

# **Report to Neighbourhoods and Communities Services Select Committee**

**Date of meeting:** 19 January 2016

**Subject:** Response to “Proposed changes to national planning policy” consultation

**Officer contact for further information:** Amanda Thorn (x4543) or Ken Bean (x4610)

**Committee Secretary:** Adrian Hendry (x4246)



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## **Recommendations/Decisions Required:**

**To consider and agree the proposed responses to the questions set in the Government’s consultation paper on changes to the National Planning Policy Framework.**

### **Report:**

1. The National Planning Policy Framework (NPPF) was published in 2012, and is supported by the online Planning Practice Guidance. Amendments are now proposed to the NPPF which encompass the following:
  - Broadening the definition of affordable housing, to expand the range of low cost housing opportunities for those aspiring to own their new home; (this includes the Government’s intention to introduce Starter Homes as a type of low cost home ownership)
  - Increasing the density of development around commuter hubs, to make more efficient use of land in suitable locations;
  - Supporting sustainable new settlements, development on brownfield land and small sites (up to 10 units), and delivery of housing allocated in plans; and
  - Supporting delivery of starter homes.
2. The consultation period commenced on 7 December 2015, and has now been extended to 22 February 2016. There are nine sections contained with the consultation paper, and 23 questions on which answers are sought. A discussion of the issues that arise in response to the proposed changes in the NPPF in accordance with the questions posed is in Appendix 1.
3. Members are asked to endorse the attached as the basis of the Council’s response to the consultation.
4. In summary, the key issues raised are:
  - a. likely impacts of the mandatory requirement to achieve an element of Starter Home provision on all suitable sites. There is a concern that this will mean that affordable rented housing will not be viable in addition, and therefore meaning that those in the highest level of housing need will have to wait longer for suitable affordable properties to become available;
  - b. that Starter Homes will not remain available in perpetuity;
  - c. the position of Epping Forest District on the borders of four London Boroughs, where the maximum cost of a Starter Home would be substantially higher than

- in Epping Forest District. With regards the provision of starter homes it is not clear what control there would be to give priority to those with existing links to the District over those that come from elsewhere;
- d. Starter Homes will be accessible to first time buyers that are under 40 years of age. In accordance with the Equalities Act 2010, the legality of this approach is questioned;
  - e. Increasing density around commuter hubs (defined by the consultation document) is supported in principle, but it is not clear to what extent authorities will be able to refuse permission where there may be other impacts;
  - f. Further support for the development of small scale brownfield land is proposed. In principle this is acceptable, but it is considered the sites in question should be limited to 5 or less units.
  - g. The implementation of the "Housing Delivery Test" is not clear, and particularly in instances where an up-to-date Local Plan is not in place. Further it is not clear what sanctions there might be for developers that do not deliver in a timely fashion in accordance with planning consent that has been granted. A parallel CLG consultation is currently open on changes to the New Homes Bonus, which it would appear is linked to these proposals. A report on this additional CLG consultation will be presented to the Resources Select Committee on 9 February 2016.
  - h. The reuse of brownfield land for the development of Starter Homes is proposed, however it is not clear how the development of Starter Homes would be balanced with the need to provide for other types of development. Proposals only relate to an emphasis on the delivery of Starter Homes, which leads to some concern about the achievement of sustainable development.
  - i. Whether small scale Starter Homes developments should be allocated by neighbourhood plans on brownfield land in the Green Belt. Whilst there could be some merit in this approach, there is little detail, and the proposed draft response highlights concerns that the piecemeal incursion of small areas of development in the Green Belt could undermine the integrity of the Green Belt on the whole.

**Reason for decision:** To ensure that Government is fully appraised of the comments and concerns that this Council has regarding the proposed changes to the National Planning Policy Framework (NPPF).

**Options considered and rejected:** Not to respond to the consultation.

**Resource implications:** Consideration of this consultation has been undertaken within the Planning Policy Team liaising closely with the Director of Communities and the Assistant Director responsible for Development Management.

**Legal and Governance Implications:** The proposed policy changes being consulted on by Government would, if brought into effect, apply nationally. In order to implement policy changes it is likely that in most cases the Government will need to introduce secondary legislation in the form of regulations.

**Safer, Cleaner Greener Implications:** As the consultation comprises a series of questions and limited narrative text it is difficult at this stage to assess likely implications for the District.

**Consultation Undertaken:** None required – the recommendations of this report and the Council's response to the consultation will be considered by the Neighbourhoods and Community Services Select Committee on 19<sup>th</sup> January 2016.

**Background Papers:** Consultation by the Department for Communities and Local Government on: Consultation on proposed changes to national planning policy – December 2015.

**Impact Assessments and Risk Management:** There are no direct impact assessment or risk management implications arising from the recommendations of this report.

**Equality:** The proposed changes to national planning policy are being advanced by Government. Whilst there are no immediate direct equality implications for Epping Forest District Council, as noted in paragraph 4d above, in respect of Starter Homes limiting accessible to first time buyers that are under 40 years of age is questioned given that age is one of the protected characteristics under the Equalities Act 2010. It is noted however that the Government has produced and is seeking views on a draft Equalities Statement for these proposals.