

ACRE Response to “White Paper: Planning for the Future”

<https://www.gov.uk/government/consultations/planning-for-the-future>

About You - Organisation

If you are responding as a professional or on behalf of an organisation, please select the option which best describes you or your organisation. (If a personal view, please go back to the previous question.) *

Other (please specify) National rural network charity representing 38 member organisations, together we reach 52,000 grassroots organisations in 11,000 communities

What is the name of your organisation? * Action with Communities in Rural England (ACRE)

About You - Region

What region of England are you located in?

- We operate nationwide

Pillar One – Planning for Development

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

Answer 1 Sustainable development

Answer 2 Accountable

Answer 3 Under-resourced

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

- Yes
- No

Q2 (a) If no, why not?

- Don't know how to
- It takes too long
- It's too complicated
- I don't care
- Other (please specify):

We are a national membership organisation that provides a voice for rural communities. Our members provide the same role at a local level, including supporting communities to engage with the planning system through Local Plans, Neighbourhood Plans and delivery of rural affordable housing. We have consulted our members for their views which are represented in this response.

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):

A range of mechanisms should be used that allow all people an opportunity to engage and contribute their views. Critically, in rural areas it is essential that opportunities are not confined to digital communication. Many rural areas have very limited and/or slow access to broadband and mobile connectivity is often poor. It is also the case that the population of rural areas is older and ageing more rapidly than urban centres. These residents find it difficult to use this technology because they often do not have the skills or confidence, or may experience degenerative conditions such as visual impairment and arthritis.

Q4. What are your top three priorities for planning in your local area? (Please select only three answers)

- 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 / areas
- Other (**providing more affordable housing**):

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

- Yes
- **No**
- Not Sure

Please provide supporting statement:

We consider that the PWP proposals are a threat to the sustainability of rural communities because the consequences of its proposals on their well-being has not been taken into

account. Both here and throughout our response, when we use the term 'sustainable' or 'sustainable development' we mean inclusive development that enables whole communities (not just new development) to be socially, economically and environmentally sustainable.

The PWP ignores the complexity of land use planning, which is more than delivering housing numbers at scale. Rather it is, as the PWP sets as its ambition, about making beautiful and sustainable places. This requires responding to and mediating the uses of land so it meets social, economic and environmental needs in rural as well as urban areas. Doing so necessitates locally nuanced policies and site allocations for different uses, tailored to local evidence and circumstances.

Our principal concerns are:

- The zoning proposals in the PWP are too crude to ensure that **all** rural communities can meet the government's goal for communities.
- It will leave some rural communities in growth zones swamped by the scale of new development, with little say on the eventual form or nature of that development. Others, in protected zones, will be left unable to grow at an appropriate scale to meet their needs for housing, including affordable housing, employment space and services. For this latter group in particular the goal of sustainable development will be difficult to achieve.
- Rural communities are diverse in scale, form and function, which are determined by historical settlement patterns, communication links and behavioural patterns of their residents. Within them land uses sit cheek by jowl, sometimes overlapping. The proposal that assigning land into three zones ignores these features and is unworkable at the level of rural communities.
- The proposed simplification of Local Plans to map based documents with text confined to explanations infers that they will no longer include policies. Yet these local derived and defined policies ensure the form and type of development responds to the specific needs of rural communities in the Local Plan area. Zoning will not provide this necessary level of nuanced direction and detail. Neither can it be provided by national policy, particularly if as proposed in the PWP it will set out the restrictions on development in protected areas, rather than a positive approach to delivering sustainable development in rural communities.
- The proposals will lead to a democratic deficit and an inability of rural communities to influence and shape the use of land and form of development in their area. Giving more emphasis to up front engagement in Local Plan making is positive, but based on our experience we do not believe the PWP proposals will deliver this, in part because of the focus on digitalisation focus on digitalised engagement and will exclude many rural residents living in areas with slow and or inadequate broadband coverage, and those residents who as a result of age or physical impairment are unable to use this technology.
- We are very concerned that the PWP will diminish Neighbourhood Plans as part of the statutory Local Plan. It reduces their role to local design guides and given the

crudeness of the zoning proposals as set out thus far, it may mean that they will no longer be able to include policies or allocated sites that allow them to attract or shape development to meet their socio-economic needs.

ACRE would be very willing to work with Government and use its expertise and network to assist in the development of its ideas as it goes into working up the detail of its proposals. At this stage we would ask that:

- a) The proposed Sustainability Test is designed and worded so it promotes sustainable development in all areas, growth, renewal, protected zones.
- b) An element of the national sustainability test should be a requirement for meaningful and evidenced involvement of rural communities in zoning decisions, with clear tests to identify whether this has been achieved.
- c) The Sustainability Appraisal should be retained, rather than being narrowed to an Environmental Impact Assessment (Proposal 16). The parameters of Sustainability Appraisals should be nationally defined with guidance on a simple process that allows for: the current sustainability of all rural communities to be assessed; an assessment of the impact of planned zoning and Local Plan text/policies; and reporting of mitigation or changes in policy to address any social, economic or environmental needs that are not being met.
- d) National Planning Guidance should be framed, not as proposed to define development restrictions, but to positively support appropriate development that allows rural communities to thrive. This should be mirrored in a requirement that Local Plans support sustainable development in all rural communities, with no blanket policies that debar rural communities in protected areas from growth.
- e) Local Plans should be required to include policies that provide steer and detail on the form, mix and type of development that would be expected of development. This is particularly necessary in renewal and protected zones where national policy, zoning, master planning and Local Development Orders will not be suitable to small scale development or sufficiently responsive to specific rural communities' needs.
- f) Neighbourhood planning as a process and or in its form as a Neighbourhood Plan, should be statutorily embedded in the Local Plan making process. Through this communities should be able to secure, and Neighbourhood Plans include, policies and site allocations, possibly as part of sub-zoning within a Local Plan. This could include allocating in the Local Plan, or Neighbourhood Plan, Community Priority Sites for the development of specified types and tenures of housing where it is formally evidenced that all parts of the community have been involved and support the allocation.

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

- Yes
- No
- Not Sure

Please provide supporting statement

National policy can offer a framework for devising Local Plan policies, but it cannot be responsive to the particular needs and circumstances of rural communities in a Local Plan area. Whilst we agree that Local Plans should not simply regurgitate national policy, the current two tier approach allows the tailoring of Local Plan development management policies to ensure development meets the specific social, economic and environmental needs of the diversity of rural communities.

From a housing perspective these Local Plan policies set out the type, mix and tenure of development ensuring the different housing needs, including for affordable housing are met. They are informed by comprehensive strategic assessments of housing need and economic viability testing based on local housing market conditions. National policy could not provide this required level of sensitivity.

It is the presence of bespoke development management policies in Neighbourhood Plans that have given communities the confidence to support and, in some cases, actively seek new development. Reducing Neighbourhood Plans' facility to include such policies will put at risk the levels of engagement and hours of voluntary engagement that are an essential part of Neighbourhood Plans, something that the Planning White Paper is keen to encourage.

We would propose that

- Local Plans should still include legally binding policies that ensure development is of a scale and type that is sensitive to the circumstances of their area, recognising that even with a plan area these will be diverse. Critically, there should be policies that set out the type and tenure mix that will be required on sites, level of affordable housing contributions, and requirements to meet the housing needs of vulnerable and older people. This is particularly necessary in renewal and protected zones where national policy, zoning, master planning and Local Development Orders will not be suitable to small scale development or sufficiently responsive to specific rural communities' needs.
- National Planning Guidance should be framed, not as proposed to define development restrictions, but to positively support appropriate development that allows rural communities to thrive. This should be mirrored in a requirement that Local Plans support sustainable development in all rural communities, with no blanket policies that debar those in protected zones from growth.
- Neighbourhood Plans should not be diminished to local design codes, but retain the ability to set legally binding policies that ensure development meets their communities social, economic and environmental needs.

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?

- Yes
- No
- Not Sure

Please provide supporting statement

The Planning White Paper provides no detail on the elements of a consolidated test of 'sustainable development'. We are concerned that this would lead to a narrowing of the definition of sustainable development, particularly as it is proposed to abolish Sustainability Appraisals and replace with a simplified framework for assessing environmental impact and enhancement opportunities.

Sustainable development achieves both social, economic and environmental benefits, ideally through integrated action. It is a concept that is as relevant to rural as urban areas. However, too often rural communities' have been prevented from achieving this goal by the adoption of policies that focus on environmental benefits and/or achievement of sustainable development at a local authority level. In consequence rural communities have entered a cycle of sustainability decline, unable to meet their social, economic and environmental needs either because development is restricted, or it is not appropriate in terms the type, design and scale.

To ensure rural communities can benefit from sustainable development we would propose:

- a) The statutory sustainable development test (Proposal 3) should be designed and worded so it promotes sustainable development in all areas, growth, renewal and protected.
- b) An element of the national sustainability test should be a requirement for meaningful and evidenced involvement of rural communities in zoning decisions, with clear tests to identify whether this has been achieved.
- c) The Sustainability Appraisal should be retained, rather than being narrowed to a framework for assessing environmental impacts and enhancement opportunities (Proposal 16). The parameters of Sustainability Appraisals should be nationally defined with guidance on a simple process that allows for: the current sustainability of all rural communities to be assessed; an assessment of the impact of planned zoning and Local Plan text/policies; and reporting of mitigation or changes in policy to address any social, economic or environmental needs that are not being met.

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

No response to this question

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

- Yes
- No

- Not Sure

Please provide supporting statement

The inclusion of an assessment of land constraints, which may reflect zoning will disadvantage all rural communities. In protected zones it would reduce housing numbers, even though the methodology shows there to be an affordability problem. Limiting house building will increase demand on existing stock, exacerbating problems of affordability. Yet, the Planning White Paper includes no measures of how the often acute need for affordable housing in these areas will be met.

In growth zones, the anticipated increase in housing numbers using the proposed methodology will result in swamping of rural communities with development, but without any evidence this will improve affordability or the supply of affordable housing.

The Planning White Paper does not include any sanctions to ensure that developers deliver. Experience to date and the Letwin Review have demonstrated that the failure to deliver on housing numbers is not always a consequence of a lack land, but developers rationing supply to maintain or even increases house prices.

There is no mention of the assessment of housing needs by which local authorities establish the type and tenure mix of housing for specific groups in the community, including affordable housing and homes for older residents. There is then no basis either through Local Plan policy or site specific 'Orders' to secure homes that meet the full range of needs in rural areas.

We would propose:

- a) The proposed Housing Needs Assessment methodology should be assessed against sustainable development criteria and adjustments made to ensure that the resulting housing numbers do not compromise the ability to achieve sustainable development in all areas. This should include consideration and clear guidance on how and where housing numbers should be accommodated in areas of constraint, without compromising the need for appropriately scaled growth in protected zones, including National Parks and Areas of Outstanding Natural Beauty.
- b) There needs to be better co-ordination between Government planning policy and its Affordable Homes Programme to ensure that in areas of constraint and high levels of affordability problems, affordable housing is provided.
- c) More incentives and or sanctions are needed to ensure that developers deliver the homes required, including on small scale schemes.
- d) The requirement for Local Planning Authorities to assess housing requirements of particular groups and include policies in their Local Plans that ensure the homes built meet these needs, should be retained.

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?

- Yes
- **No**
- Not Sure

Please provide supporting statement

The shortage of affordable housing in rural areas, both in the market and affordable housing sectors is well evidenced and documented. However, the proposed methodology does not address how this will be met in protected zones. Indeed, the situation could be exacerbated if more rural areas become protected zones. Here less development will result in constrain supply leading to higher house prices and fewer opportunities to provide affordable housing by housing associations, local authorities and community led housing groups.

We would propose:

- The proposed Housing Needs Assessment methodology should be assessed against sustainable development criteria and adjustments made to ensure that the resulting housing numbers do not compromise the ability to achieve sustainable development in all areas. This should include consideration and clear guidance on how and where housing numbers should be accommodated in areas of constraint, without compromising the need for appropriately scaled growth in protected areas, including National Parks and Areas of Outstanding Natural Beauty.
- The Affordability component of the Housing Needs Assessment should not just include affordability judged against market prices, but should be based on a threshold point using local income and house price data as proposed by the Affordable Housing Commission. Given the distribution of incomes in rural areas we would propose that for rural authorities this uses lower quartile rather than median incomes.
- Commensurate to this, the requirement for Local Planning Authorities to assess housing requirements of particular groups and include policies in their Local Plans that ensure the homes built meet these needs, should be retained.
- There needs to be better co-ordination between Government planning policy and its affordable homes programme to ensure that in areas of constraint and high levels of affordability problems, affordable housing is provided.

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

This takes away any control or mechanisms for communities to influence specific developments at the point at which a detailed design has been worked up. Community engagement at the zoning stage and in design guides will not provide for their on-going engagement, particularly on strategic developments that will come forward well after the

Local Plan has been approved, in phases and with changes from initial proposals in the light of market circumstances or site investigations etc.

There is a danger that communities' expression of their needs will not be addressed through Permission in Principle. For example, affordable housing is considered a technical matter agreed at the second stage. Currently, developers factor the affordable housing requirement into the price they pay for the land. Delaying its consideration until technical matters could result in a developer arguing at this stage that because this requirement was unknown it is now unviable to provide affordable homes.

The use of Local Development Orders and Masterplans may overcome some of these difficulties, but it will require high levels of inclusive community engagement and that these documents include matters wider than aesthetic design.

We would propose:

- At a minimum for sites/areas designed for growth, national guidance should require that Local Development Orders and Masterplans are required to be developed with evidenced meaningful engagement, including tracking how community views have shaped them or reasons why these views have been rejected. One mechanism to achieve this could be the use of Concept Statements that have been used as an accessible, engaging and speedy approach for community engagement on all scales of development

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

All the proposals for approving development in Renewal zones will reduce community and democratic input and accountability. Once the community has been involved in zoning it will have no further control over the type of development, where different uses will be located, how these fit or will improve local infrastructure. National and Local Design codes will not be sufficiently site specific to redress this shortcoming. This holds true for development allowed under the Presumption in Favour of Sustainable Development, Planning Permission in Principle and Permitted Development Rights.

In Protected zones, the proposal to retain the current process for gaining planning permission is welcome as it retains channels for community involvement and locally accountable decision taking. However, this is potentially undermined by the proposal that applications will be assessed against national policy that will set out the restrictions on development in these areas. Such a negative approach will not support appropriately scaled development that meets social and economic needs of rural communities.

We are concerned at the proposals for increased delegation to officials with decisions being made against national policy and standards. This provides no opportunity for approval of innovative schemes, or those where site conditions or locations require a different approach.

Concerns also arise over the extension of Permitted Development Rights, which again exclude communities from having a say over the detail of the development.

We would however propose a faster route is adopted for sites that provide development that meets an evidenced community need where this is: is backed with demonstrable community engagement and support; and provides arrangements that secure the benefit for the community in perpetuity. These could be defined as Community Priority Sites and include Rural Exception Sites.

We would propose:

- a) In Renewal zones the Presumption in Favour of Sustainable Development should judge whether a scheme provides sustainable development by the extent to which it meets the social, economic and environmental needs of the host community, not the wider area.
- b) National planning policies for Protected zones adopt a similar approach to those in the NPPF, positive and responsive to the particular needs and circumstances of rural communities, encouraging appropriately scaled development that meets their social and economic needs so they can thrive.
- c) On Community Priority Sites and Rural Exception Sites, in any zone, there should be a fast track process for approval where there: is evidence that the homes will provide the type and tenure of housing that meets evidenced local housing needs; has been meaningful community engagement and support; and mechanisms are in place to retain affordable homes in this sector and local occupancy requirements can be met.

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

No comment

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

A simpler and faster process for approving small scale rural developments would be helpful, particularly if this reduces costs and delays. However, we do have a number of concerns.

Such a heavy reliance on digitisation of the decision making process will disadvantage rural residents. Many rural areas still lack access to Broadband or a service of sufficient speed to support this level of digitalisation. In these areas the proposed changes will impact negatively on rural SME firms wanting to develop. It will also impeded the ability of rural communities to engage in the process, particularly in Protected zones where the existing planning application process is to be retained.

The proposals include no opportunities for pre-application discussions. These provide the opportunity for constructive dialogue and mediation to ensure a scheme is acceptable and deliverable. Taking this step out of the process is likely to result in aborted work by developers (SME builders, Registered Providers, Community Led Housing groups), delays and challenge, all of which add to cost and risk.

Increasing levels of delegation to planning officers where the principal of development has been established in the belief that at this stage it will be a matter of technical matters ignores the significance of some of those issues, for example the level and type of affordable housing. Coupled with the potential that Local Plan policy will be replaced by national policy presents a danger that schemes will fail to deliver development that meets the needs of the community where the scheme is being proposed.

The incentives to speed up decision making are punitive and are likely to particularly affect rural areas where planning teams are often small and under-resourced. The consequence could be inappropriate development, particularly in Protected zones where the current planning application process will be retained.

We would, however, propose a faster route is adopted for sites that provide development that meets an evidenced community need; is backed with demonstrable community engagement and support; and provides arrangements that secure the benefit for the community in perpetuity. These could be defined as Community Priority Sites and include rural exception sites.

We would propose:

- a) The notification process uses a range of mechanisms and does not solely rely on digital communication.
- b) The retention of the pre-application stage, with better resourcing of planning teams so they have the necessary skills and capacity to undertake these in a timely manner.
- c) Local Plans continue to include legally binding policies that ensure development is of a scale and type that is sensitive to the circumstances of their area, recognising that even with a plan area these will be diverse.
- d) We welcome the proposal to develop a resources and skills strategy for the planning sector and funding to support the transition to the new planning system. However, it is important that this is designed and funded so support is available to local planning authorities operating in Protected zones. where the number of schemes coming forward is smaller and in consequence fee income will be lower. These

resources should be available to all rural local planning authorities, including National Park Authorities.

- e) For Community Priority Sites and Rural Exception Sites, in any zone, there should be a fast track process for approval where there is evidence that the homes will provide the type and tenure of housing that meets evidenced local housing needs, has been involved meaningful community engagement and support and mechanisms are in place to retain affordable homes in this sector and local occupancy requirements can be met.

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

The aim of making Local Plans shorter and more comprehensible is helpful. However, we have significant concerns with the proposals for community engagement and timescales for preparation of the Local Plan.

We fully support greater involvement of residents at the point of plan preparation, but this should be inclusive and properly facilitated. Opportunities should be made not just for discussion on zoning and design, but for an informed exchange of ideas and views on the nature and type of development in all areas. Digitalising this process and presentation of material will not be enough to ensure this outcome. Indeed, in some rural areas where there is no or very slow broadband coverage and poor mobile phone reception, there is a danger that rural residents will be excluded. It is also the case that the population of rural areas is older and ageing more rapidly than urban centres. These residents find it difficult to use this technology because they often do not always have the skills or confidence, or experience degenerative conditions such as visual impairment and arthritis

Given the concerns over the extent and depth of community engagement, there can be little confidence in the proposals for examining Local Plans. Publicising the Plan for public comment in parallel with it being submitted to the Secretary of State and the absence of any open and public discourse during the Examination leaves little if any room for challenge, mediation and compromise.

We would propose

- a) Local Planning authorities should be properly resourced to effectively engage all communities in the preparation of Local Plans, using a mixture of digital and face to face techniques, with skilled facilitation.
- b) The six month period for Stage One of Local Plan preparation should be extended to 18 months to allow meaningful engagement of communities in Local Plan preparation.
- c) Any piloting of new solutions for plan-making and making community engagement more accessible and engaging should include at least one remote rural local authority area.

- d) The submission of Local Plans to the Secretary of State should occur after there has been the opportunity and sufficient time for communities and local residents to comment on the options being proposed and for the Local Planning Authority to respond to these views.
- e) The Examination process should be an open and transparent discourse of the Local Plan held in public.
- f) All the above requires a longer time frame for Local Plan preparation and transition period from existing to new Local Plans.

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

The proposed timescale for preparing of Local Plans is unrealistically short; setting LPAs up to fail will not achieve anything. Meaningful and inclusive consultation with communities on zoning will take more than six months and requires in depth facilitation and mediation skills.

More consideration is needed on the Examination process that allows for public scrutiny of the Local Plan.

The timetable does not build in time for the collection of the evidence base, including assessment of different types of housing need and economic viability testing for the Plan. Neither does it provide time for any revisions in the light of this evidence.

The PWP's provisions for time limited resources to increase LPA capacity during the transition will not be sufficient to support this as an ongoing activity, which will be necessary if Local Plans are to be reviewed every five years.

We do not think 2024 is a realistic timetable for having new Local Plans in place. Many of the PWP's proposals will require significant development and consultation on the detail to make them workable. A number of proposals will require legislation for which there should be time for proper scrutiny.

We would propose

- The timescale for Local Plan preparation is extended, informed by realistic assessment of the different stages involved in Local Plan preparation and in particular the time needed for meaningful and inclusive community engagement.

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

- **Yes**
- No
- Not Sure

Please provide supporting statement

They should be retained, but not in the form proposed by the Planning White Paper. To be effective and secure community engagement the following four aspects of Neighbourhood Planning need to be retained and or strengthened

1. They are more than design guides. Neighbourhood Plans are quintessentially community engagement in the planning process. Whilst the Planning White Paper acknowledges this, it also is in danger of undermining their value and uptake. It potentially reduces their role to local design guides and given the crudeness of the zoning proposals, as set out thus far, it may mean that they will no longer be able to set policy and make site allocations to attract or shape development to meet their social, economic and environmental needs. Already our Network members are reporting Neighbourhood Plan groups questioning whether it is worth continuing, or even starting the process.
2. They should continue to be able to include legally binding policies and allocations covering more than housing development. Neighbourhood Plans have been a positive introduction with ACRE Network members supporting communities as they develop their Plans. Their experience shows that where communities have the means to engage, secure and shape development through policies and site allocations, they have supported and, in some cases, sought new development. Equally, they include the necessary raft of policies and site allocations that support other elements of sustainable development, employment, services, infrastructure requirements, green and open space and alternative approaches to reduce carbon emissions.
3. There needs to be better synchronisation and embedding in Local Plans. Our Network's experience also provides insights into some of the challenges confronting Neighbourhood Plans that could be addressed as the Government develops its approach. Currently, Neighbourhood Plans are channelled into a parallel activity that can become out of synch with Local Plans. In consequence the weight of Neighbourhood Plans in the decision making process is lessened and, in some cases, has resulted in their inability to pursue policies and development that would support their community's sustainability. This undermines community confidence and willingness to give the time to developing, or reviewing, a Neighbourhood Plan.
4. The neighbourhood planning process has value and could be used to widen take up. The Planning White Paper acknowledges the uneven geographic spread of Neighbourhood Plans, something that our Network members would confirm. In part this reflects that not all communities have the confidence, skills, time or resources to take on preparation of a Neighbourhood Plan. Equally, there are differences in the resources and commitment of local authorities to support and give weight to Neighbourhood Plans.

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?

The added value of neighbourhood planning in promoting a more positive community response to development is proven. The opportunity to step up and build on this experience is welcome. However, to achieve this it is essential that it is recognised that Neighbourhood Plans are, and have to be, more than design guides. They actively support and implement sustainable development through a raft of policies and site allocations for housing, employment, services, infrastructure requirements, green and open space and alternatives approaches to reduce carbon emissions. Communities will only engage in this process if their Plans retain this scope and legally binding powers to implement their plans.

Whilst digital tools have a role to play and could support the development of Neighbourhood Plans, these will only be a useful addition if communities are able to access face-to-face skilled facilitation. To be effective Neighbourhood Plans need to be built on consensus, this requires them to have information, but also the opportunity to explore options, openly exchange views and sometimes find compromise.

ACRE does not see Neighbourhood planning as the panacea for securing community engagement in the planning process, but the added value of the neighbourhood planning is proven. As the Planning White Paper's proposals are developed there is an opportunity to maximise and extend these benefits. ACRE and its Network members have many years' experience of supporting this activity, through Village Appraisals, Community and Parish Plans, and Rural Housing Enablers supporting communities attract housing to meet their needs. We would be willing share this experience and work with Government to develop its approach and would offer the following proposals as a first step in that dialogue.

- a) As part, but not the sole means of securing community engagement, neighbourhood planning, both in its formal guise as a Neighbourhood Plan or in conceptualising it as a process, should be embedded into the planning system. The latter being a formally organised input into the Local Plan triggered by a locally made agreement between the Local Planning Authority and the neighbourhood.
- b) This could be achieved and supported by requiring that, in the preparation of Local Plans and local development codes or guides, there is a formal requirement that there is evidence of neighbourhood/community group engagement in their development. This should be measured by a set of tests against which the soundness of the Local Plan is Examined and a decision to formally adopt a local design guide is made.

Such an approach would provide the opportunity for more and a greater diversity of communities to engage. It would also strengthen the planning system so that Local Plans and Development Guides can be responsive to local social, economic and environmental needs, including through sub-area zoning within broader zones. It would also mobilise people to engage at different stages of planning.

- c) Within the Local Plan, or where Local Planning Authorities and neighbourhood planning groups are in agreement, Neighbourhood Plans could allocate land into categories for their area on behalf of the Local Planning Authority. For example, through this process rural communities in a Protected zone could be covered by

sub-area zoning where appropriately scaled growth that meets the communities' needs could be developed.

- d) Alongside this facility Neighbourhood Plans should be able to allocate sites and include legally binding development management policies. This could include the facility to allocate Community Priority Sites that provide development which meets an evidenced community need; is backed with demonstrable community engagement and support; and provides arrangements that secure the benefit for the community in perpetuity.
- e) The success of this approach requires that resources are available to support constructive and informed community engagement. Critical to this is the availability of community development and facilitation skills, within planning departments and through communities being able to buy in expertise as required.

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
- No
- Not Sure

Please provide supporting statement

There should be stronger emphasis on build out rates, but the Planning White Paper makes no proposals of how this would be secured. Its implication that this is a consequence of the planning system is not borne out by the facts or the findings of its own Letwin Review. There should be more effective penalties for developers who do not build out sites, including small scale developments. These measures could include the option to de-allocate sites and rescind planning permission where development does not commence within a given time period. Importantly, however, this should be taken into account in the Housing Delivery Test, so the failure to meet it because development has not come forward is not used as a reason to trigger the Presumption in Favour of Sustainable Development. Too often this has resulted in rural development that is out of scale and does not provide the type or tenure of housing that meets the communities need.

Pillar Two – Planning for Beautiful and Sustainable Places

Q15. What do you think about new development that has happened recently in your area?

- Not sure / indifferent
- Beautiful / well-designed
- Ugly / poorly-designed
- There hasn't been any
- Other (please specify):

ACRE is a national organisation and cannot comment on development in specific areas. However, we know from our Network members who support Neighbourhood Planning that too often new development has not been well-designed.

Q16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

- Less reliance on cars
- More green / open spaces
- Energy efficiency of new buildings
- More trees
- **Other** (please specify):

Sustainability is more than addressing environmental issues. It includes ensuring the mix and type of development meets social and economic needs, as well as bringing environmental benefits.

We are concerned that the Planning White Paper is proposing to abolish Sustainability Appraisals and replace them with a simplified framework for assessing environmental impacts and enhancement opportunities. There is a real danger that in so doing the impact of policies on the full spectrum of sustainable development of rural communities will be ignored and left unaddressed. The consequence will be a cycle of decline for those rural communities debarred from development, as well evidenced and articulated in numerous reports, including Living Working Countryside.

Similarly, we are concerned that national policies for reducing carbon emissions and responding to climate change should not lead to the exclusion of development that would benefit smaller rural communities because it does not offer opportunities for cycling and use of public transport. National policy should recognise that these opportunities are not available in many smaller rural communities, especially those at a distance from main transport routes. To deliver sustainable development in these areas requires development to meet social and economic needs and the adoption of new low or zero carbon technologies that improve access to jobs, services and markets.

However, we are very aware through our Network members experience that new development in larger rural communities too often fails to provide adequate accessible open green space or greener transport routes.

We would propose

- a) The Sustainability Appraisal should be retained, rather than being narrowed to a framework for assessing environmental impacts and opportunities for enhancement(Proposal 16). The parameters of Sustainability Appraisals should be nationally defined with guidance on a simple process that allows for: the current sustainability of all rural communities to be assessed; an assessment of the impact of planned zoning and Local Plan text/policies; and reporting of mitigation or changes in policy to address any social, economic or environmental needs that are not being met.

- b) National Planning Guidance should not debar development in smaller rural communities because of the lack of opportunities to improve access by cycling and public transport. It and Local Plan policies for these small rural communities should support development to meet social and economic needs and promotion of new low or zero carbon technologies that improve access to jobs, services and markets.
- c) Where housing developments are on the edge of larger villages and market towns improvements to access by cycling and public transport should be promoted.

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

- Yes
- **No**
- Not Sure

Overall the principle of driving up the design quality of development is welcome. Too often new development has failed to reflect the diversity of form and materials found in rural communities. Welcome too is the promotion and weight that will be given to local design codes, including their preparation by Neighbourhood Plan groups.

However, there are three caveats to our response.

1. Good design is not just about aesthetics, but about place making that includes consideration of the mix and type of development, provision of open and green public space and making sure buildings and places respond to the challenge of climate change in ways appropriate to their context.
2. Neighbourhood Plans should not be consigned to being no more than Design Codes. Their strength and community support are contingent on the inclusion of policies and site allocations that give them control so the use of land in their community meets their specific needs and design requirements.
3. In line with responsiveness to local context and importance of community engagement and support, national design guidance should set out, with rural and urban examples, how different elements of good place making can be achieved. For the same reasons and given the diversity even across rural areas we would not support the use of national design guides to determine whether a development should be fast -tracked.

ACRE and its Network have considerable experience of supporting communities develop design codes through Village Design Statements, Concept Statements. Making Places studies and as part of Neighbourhood Plans. We would be willing to share this experience as the Government develops its thinking.

We would propose, as a first step, it should be an explicit requirement that like the current national design standards, Local Design Guides are not just about aesthetics, but also include consideration of all of the ten characteristics that make for a well-designed place. (context, identity, built form, movement, nature, public space, Uses, homes and buildings, resources and lifespan).

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?

- Yes
- No
- Not Sure

Please provide supporting statement

It would be helpful to provide expert advice on how all developments and design codes can support sustainable development through all scales of development, in rural as well as urban locations.

We welcome the commitment to improving resources for Local Planning Authorities so they can play a greater role in advising on design. These will need to develop skills not only in design, but also community engagement, viability assessment and negotiation.

To make the most effective and efficient use of these resources we would argue that it is critical to retain the pre-application process. These discussions provide the opportunity for constructive dialogue and mediation to ensure a scheme is well designed and deliverable. Taking this step out of the process is likely to result in aborted work by developers (SME builders, Registered Providers, Community Led Housing groups), delays and challenge, all of which add to cost and risk.

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

- Yes
- No
- Not Sure

Please provide supporting statement

Homes England could play a critical role in supporting the delivery of good quality design, including promoting net zero carbon development. However, this will only have meaning if it informs the allocation of their funding programmes and capital grant decisions.

Any approaches they adopt should be responsive to rural circumstances, including the fact that schemes in these areas are often small scale schemes where it is difficult to use off-site manufacture, particularly when design needs to be sensitive to the local landscape.

In a similar vein, whilst supporting the principal of net bio-diversity gain, Homes England should take into consideration that it is likely this will result in added costs for small rural schemes, particularly those on rural exception sites. These already require significant grant funding to make them economically viable.

We would propose:

- a) Homes England should take into account not just design and price but contribution to achieving net zero carbon emissions and improving bio-diversity. Explicitly, Homes England, should be required to flex the grant rate where this involves higher

costs, particularly for small rural schemes where it is often difficult to use industrialised methods of construction and viability is tight.

- b) Any national guidance on form types takes account of the scale of rural development and that this is often small scale. Currently, off-site manufacture is more expensive than conventional building methods on small rural affordable housing sites.

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

We appreciate the benefits of speedy decision taking, but this should not be at the expense of securing development that meets the sustainable development needs of a community.

In particular we are concerned at the adoption of a 'pattern book' approach to fast tracking schemes through the planning process. These suggest a uniformity of approach that does not necessarily respond to local vernacular, landscape or the need for innovative development types and layouts that respond to the challenges of climate change. Approving such schemes would, therefore, run counter to the Planning White Paper's emphasis and weight to be given to community engagement in the planning and design code process.

However, we do consider that there is some room for fast-tracking small scale community developments in rural communities, such as Rural Exception Sites where community engagement and safeguards to retain their benefit to the community are an integral part of the process and approval.

ACRE has considerable experience through the Rural Housing Enabler Network of bringing forward small rural affordable housing schemes, either working with housing associations or as community led housing projects. We would be willing to share this experience as Government develops its thinking on fast-tracking approvals.

We would propose that for Community Priority Sites and Rural Exception Sites, in any zone, there should be a fast track process for approval where there is evidence that the homes will provide the type and tenure of housing that meets evidenced local housing needs, has been involved meaningful community engagement and support and mechanisms are in place to retain affordable homes in this sector and local occupancy requirements can be met.

Pillar Three – Planning for Infrastructure and Connected Places

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)
- Design of new buildings
- More shops and/or employment space

- Green space
- Don't know
- **Other** (please specify):

The priority should be that development is sustainable development in that as far as possible it brings social, economic and environmental benefits to a community. This could be through the development itself, how it is designed and built and the process by which it comes forward. In rural areas the nature of those benefits needs to reflect the needs of the community and almost universally will include provision of high quality affordable housing and improvements to local infrastructure.

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?

- Yes
- **No**
- Not Sure

Please provide supporting statement

The infrastructure Levy should not be used to deliver affordable housing, but alternative mechanisms, such as the current S106 Agreements are used. Whilst we accept that the Section 106 process needs improving, the Planning White Paper's proposals gives no confidence that affordable housing levels will be maintained or improved. Indeed, as proposed it is likely to have the opposite effect, especially in rural areas where there is an acute need for more affordable housing in the form of social rent and truly local affordable sale housing.

The proposals under Pillar Three require considerable further consideration and consultation over detailed implementation of the general ideas contained in the Planning White Paper. This must be fully informed by an understanding of development economic viability, the development process and the funding of affordable housing. As it stands it raises the proposals raise following questions and comments.

- There is no definition in the Planning White Paper of affordable housing. What will prevent developers providing a form of affordable housing, which is not truly affordable to local people on low incomes or meet their evidenced needs? This is a particular concern in rural areas where locally earned incomes are low and, as the evidence from Housing Needs Assessments constantly demonstrates, the over-riding need is for social rented housing.
- What measures will be put in place to ensure that affordable housing is not squeezed out by other costs, including infrastructure costs? Where viability is tight or changes over the period of the development what will ensure that the level and type of affordable housing provided meets evidenced need?

- How will setting a national rate account for differences in housing markets, that can even vary within local authority areas. For example, in Cornwall CIL rates vary from £0 to £400 per square meter. To trigger Infrastructure Levy payment the national rate would have to be set at the low end, which would mean high value rural areas would miss out on payments that would fund much needed affordable housing.
- The Planning White Paper's proposals introduce considerable uncertainty in both amount and timing of Infrastructure Levy payments. If there is a delay, insufficient funding or the local authority does not have recourse to a pool of funding how will they buy the affordable housing that provide the in-kind contribution to Infrastructure Levy.?
- The Planning White Paper proposes that in such cases the affordable homes are 'flipped back' to market homes. Whilst this may provide a cash sum, it does not deliver the affordable homes on site. Neither can it be assured that the cash sum will be used in the community where the Infrastructure Levy is raised because there may not be any alternative sites. This is particularly likely to be the case in rural areas where site supply is constrained.
- How will affordable housing be provided on small sites that may fall below the de-minimis threshold? These make up a major part of residential site supply in rural areas and are a vital source of much needed new affordable housing.
- Linked to the above, we are concerned that Government adopts the threshold of 40 dwellings proposed in the Changes to the Current Planning System. In our response to the consultation we presented evidence of the damaging impact this would have on the delivery of affordable housing in rural communities. As we had done previously when the threshold of 10 dwellings was adopted.
- The failure to charge an Infrastructure Levy on small developments could also potentially reduce the supply of rural exception sites. Without a charge the developer will be able to pay more for the land, which will mean it is less likely that landowners will sell land for Rural Exception Sites that attract a value significantly below that for market developments. As these sites will not be providing affordable housing, rural communities will have no means to meet their housing needs.
- How will affordable housing be provided in low value areas where schemes may fall below the de-minimis threshold, yet there is a need to improve the supply of good quality affordable housing and infrastructure? This includes post-industrial rural communities and those in low value market areas where external demand for second and holiday homes can exclude those employed locally from the housing market.
- Is Infrastructure Levy being charged on affordable housing? Given that it is proposed that these homes are bought at build cost and this would be part of the scheme's income and thence its development value, it appears that Infrastructure Levy will be charged on affordable housing. Exempting affordable housing from the

Infrastructure Levy would potentially mean more affordable housing could be provided.

- The PWP is silent on whether Infrastructure Levy will be chargeable on sites that provide 100% affordable housing. This can include local authority owned sites and Rural Exception Sites. Charging Infrastructure Levy on these sites would reduce the number of affordable homes that could be built, including if this was charged on any market housing that is providing cross-subsidy to make a scheme viable.
- The Planning White Paper's proposes that under Right to Purchase the developer would choose which of the houses they would sell to the council or Registered Provider. How would this ensure the local authority is able to meet the needs for different types and tenures of affordable housing?
- The ability of councils or a Registered Provider to buy the properties under the proposed Right to Purchase would be dependent on funding being available. Given the concerns about the certainty in both amount and timing of Infrastructure Levy payments, how will this be managed? It is proposed that proportion of homes that could be bought would be set nationally. How will this be sensitive to the level and type of housing need in the plan area or local market conditions that affect viability? How does changing the provision for small sites from on-site provision to a cash sum meet the housing needs of that community? This will be a particular issue in rural communities where alternative sites are unlikely to be available, particularly in Protected zones.
- The Planning White Paper proposes that in some cases the local authority could be offered land that it or an Registered Provider could then develop, rather than buying built dwellings as part of the in-kind payment. The result could be less funding available for infrastructure because the price paid for land would be less than that which the developer would receive for a built dwelling, thus reducing the final development value and in turn the Infrastructure Levy.
- The Planning White Paper's proposals for achieving high quality affordable housing are unconvincing. Indeed, it may even have a converse affect. The proposal that the local authority can revert to a cash payment contribution when affordable homes are not built to an appropriate quality will not deliver affordable homes on site where the evidence has shown they are needed. Neither will it necessarily be able to spend the money on another site in the locality.
- The Planning White Paper proposes that Custom and Self Build housing will be exempt from Infrastructure Levy. This has merit where the development is providing affordable housing, but it is not clear why this should be the case for high value self-build properties which may be sold within a year, with the individual builder being the sole beneficiary of any uplift in value.
- Should be a similar exemption for Community Led Housing, in all its forms, where the scheme is providing affordable homes? Could the exemption be extend to any market housing that is provides cross-subsidy to make a scheme viable?

- If Section 106 Agreements are abolished how will the perpetuity arrangements that are an integral part of delivering rural exception sites be secured?

As legal obligations that run with the land, they have more force than a planning condition and are an essential mechanism for ensuring perpetuity and local occupancy of affordable housing. As such they are integral to the delivery of Rural Exception Site policy that are defined in the NPPF as, 'small sites used for affordable housing in perpetuity where sites would not normally be used for housing'. The existence of a legal mechanism for securing perpetuity and local occupancy requirements are essential to landowners being willing to release sites at a price that makes it viable to deliver affordable housing.

- Section 106 Agreements provide more than affordable housing. They also secure other community benefits that support the sustainability of the community. For example, upgrading or new community buildings and recreational facilities. These both provide important social hubs, with the former often being used to provide space to provide services where these are unavailable on a permanent basis in the community.
- The Planning White Paper fails to address how the abolition of CIL will affect charitable organisations. Currently there is mandatory relief from CIL where a charity owns a material interest if the development is to be used wholly or mainly for a charitable purpose of the charity in question or of that charity and another charity. In a rural context this encompasses a number of community organisations, including community shops and Village Halls where any development in which they are involved will directly and solely be for the benefit of the community. This will also cover charities such as Alms houses and some forms of community led housing organisations.

ACRE through the Rural Housing Enablers employed through its Network members and its support for Village Halls, has considerable experience of delivering rural affordable housing and community infrastructure. We would be willing to share this experience as the Government develops its thinking on how to capture development value to support affordable housing and infrastructure.

As a first step we would offer, as minimum, the following proposals.

- a) The infrastructure Levy is not used to provide affordable housing, but alternative mechanisms, such as the current S106 Agreements are used.
- b) **IF** a consolidated fund is pursued.
 - The IL rate should be set by local authorities to take into account local housing markets. There should also be a requirement for a proportion of the IL to be ring-fenced for affordable housing. The proportion should be set locally and be sufficient to fund the affordable housing requirement set out in Local Plan policies and design guides.
 - Affordable and formal Community Led Housing should be exempt from Infrastructure Levy, as should any market housing provide on rural exception

sites or community led housing sites where this is providing the cross-subsidy that makes a scheme economically viable.

- c) Section 106 Agreements should be retained to secure:
- the perpetuity of the affordable housing and local occupancy requirements of rural exception sites; and
 - other community benefits that ensure the scheme contributes to a beautiful and sustainable place.

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**

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

There is an acute need for affordable housing in smaller rural communities where only 8% of the housing stock is social housing, compared with 17% in urban areas. Its provision is not only important to the well-being of those who live in it, but also the lynchpin for the sustainability of rural communities. It provides homes for those who work locally or run small businesses and services, its residents are the customers and users of local services, such as shops and schools, these people often provide support for, or receive care from, other members of the community. Through the way affordable housing is designed it can be an asset to the community and reduce carbon emissions and use of scarce natural resources.

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

If Infrastructure Levy payments are not made on granting of permission but at some future point on occupation/completion, then borrowing against money that has not, and may not, be collected, is very risky. Not all developments granted permission end up being implemented. It is also likely that such uncertainty will be reflected in lenders willingness to lend and the cost of borrowing. These will provide particular challenges for small, under resourced, rural local authorities.

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

- Yes
- No
- Not Sure

Please provide supporting statement

Development of any kind will have an impact on infrastructure and will raise a development value that should provide community benefits.

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
- No
- Not Sure

Please provide supporting statement

In rural areas where there is a well evidenced acute need for affordable housing the goal should be to provide more affordable housing. The Planning White Paper offers no assurance that this will be achieved. Indeed, it is likely that it will reduce its supply.

- Currently, affordable housing delivery is guaranteed because it is treated separately from infrastructure payments. The consolidated Infrastructure Levy would not provide this reassurance and supply may be diminished where infrastructure costs are high or the local authority decides to spend it on some other purpose, such as reducing Council Tax bills.
- The de-minimis threshold will potentially mean that small scale developments, which make up a significant proportion of rural residential sites, will make no affordable housing contribution either on-site or as a financial sum. Neither would there be any contribution towards accommodating any additional demands on existing infrastructure.
- Linked to the above, we are concerned that Government adopts the threshold of 40 dwellings proposed in the Changes to the Current Planning System. In our response we presented evidence of the damaging impact this would have on the delivery of affordable housing in rural communities. As we had done previously when the threshold of 10 dwellings was adopted.
- The de-minimis threshold would exacerbate the difficulties of improving infrastructure and improving the supply of good quality affordable housing in low value areas. This includes post-industrial rural communities and those in low value market areas where external demand for second and holiday homes can exclude those employed locally from the housing market.

- The PWP fails to consider how Infrastructure Levy would apply on sites that will provide 100%, or a majority of the development, as affordable housing. This includes rural exception sites and Community Led Housing schemes. Charging Infrastructure Levy on these sites would reduce the number of affordable homes that could be built, including if this was charged on any market housing that is providing cross-subsidy to make a scheme viable.
- Section 106 Agreements, as legal obligations that run with the land, have more force than a planning condition and are an essential mechanism for ensuring perpetuity and local occupancy of affordable housing. As such they are integral to the delivery of Rural Exception Sites that are defined in the NPPF as, 'small sites used for affordable housing in perpetuity where sites would not normally be used for housing'. The existence of a legal mechanism for securing perpetuity and local occupancy requirements is essential to landowners being willing to release sites at a price that makes it viable to deliver affordable housing.
- The PWP's proposals for achieving high quality affordable housing are unconvincing. Indeed, it may even have a converse affect. The proposal that the local authority can revert to a cash payment contribution when affordable homes are not built to an appropriate quality will not deliver affordable homes on site where the evidence has shown they are needed. Neither will it necessarily be able to spend the money on another site in the locality.
- The Planning White Paper appears to be proposing that Local Plans will no longer have policies. Presumably, therefore, there will be no affordable housing policy that both secures its delivery, or the necessary information for a developer to pitch their offer for the land. In consequence there is a danger that it will not be viable to deliver affordable homes.

We would argue that it is imperative that affordable housing secured from developer contributions is provided on site and that local planning authorities should have the facility to set their own affordable housing thresholds in parishes of fewer than 3000 population and in all parishes in National Parks and Areas of Outstanding Natural Beauty. The constrained supply of sites, which is likely to be heightened in Protected zones, and the narrow pattern of land ownership, means it is usually impossible to provide the affordable housing on an alternative site in the host community. In consequence, that community does not have the opportunity to meet its affordable housing needs.

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?

- Yes
- **No**
- Not sure

Please provide supporting statement

We consider that affordable housing should be provided on-site, but not funded through the Infrastructure Levy, even as an in-kind contribution.

We would not support the Right to Purchase as the Planning White Paper proposes that the developer would choose which of the houses they would sell to the council or Registered Provider. This could severely undermine local authorities' ability to meet their housing needs in terms of type as well as tenure.

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

- **Yes**
- No
- Not Sure

Please provide supporting statement

The delay between valuation and payment of the Infrastructure Levy means that it is likely that the money will already have been committed. Any reductions would affect not only the supply of new affordable homes, but also undermine local authorities' ability to produce a viable Business Plan for their own programmes of investment in affordable housing.

For the same reasons we welcome the Planning White Paper proposes that developers would not have any right to reclaim any over-payments.

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**
- No
- Not Sure

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

- Yes
- **No**
- Not Sure

Please provide supporting statement

If Infrastructure Levy is to provide affordable housing it is imperative that its supply is secured. At the very least a percentage of the Infrastructure levy should be ringfenced, reflecting the percentage of affordable housing that the Local Plan is seeking from market developments, itself based on evidence of need and economic viability testing.

It is helpful that the Neighbourhood Share is retained, but the Planning White Paper's proposal to diminish their role to design guides, without policies and site allocations will mean that there will be limited opportunities to use the funding.

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

- Yes
- No
- Not Sure

Please provide supporting statement

It is imperative that there is ring-fencing of the Infrastructure Levy for affordable housing. However, the Planning White Paper makes no proposals of how this will be set. It is of concern that this too might be set nationally, particularly as it appears Local Plans will no longer include policies for affordable housing.

A nationally set proportion of ring-fencing would be inappropriate as there is such divergence of need and housing market conditions across the country.

Equalities Impact

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

- Yes
- No
- Not Sure

Please provide supporting statement

Firstly, the Planning White Paper should have been accompanied by an Equalities Impact Assessment. There are a number of proposals that will affect vulnerable people including ability to engage in the planning process and the ability to provide the type and tenure of housing that meets their specific needs.

In addition to its responsibilities under the Equality Act the Government is also committed to 'rural proofing' major policy developments. The outcome of this exercise is not set out in the Planning White Paper and there may be some potential unintended consequences that could have a damaging effect on rural communities. We ask that when the Government publishes the results of this consultation, it also publishes, in detail, the results of its own rural proofing appraisal of the Planning White Paper and how its response to the consultation has been informed by that process.

ACRE, with its knowledge and connections with rural communities would be willing to support the rural proofing of proposed guidance, legislation etc. as the Government takes forward its Planning White Paper proposals.

Final Question

Have you responded to a Government consultation before?

- Yes
- No