across the country. Housing is a fundamental importance in people's lives, leading to health and economic benefits and in turn reducing costs on other agencies separate to planning such as the NHS. Good housing should be a key aim of Government across all tenures and affordability.

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

i) Up to 40 homes

ii) Up to 50 homes

iii) Other (please specify)

It should be left to local plans to define with a national default of 10.

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?

Given our opposition in principle to this policy change, POS suggests as short a period as possible.

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

There is no detail to comment upon.

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

Yes keep it the same as currently and our position is to keep the current policy position for non-rural sites.

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

There are no suggestions within planning. The Government could consider supporting SME builders with measures such as tax relief, access to finance and skills training to improve labour supply.

5. Extensions to the PiPs process

- 5.1. POS has set out our approach to a suggested application process which is similar to PiP and is helpful reading in context to this part of the consultation [here](#)
- 5.2. POS would urge government to be sure that LPAs and key consultees LAPS rely on are well resourced to deliver this objective. Colleagues in the Environment Agency, Highways England etc. will need to be clear on their obligations for a 14 day consultation on proposals seeking a PiP for up to 150 homes. Many of LPAs key consultees are not adequately resourced and this could lead to refusing permission.

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

Yes, although the consultation highlights in particular at para 106 challenges with this in terms of dealing with PiP in urban areas and when the height of a building should be considered.

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.

No, there should not be a limit and POS would question why PiP cannot be rolled out for commercial and other development? Jobs are important to support the economy and economic considerations should have equal weight as part of the three limbs of sustainable development, economic, social and environmental objectives as set out in the NPPF. Although we acknowledge that transport impacts may need further consideration than what PiP allows, this should be acknowledged and included in the legislation to request a level of detail of trip generation etc for commercial uses.

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. There are circumstances where a minimum and maximum number of dwellings is not appropriate and this limits the utility of PiPs. For example:

- a minimum may be inappropriate where site constraints (eg tree cover, landform or flooding) are issues and they have not been investigated enough at that stage to know what the minimum is – a PiP for “up to X units” could be given in such circumstances: and
- a maximum may be inappropriate where there is the potential for a very high density development is possible but how dense (particularly where tall buildings are involved) cannot be determined without quite detailed architectural studies – a PiP for “at least X units” could be given in such circumstances.

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

Yes, for applications to which Permission in Principle could reasonably apply, to ensure design compatibility with the context and character of the surroundings in accordance with the NPPF. An indication of height should be submitted as part of the supporting proposal and treated as set out in our answer to question 26, securing a minimum or maximum if that is required for the site. Each site should be assessed on its own merits.

Although POS would challenge whether PiP would be suitable for major developments where tall buildings have to be carefully placed and assessed for fire safety risks and for their impact on social infrastructure and the adequacy of local transport capacity. That is reinforced by the potential complexities described in the last sentence of para. 106 of the consultation paper.

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.

No, POS disagrees. LPAs should be moving away from publicity in a local newspaper. The community does not read or pick up on consultations in this way. It is a huge cost and drain on resources in LPAs – POS calculated that (in London) the costs on average is the equivalent of a Principal Planning Officer per year, a much needed resource to help deliver the objectives as currently set out in this consultation and Planning for the future white paper.

The circulation of many local newspapers is below the circulation numbers of the Local Authorities own communication magazine.

POS would urge government to embed the temporary regulations which provided flexibility to how planning authorities can publicise applications permanently. This would encourage LPA and communities to engage in more digital ways, similar to how communities engage with the Council on council tax and business rates applications, for example. LPAs should support those who do not have access to technology to engage in this way, rather than avoiding engaging in a more digital format.

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, planning fees are the main income for many LPAs, reducing these will have an impact on resourcing within Councils. Especially if the Government's intention comes and there is more take up on this application putting pressure onto LPAs with the 5 week decision time frame and reduced income.

The main benefit in cost terms would be to the applicant for reduced consultant fees and reduced resources required in preparing and submitting a PiP application rather than salami slicing the application fee.

The fees should be the same as an outline and the saving/benefit to the applicant is reduced information required and quicker determination period.

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

None – the fee needs to cover the cost of the work involved and we challenge Government's assumption that, "We think lower fees are reasonable because a local planning authority only needs to make a decision on the principle of the development, not on the technical details of the development like a normal planning application".

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.

No, this is an additional and unnecessary burden. The PiP is on the statutory register which surely is sufficient.

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.

PiP is essentially the crystallisation of the initial stages of a well-structure pre-application process. Better guidance to LPAs on the pre-application process would be beneficial. POS has issued guidance to its members on this. <https://www.planningofficers.org.uk/uploads/news/pos-gpgn-strategic-applications.pdf>

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

The limited and detail and engagement with the community may have the unintended consequence of building objection within a community. As highlighted above, engagement with the local community and planning department as part of a pre-application would help to mitigate this risk.

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

No comment

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?

POS presumes the intention for PiP is C3 housing, therefore not including C2 or other forms of housing which may be for the provision of those protected characteristics.