

Consultation response proforma

If you are responding by email or in writing, please reply using this questionnaire pro-forma, which should be read alongside the consultation document. You are able to expand the comments box should you need more space

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Are the views expressed on this consultation your own personal views or an official response from an organisation you represent?* (please tick as appropriate)

- Personal View
- Organisational Response

Name of Organisation (if applicable)

South Derbyshire District Council

If you are responding on behalf of an organisation, please tick the box which best describes your organisation

- Local Authority (including National Parks, Broads Authority, the Greater London Authority and London Boroughs)
- Neighbourhood Planning Body/Parish or Town Council
- Private Sector organisation (including housebuilders, housing associations, businesses, consultants)
- Trade Association / Interest Group/Voluntary or Charitable organisation

Other (Please specify)

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Proposed approach to calculating the local housing need

Question 1 (a)

do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?

- Yes
- No
- Not sure / don't know

Please enter your comments here

The notes published alongside the housing projections state that the 'figures *are not an assessment of housing need* or do not take account of future policies. They are an indication of the likely increase in households given the continuation of recent demographic trends'. Whilst current data published by DCLG based on 2014 projections suggest housing requirements for the District remain in line with recently planned-for levels, it is unclear whether recent high levels of delivery in South Derbyshire (including that planned for to meet Derby City's need in the current plan period) will affect future household projections for the District. There has been a recent step change in delivery in South Derbyshire partly to meet the housing need of other Authorities. It is unclear whether this could lead to notably higher projections in subsequent data releases, as recent and near term predicted growth (under the auspices of the adopted Plan) feed through. Clearly, for

Question 1(b)

how can information on local housing need be made more transparent?

Please enter your comments here

Question 2

do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Whilst the benefits of fixing a housing requirement for a two year period during the closing stages of plan preparation are clear, there is a lack of clarity over what happens after this two year period. Clearly a Plan could be adopted during this 'fixed' period, but even before adoption the proposed methodology could highlight a need for new homes at a level above that planned for. In such an instance it is unclear how decision making, for example in respect of Section 78 appeals will be affected.

Question 3

do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Question 4

do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?

Yes

No

Not sure / don't know

Please enter your comments here

Question 5(a)

do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?

Yes

No

Not sure / don't know

Please enter your comments here

Question 5(b)

do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five year land supply and/or be measured for the purposes of the Housing Delivery Test, across the area as a whole?

- Yes
- No
- Not sure / don't know

Please enter your comments here

In respect of assessing the 5 year land supply position and measuring the proposed housing delivery test across the housing market area or other supra district level could mask those authorities failing to adequately deliver new housing. In the interests of localism it is preferable to record delivery at a District or Borough level, in order that those districts failing to deliver sufficient homes can be identified and delivery appropriately addressed.

Question 5 (c)

do you consider that authorities that are not able to use the new method for calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five year land supply and to be measured for the purposes of the Housing Delivery Test?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Question 6

do you agree with the proposed transitional arrangements for introducing the standard approach for calculating local housing need?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Statement of Common Ground

Question 7(a)

do you agree with the proposed administrative arrangements for preparing the statement of common ground?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Question 7(b)

how do you consider a statement of common ground should be implemented in areas where there is a Mayor with strategic plan-making powers?

Please enter your comments here

Question 7(c)

do you consider there to be a role for directly elected Mayors without strategic plan-making powers, in the production of a statement of common ground?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Question 8

do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Whilst it is acknowledged that Duty to Co-operate issues have frustrated plan delivery in many locations it is unclear what the benefit of undertaking this exercise if authorities are mid cycle and are not currently preparing a strategic Plan (i.e. are working on non-strategic parts of the their Plans). Clearly this work will not effect change and would seem like an unnecessary burden. However, set against this producing such a statement for the Derby HMA authorities could be a relatively straight forward process largely documenting previously undertaken joint working and ongoing cooperation between the Authorities.

Question 9(a)

do you agree with the proposal to amend the tests of soundness to include that:

i) plans should be prepared based on a strategy informed by agreements over the wider area; and

ii) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Question 9(b)

do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Planning for a mix of housing needs

Question 10(a)

do you have any suggestions on how to streamline the process for identifying the housing need for individual groups and what evidence could be used to help plan to meet the needs of particular groups?

Please enter your comments here

It is unclear what additional evidence will need to be compiled by the Council in respect of planning for a mix of housing need. Clearly such evidence would replace that set out in any current SHMA and could place a notable burden on local planning Authorities both in terms of workload or lack of expertise. It is also unclear how robust future evidence collected to inform the Plan would be.

Question 10(b)

do you agree that the current definition of older people within the National Planning Policy Framework is still fit-for-purpose?

Yes

No

Not sure / don't know

Please enter your comments here

Neighbourhood Planning

Question 11(a)

should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Question 11(b)

do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Given that this Authority's Local Plan is relatively up to date it is unlikely that any proposed approach in respect of housing provision in neighbourhood plans would affect local communities bringing forward neighbourhood development plans in the short term. However in the longer term such a policy approach could be wholly inappropriate for an Authority such as South Derbyshire for two key reasons:

- Much of South Derbyshire's growth is adjacent to large urban areas immediately outside of the District. Clearly the proposed approach will not reflect the proximity of such areas but apportionment would instead be towards the largest settlements in the District, many of which are actually

Proposed approach to Viability Assessment

Question 12

do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?

Yes

No

Not sure / don't know

Please enter your comments here

Question 13

in reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice?

Please enter your comments here

Question 14

do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?

Yes

No

Not sure / don't know

Please enter your comments here

There is frequently a significant period of time between a site being committed through a Plan and being delivered through the development management process. Viability can often change in this period as can the infrastructure needs of an area (for example a school which is currently full may have capacity to accommodate growth in 5 years' time).

It is sensible for Councils and developers to assess viability at a point in time closest to site delivery. Moreover far more detail about the nature of effects associated with a scheme (and the measures needed to address such effects) are likely to be known at the application stage. Seeking certainty over the capacity of sites to deliver infrastructure through the Plan making process is unlikely to remove the need to consider viability again later in the process. However seeking

Question 15

how can Government ensure that infrastructure providers, including housing associations, are engaged throughout the process, including in circumstances where a viability assessment may be required?

Please enter your comments here

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Question 16

what factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?

Please enter your comments here

Question 17(a)

do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?

- Yes
- No
- Not sure / don't know

Please enter your comments here

Question 17(b)

what factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?

Please enter your comments here

Question 17(c)

how can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?

Please enter your comments here

Planning fees

Question 18(a)

do you agree that a further 20 per cent fee increase should be applied to those local planning authorities who are delivering the homes their communities need? What should be the criteria to measure this?

Yes

No

Not sure / don't know

Please enter your comments here

Question 18(b)

do you think there are more appropriate circumstances when a local planning authority should be able to charge the further 20 per cent? If so, do you have views on how these circumstances could work in practice?

Yes

No

Not sure / don't know

Please enter your comments here

Question 18(c)

should any additional fee increase be applied nationally once all local planning authorities meet the required criteria, or only to individual authorities who meet them?

- Apply nationally
- Apply to Individual authorities only
- Not sure / don't know

Please enter your comments here

An allowance to further increase fees by 20% (in addition to an earlier 20% increase) could allow greater investment into planning services. However it remains far from clear what criteria would need to be met to deliver this. This Authority already has an adopted NPPF compliant plan in place and based on the most recent evidence is meeting its local housing need as well as a proportion of a neighbouring Authorities. However committing a significant number of sites to meet future housing need places a significant burden on development management and the monitoring of infrastructure delivery. Those Authorities that have been effective at securing the growth needed in their local communities should be able to levy a fee without waiting for all other Authorities to catch up.

Question 18(d)

are there any other issues we should consider in developing a framework for this additional fee increase?

Please enter your comments here

Other issues

Question 19

having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?

Yes

No

Not sure / don't know

Please enter your comments here

Your opinion is valuable to us. Thank you for taking the time to read the consultation and respond.