



Response to MHCLG consultation: Planning White Paper

Founded in 1996, Three Dragons brings together specialist skills in town planning, economics and development. We have a proven track record in research and policy-making across all aspects of new housing provision, including the planning and development process for mixed and sustainable communities – in both urban and rural settings. We work at local, regional and national levels, for local authorities, developers and housing association clients, across England, Scotland, Wales and Northern Ireland.

In considering this White Paper we draw upon our experience as expert witnesses at plan examination and planning appeals and particular expertise in assessing the viability of development, both for individual sites and for whole plans. To support our work, we have developed a number of economic models including a nationally used financial viability model (the Three Dragons Toolkit) and models for forecasting demand for specialist older persons housing (the Retirement Housing Group model) and Custom and Self-Build housing – we welcome change but it needs to improve on the current system.

Pillar one – planning for development

Q1. What three words do you associate most with the planning system in England?

Essential, complex, democratic

Q2(a). Do you get involved with planning decisions in your local area?

Yes – we have a keen interest in planning decisions

Q2(b). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

N/a

Q3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]

Plan and decision making should be accessible to all across all mediums available – there is no one size fits all approach.

Q4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

This list presented is not mutually exclusive and each could be considered as a priority to enable the other.

Q5. Do you agree that Local Plans should be simplified in line with our proposals?

The objective of simplification is welcomed.

There is no objection in principle to the 'colour-wash' principle of identifying all land in an area under three headings – that is the easy bit. It is the process by which land is assigned to each type and how 'uses specified as being suitable in each area' are identified that will be contentious and where detailed guidance will be needed. Examples of possible issues includes:

- How differences within 'renewal areas' are identified and dealt with – e.g. one site in a town centre being suitable for redevelopment but others not;
- Potential to over simplify – UK towns and cities have grown organically where you may get a tower blocks, next to historic buildings, and residential and offices are located in and between conservation areas – all in all the colour wash would be make decision making harder not easier
- How suitable uses for different areas within 'renewal areas' are identified e.g. areas where housing for older persons should be given priority etc. The proposals seem to end up with a similar system as today;
- How will change of use be dealt with within 'renewal areas' – is what is an acceptable change to be identified by government with no local input. This seems to be the implication of the White Paper proposals and this is a further centralisation of the planning system.
- Proposals as currently set out would work against delivery of custom and self-build development – why would a developer or landowner bring forward plans for custom and self-build if can use their land for more lucrative development from a long list of options?
- The White paper does not seem to have taken any account of differences between edge of settlement sites – some of which may be suitable for development and other land that is not. Most land at the edge of settlements is not 'protected' in terms of the list set out in the White paper – it is just open countryside.

The use of interactive web based maps is fine – so long as there are alternatives available so that the technology does not exclude people who do not have the necessary IT. Whilst new technology is welcomed the 'prop tech' approach is not in itself an alternative planning system, it is based on the same information/data as the current system relies upon and is not the solution to speed up delivery.

Neither alternative options are any better than the current system.

Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

There was previously a system of national policy that was removed in favour of the shortened NPPF and a move towards localism. The removal of the national policies led to a proliferation of local policies within local plans.

Therefore, a move to revert to evidenced national policy in principle is welcomed, however this does rather depend what are defined as 'general development management policies' and what is to be determined locally. Whether you call these design guides, codes or policies – it is where the division between nationally and locally set policies is drawn that will matter.

There is concern that design guides and codes appear to be (as in 2.14) about form and appearance of development. There are other significant issues that should be determined locally, reflecting evidenced local need and are not about form and appearance of development. These could include type and amount of affordable housing and specialist older persons housing to be provided, amount of custom and self-build housing that is needed and how suitable plots are to be provided, open space, protected areas, habitat mitigation.

We note also references to 'prop tech' and whilst this technology can be useful in speeding up administration it would not be appropriate for use as a replacement to democratic decision making.

Seeing the details of government proposals on this will be crucial in assessing whether proposals for streamlining the development management content of local plans – will be any better than the current arrangements.

Q7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

Deliverability of the plan is a major test of its suitability. Whether it is part of a new sustainability test or not – proper consideration of deliverability is critical in ensuring that the land identified for new housing will be brought forward for development. The current deliverability tests needs to be strengthened so that areas/sites that sit for too long before they are brought forward – can be quickly removed from plans and substituted with sites/areas that will get developed. There is nothing in the White Paper to suggest that delivery will be accelerated – especially as there would be no requirement in the proposals in the White Paper for the government or a local authority to show how it can deliver the housing numbers required.

Q7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

The White Paper does not deal with cross-boundary issues that arise where a boundary between authorities is tightly drawn against the urban area of one authority and opportunities for development are in the adjoining authority. This can frustrate when the best development sites are in the 'other authority'. Or it can cause problems where the 'other authority' permits development which the 'urban authority' would not e.g. for out of town retail development that has an adverse impact on the town centre in the urban authority. Furthermore, some of the most (and least) successful places in modern times have been new towns, without any effective sub(regional or national l) cross boundary thinking these will not come forward in the future. It is difficult to see how London Docklands would have been regenerated without cross boundary co-ordination, The duty to co-operate has not dealt with these issues effectively and a better mechanism is needed. The White Paper does not appear to have dealt with this – other than by reference to major infrastructure or strategic sites.

The solution is to bring forward effective regional planning that can properly consider the relationships between places, including travel to work, environmental impact, economic linkages and housing delivery. Planning for housing delivery on a local authority basis is too small a geography to deal with these wider impacts of growth and may harm efforts to deliver and create sustainable patterns of development.

Q8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

No comment

Q8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

It seems inevitable that reliance on these two parameters will invariably lead to higher requirements in the higher value areas (typically in the south of the country) and less provision in lower value areas. This does not see a sensible approach when lower value areas are promoting regeneration strategies through improved housing as a prerequisite for attracting greater economic investment. The White Paper is taking a narrow approach rather than seeing housing delivery as a stimulus for growth. This weakness in approach should be addressed.

Q9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?

For substantial developments – once allocated in a local plan, the current system provides a de facto outline permission, and it is not clear what real change the White Paper is proposing. This proposal could have a perverse impact with LPAs providing more detail in their plans than now, so that an automatic outline permission is as they would want it to be e.g. percentage of affordable housing. This would mean a necessarily longer plan making period than is envisaged by the White Paper, especially in areas subject to high levels of growth through the proposed housing requirements. In simple terms the more housing required, the more sites to identified and the more work upfront (in plan making) required by the public sector to ensure appropriateness.

Q9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

Support for presumption in favour of development through legislation for renewal areas.

However, the danger is that plans will need to be far more specific than now so that it is not just the first and most profitable acceptable use that will be permitted. LPAs need to be able to protect existing urban areas from certain types of development and promote other types.

Q9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

No comment

Q10. Do you agree with our proposals to make decision-making faster and more certain?

Support for standardisation of processes, conditions, legal agreements etc. However, we reiterate our concerns about use of prop tech for decision making – it is a useful tool for administration but should not be used as a replacement for democratic decision making.

Q11. Do you agree with our proposals for accessible, web-based Local Plans?

Yes – this will be useful in providing standardised plans that are easier to follow. But the change must be supported by paper based information for those who are less familiar with

web based technology. Everyone should have the opportunity to get engaged with plan making and planning decisions.

Q12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?

Achieving local plans within 30 months has to be an improvement on the current system. It will require clear guidelines about the content of plans so that there is a focus on objectives for the area and policies to achieve those objectives.

The broad timetable set out at para 2.48 of the White Paper will be difficult to achieve. It appears that collecting evidence follows calling for suggested areas for development. In our view, it is important that LPAs understand the amounts and type of development required before calling for suggestions. There is a danger with the current proposals that an LPA could start the process of evidence collection before starting the 30 month process and there being no real gain in speed.

Ensuring the right to be heard at plan examinations is recognised in the White Paper and we believe this is an important principle the planning system needs to retain.

As it stands, it is not clear who has the final word on the content of the plan – the inspector or the LPA . We support the proposal that the inspector can make binding changes on the three categories of land in the local plan but this is only part of the picture. Can the inspector determine how much development land is required and of what type? And what about other policies e.g. amount of affordable housing, mix and type of new housing, provision of CSB housing and so forth. There is a lot left unanswered in the White paper which makes it difficult to answer Q12.

The “review” process proposed leaves it with the LPA to decide whether to carry out a plan update in advance of the 5 years required generally. Clear parameters are needed to provide an objective test of whether a review is needed before 5 years are up and that third parties can ask for a review if they can demonstrate that the objective test is met.

The alternative option at 2.53 of dealing with local plans by written representation is not realistic in our view and should not be taken forward. However, the principle that all representations, whether written or in person, carry equal weight, needs to be continued in any new system.

We do not support the option that independent scrutiny of plans is by random audit by the inspectorate. This is inadequate and should not be taken forward.

Q13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

No comment

Q13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

No comment

Q14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?

Yes – this is critically important. However, the White Paper relies entirely on making more land available for development through the plan making system. More land available is only part of the solution in accelerating housing delivery. The White Paper acknowledges this (para 2.59) in stating that, “.... *We will explore further options to support faster build out as we develop our proposals for the new planning system.*”

The absence of these proposals now makes it difficult to judge many of the White Paper proposals.

The government may want to consider its own research (Letwin Review), which set out a number of recommendations to improve delivery rates. The Letwin Review recognised that the limited number of housebuilders in the market is one of the drivers of slow build out rates – especially on larger sites. It suggests a range of measures to widen the type of product available to move away from homogeneity, including:

- all large-scale development in high demand areas should provide a diverse offer around tenure, size, mix and type of developer
- any (public) funding, such as Help to Buy or HIF should be conditional on this diversity
- local authority powers should be increased to enable purchase of such large sites to help ensure diverse and ultimately speedy delivery.

Pillar two – planning for beautiful and sustainable places

Q15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]

Depending on what housebuilder is delivering – local and regional housebuilders tend to offer more interesting design solutions. National housebuilders rely on standard house types.

Q16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

Energy efficiency of new buildings and other measures to reduce carbon emissions and tackle climate change. Location of development in the right places including greenbelt where appropriate and sustainable.

Q17. Do you agree with our proposals for improving the production and use of design guides and codes?

Design guides and codes do not necessarily improve design quality and can simply lead to standardised designs that mean that development in one part of the country is the same as everywhere else.

Unclear how local and national design guides work and what is decided at which level.

Design guides and codes at the local level seem to be the only mechanism in the White Paper where a raft of local policies would be identified – e.g. percentage of affordable housing, type and mix of dwellings, delivery of specialist housing e.g. for the elderly, delivery of CSB, types of industrial development, etc. Where do these aspects of local planning fit in the proposed new system? How do LPAs produce a LP for examination in 30 months

alongside technical documents that will become more necessary if LPs do not deal with detailed issues such as amount of affordable housing?

Q18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

To improve design of new development will require more capacity at the local level which goes beyond a new officer designation. A new national body does not seem to address the issue of locally sensitive design.

How will this speed up decision making?

Q19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Unclear how this will be translated into action by Homes England and how it would influence their spending decisions.

Q20. Do you agree with our proposals for implementing a fast-track for beauty?

Who decides what constitutes beauty and how are proposals considered beautiful to be 'fast tracked'? This proposal seems irrelevant to the main issues being tackled by the White Paper.

However, we fully support the preparation of design guides and masterplans for large-scale developments (as happens today). To be successful, these need to be prepared jointly by the LPA and scheme promoter. This was an important finding of the research we undertook for the RTPi which reviewed progress of six strategic development in the south west and which came to very similar conclusions as the Letwin Review. The report can be viewed <https://www.rtpi.org.uk/research/2017/february/deliverability-and-affordability-of-housing-in-the-south-west-of-england/>

Pillar three – planning for infrastructure and connected place

Q21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

This should not be a choice – all the examples mentioned are a part of quality place making. There should be no requirement to prioritise as they are all important.

Q22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

No.

First, it is not clear in the White Paper whether Section 106 planning obligations would be abolished under the proposed system e.g. para 4.21 says they will but footnote 18 on the same page refers to their use. It is important to understand what the position will be.

Abolition of s106 agreements would have significant adverse consequences and/or replacement mechanisms would be required to deal with non financial requirements

currently dealt with in s106 agreements – for example, timing, type and location of affordable housing and CSB plots, use of land for open space and flood mitigation measures and so on.

Custom & Self-build (CSB) housing, a type of housing that the government is keen to promote and has enacted specific legislation to support¹, relies on the detail of s106 to ensure delivery. This is not only for the amount of housing but also for detail such as:

- How long units should be marketed for and details of the marketing strategy (this gives the authority comfort that the developer will market the units and not sit on them in the hope that they won't be sold so they can revert to full market units);
- What happens if the CSB plots cannot be sold and can revert to general needs open market housing and the timing for this (which gives the developer comfort that if there is no local demand for CSB, they will not be stuck with units that won't sell);
- Agreed location of units if on a site with both developer built sale housing and CSB opportunities;
- To set design parameters to ensure CSB units are in keeping with area whilst still enabling the end purchasers to have control over the design and layout, for example by setting out the of plot passports or design code;
- Dealing with site health and safety – CSB may bring a range of contractors onto a site, for individual units (again, in our experience this issue is a particular concern for developers who are responsible for site safety).

For affordable housing the use of s106 is well established to not only agree the percentage of units and site threshold, but to make sure that local need will be met. Often the authority, the developer and the housing association are party to the agreement which will include:

- The tenure mix that meets local need (and is economically viable);
- The size of the units – i.e. number of bedrooms, again to meet local need;
- Requirements to assist sense of place and make sure affordable units are indistinguishable from market (e.g. location of units/pepper potting);
- Timing of delivery within the development process;
- What happens to an affordable home should either a housing association or an individual owner default on lending (without such a clause both the housing association and the individual mortgagor will find it hard to secure finance).

Without s106 agreements, or equivalent, it is hard to see how the detail of development will be agreed and how parties can be held to account if they do not perform. Lack of clear agreement could affect finance for all parties

Bringing financial payments currently dealt with in s106 agreements and CIL payments into one system has advantages which need further exploration. However we are aware of many LPAs that have deliberately made strategic sites CIL exempt because this meets the needs of the site promoter and is a better mechanism for dealing with 'mixed' land based and financial requirements e.g. timing of affordable housing delivery and 'cascade mechanisms' for moving from one tenure to another if circumstances dictate.

We applaud the White Paper's aim to simplify the approach to viability assessments that currently underpin plan making and setting of CIL rates. Our experience (of preparing some 50 or so area-wide or CIL viability assessments from across the UK) has been that these take up vast amounts of time at examination and can hinge on disagreements about a few relatively minor points of difference. However, drawing on our experience, we consider that

¹ Through The Self Build and Custom Housebuilding Act 2015 and the Housing and Planning Act 2016, and related statutory instruments

the mechanism set out in para 4.9 onwards will need to be refined to make operational, without there being a number of perverse consequences. Our concerns are that:

1. If the final value of a scheme is used to determine the levy rate – how would an affordable housing component of development be taken into account? Affordable housing has a value, albeit lower than market housing, and this can vary depending on the tenure of the affordable housing required. We illustrate this in the chart below:



2. On a like for like basis - the greater the % of affordable housing in a scheme – the lower the development value so that the levy collected will be higher in areas where there is less need for affordable housing;
3. For simplicity and reduction of local authority risk, the scheme incentivises the use of off-site commuted sums for affordable housing which could lead to a return to estates of purely affordable housing and a move away from sustainable place-making and achievement of social capital.
4. There is significant variation in values across the country and rates across the country would need to vary considerably to reflect this, as we illustrate in the table below which demonstrates that, on a like-for-like basis, homes in the upper quartile value areas of the county are almost double the value of those in the lower quartile (+48.8%).

Market value of a 3-bed terrace house in different value areas in England (HM Land Registry December 2019)		
Lower quartile area	England median	Upper quartile area
£174,000	£235,000	£340,000

5. Viability and ability to pay for a levy is not just a function of value. Development costs vary across the country also by type of site and this means that a levy based solely on value will not be flexible enough to set realistic and affordable levy rates for lower value areas. There is potential under the proposals for harder and more costlier brownfield sites to be ignored in favour of 'easy' greenfield sites. To deliver the government's growth agenda all types of sites will be required. This issue is not overcome by the proposed use of a threshold value below which, the levy is not collected. The variability between costs is illustrated below on sites that could have the same value – note these are very broad and there will always be exceptions:

Development cost	Greenfield	Brownfield
Land	Existing use has a relative low value	Existing use will have a relatively high value
Risk	Generally considered lower risk – therefore finance and returns are generally lower	Generally considered higher risk – therefore finance and returns could be higher

Land assembly	Generally easier with fewer landowners	Often complex ownership with multiple owners and harder to establish ownership
Physical obstacles	More limited in type and often easier to mitigate. Standard design.	Contamination, underground obstructions, accommodating neighbours and non-standard design
Build costs	Standard product, homogenous design – low overheads	Non-standard product, bespoke decide – higher overheads

6. Care will need to be taken to deal with timing when the levy is collected. To wait until a scheme is complete could be many years away meaning insufficient funds to pay for infrastructure (e.g. roads and schools) needed as the scheme is developed. In our experience, slow delivery of infrastructure is a major community concern, setting local people against new developments.
7. The value of the levy will be unknown at the start of the scheme making planning for infrastructure and affordable homes difficult.
8. As described above affordable housing, whilst an opportunity cost is also a value – some schemes will rely on a registered provider paying a lump sum for the affordable housing early in the development cycle – this can help establish an area to attract home buyers and also helps with cashflow as there is less reliance on market conditions and sales rates. It is not clear how this could work within a levy system?
9. In terms of the proposed threshold How would a developer know if they are getting close to exceeding the threshold of GDV. Could a landowner try to manipulate this by phasing the development or by subdividing plots so as to fall under it?
10. Clarity is required as to how the new system would work with other forms of non-residential development such as commercial property, where GDV is much less clear and the mechanisms to realise values far more varied – the same concerns regarding the variation in costs for different forms of development across different development site types is also hugely variable.

Q22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

If a single levy is introduced it will need to reflect local variations and, as we argue above, both of value and development costs.

Setting a single national rate would have adverse consequences – leading to unviable development in lower value areas and failing to optimise the amount of value uplift captured in higher value areas.

Our experience has shown that, even within a local authority area, there are significant differences in values and costs, with distinct value areas within an authority. For example, in the last 5 studies we have undertaken, 4 have had more than one value area and 3 have had more than three value areas.

We recommend that the levy is set locally so it can be properly ‘tuned’ to local circumstances.

Q22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable

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

To make introducing a change to the current system worthwhile, we would expect a new levy to capture more value to deliver better and more infrastructure and affordable housing.

Q22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

We fully support giving local authorities the option of borrowing against levy receipts - with the proviso that such borrowing is properly regulated and used to finance infrastructure. However we do have some concern that borrowing against a levy rate based on estimated, or unknown GDV, could expose the authority to unnecessary risk and this should be mitigated for in accompanying guidance and legislation.

But this will not negate the need for other public funding to support infrastructure provision in lower value areas for example, as Homes England recently done through HIF.

Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Yes – there is no viability argument that precludes changes of use from paying a levy. Similarly custom and self build properties should pay a levy. There are also arguments for affordable housing paying a levy but if this is done, additional subsidy for affordable housing will need to be identified to make up for the levy payments.

Q24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

Yes and preferably more affordable housing (and on site).

Q24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

We have no objection to the principle of 'in-kind' payments for affordable housing and recognise the importance of developing mixed communities where affordable and market housing are provided together in new developments. The in-kind system would, as envisaged, be capable of delivering this – as does the current system.

To operate effectively, the new system will require complex operational arrangements – to ensure that affordable housing is provided through the life of a development and not left until the end of the build programme. This is particularly important in large-scale developments. These arrangements will need to take into account the differences in values and costs of different combinations of affordable housing tenures and the mix of units to be provided.

It is not clear under the proposed system how alternative delivery routes would be accommodated – i.e. the different situations where an RP 'buys' completed units from a developer, where an RP 'commissions' the developer to build the affordable housing units to their specification (acting as a de facto contractor) or where the RP is provided with land to develop independently of the developer. The use of different routes for delivery is very much part of the current system and the White Paper seems to imply that the main mechanism for delivery of affordable housing is by the sale of completed units by the developer and that these can be readily inter-changed between affordable and sale units.

It is notable that in-kind delivery as an allowable approach within the CIL regulations to pay CIL, is a rarely used tool due to complexity and difficulty in implementing. It is suggested that the government seek to review the use of in-kind payments in terms of CIL to realise any lessons learnt from those who have attempted to use it.

Q24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

There are both risks of over-payment and under-provision depending on the out-turn viability of a development. We can envisage lengthy debates between developer and LPA about types of affordable housing required, timing of completion (last house completed or last house sold?!), when payments are to be made and so on. We believe the proposed system would add new layers of complexity and challenge that would not be an improvement on the current system.

Q24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

Yes – mix and type of affordable housing and timing of delivery are currently dealt with in s106 agreements. To ensure quality – s106 needs to be retained or an alternative mechanisms put in place.

Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

Within the broad parameter that the levy is spent on infrastructure (and affordable housing) local authorities should have more freedom as to how they spend the levy. The new system would require a closer tie between levy spending and individual sites.

Q25(a). If yes, should an affordable housing 'ring-fence' be developed?

Yes. But the reality is that some infrastructure spending is essential for a site to be developed (e.g. road access, flood mitigation) and choices between other priorities (including affordable housing) has to take second place.

Q26. Do you have any views on the potential impacts of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

No comment

Q Other comments

Whilst it is clear from the White Paper that the government wish to make changes to the planning system there is no clear timetable as to when any changes would be made or what the transitional arrangements would be? We are already experiencing delays in plan and decision making by local authorities and developers on the basis that a new system is coming in, along with potential administrative boundary changes. A clear message needs to be provided by government that the potential changes should not be a reason to halt or pause plan or decision making and that there is a commitment to the 'old' system running its due course.

