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Richborough Estates

Founded in 2003, and with offices in Birmingham and London, Richborough Estates is a privately owned land promotion company operating nationally. We work in partnership with landowners, councils and stakeholders to secure residential planning permission on suitable sites, which can then be sold to a development partner. We are a founding member of the Land Promoters & Developers Federation.

The landowners we work with include private individuals, companies, charities, trusts and estates departments at public sector bodies, including councils. The sites we promote range in size, but are typically 150 to 300 homes.

We are keen to work with all stakeholders. Our collaborative work and approach bring benefits to many of the main parties involved including the local community. Local planning authorities can rely on our technical expertise and experience as we demonstrate sites are acceptable in planning terms and can deliver local policy aspirations and local benefits.

We are strong advocates of a plan-led system and are committed to promoting land for residential development by engaging actively with local authorities, parish councils and other neighbourhood forums through local and neighbourhood plans. We currently have around 100 active projects across the country and if all of these sites come forward they would contribute around 25,000 new homes and would play a significant role in ensuring a continued supply of new homes across England and Wales.

We work with a range of housebuilders, all offering different housing products. The housebuilders who have built out our sites include Barratt, Barwood, Bellway, Bovis, Cala, Cameron, David Wilson, Elan, Kier, Lioncourt, Miller, Mulberry and William Davis.

We welcome the opportunity to comment on the Government's White Paper for the future direction of the English planning system. Whilst from our perspective there are good and bad elements within the White Paper, whatever the outcomes of this consultation the

Government needs to act swiftly to implement any changes. Strategic land promotion is not a short-term business and certainty from the planning system is important. Having planning in too much of a state of flux means it is very difficult to prioritise investment decisions with any confidence. Indeed, we have examples of local planning authorities where we have sites calling a halt to their local plan preparations since the White Paper was published to take stock – coincidentally their revised possible standard method housing numbers all drop below their emerging local plan targets. This is particularly relevant in authorities with a high proportion of Green Belt, where halting preparation doesn't leave them susceptible to planning applications on sites not allocated within a Local Plan.

We are not convinced that the planning system needs wholesale revolution and arguably evolution would mean much less disruption. However, if large scale changes are to be implemented then the transition period has to be a long one otherwise there will be no incentive for local authorities to carry on preparing local plans and the system will grind to a halt. As we highlighted above, we are already seeing some local plan preparation being halted just on the back of the recent Government consultation papers.

Question One

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

Question Two

Do you get involved with planning decisions in your local area? If not yet not?

Question Three

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?

Question Four

What are your top three priorities for planning in your local area?

The first four questions are not really aimed at bodies such as ourselves i.e. professional users of the planning system. However, the White Paper is correct and the planning system has become a complex machine that is difficult to navigate for many people. As a business we find that we are being asked for more and more detailed information to support an outline planning application; which in some cases becomes akin to a full application, even

when most elements are reserved for future determination through reserved matters applications. With this brings delay and inevitably frustration on our part.

It is not only development management that has become a lengthy process but the periods between different stages of development plan preparation seem to get longer and it is not unusual for there to be more than a year between stages. There can be a number of reasons for this but in our experience political interference, the need to undertake extensive evidence, and resourcing of local planning authorities are three of the main ones.

It is not just the system that is complex but even finding available information on local authority websites can be difficult. Although there are significant amounts of planning information available online, actually being able to access it in straightforward manner is often the issue. Identifying housing land supply is a good example of this and (if available) comes in many forms, sometimes hidden within other documents. This contrasts with the Housing Delivery Test because more often than not Housing Delivery Test reports are simply called just that.

Equally as important is that information is up to date. Again using the example of housing land supply, we constantly find authorities with reports that go back a number of years, and even those that are more up to date are often published some 8-10 months after their base date (or 20 – 22 months old from their start date). Easy clear access to documents would not only be beneficial to professional users but those less regular users of the system as well.

Question Five

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

☐ Yes☐ No☐ Not Sure

No, we do not agree with the Government's approach to simplifying the system.

We certainly believe local plans should be simplified and their preparation time shortened but we do not necessarily agree with the Government's proposals for land to be classified under one of three categories; and we are certainly concerned about the proposition of Growth Areas having de facto outline planning permission, something we address in our answer to Question 9a.

Turning to the three land types proposed – Growth Areas, Renewal Areas and Protected Areas – it seems a simple concept but beneath this simple exterior it is difficult to understand what the rationale will be for how each are to be defined and the rules for how they will operate. It would appear to answer these questions local planning authorities will need to review all land within their administrative boundaries, a lengthy process.

Two of the three land types (Growth and Renewal) suggest that development will take place in these areas. This will be a frightening proposition for many members of the public because, whatever people say about supporting new development, the majority do dislike development when it is nearby and affects them (we do not say this anecdotally but through vast experience of undertaking public consultation on proposals). Having the ‘constant threat’ of development on their doorstep (and of course for Growth Areas no ability to influence anything beyond the adoption of the local plan) is not likely to mean people will embrace the new system.

Regarding areas that are Protected, this includes not only designations like AONBs and Green Belt but also areas of significant flood risk. The latter is an issue because it is not unusual for flood risk areas to be included within development sites but excluded from built development within those sites. However, the main problem with Protected Areas is that the public will expect these to be protected from any development whereas there will always be circumstances where development can take place e.g. development that is not inappropriate in the Green Belt, or plan led development in the Green Belt.

Aside from how the Green Belt is dealt with in terms of protection, one significant omission from these possible reforms is a total review of how the Green Belt operates and its geographical extent. Most observers of the planning system recognise that there are many areas of Green Belt that do not need to be protected and many Green Belt sites that would deliver sustainable new development, especially around our largest conurbations.

Any reform of the system must look at the Green Belt. It is in many cases an artificial barrier to development whose introduction precedes the notion of sustainable development as we understand it today. If Green Belt was a new policy being introduced in 2020 it would not look like it does now; it would promote sustainable development, not hinder it. The Government appears to be happy to rip up the rule book for local plans and planning applications but not look at the Green Belt and acknowledge that it is one of the reasons why we do not build enough homes generally in England and homes in the most sustainable locations and high demand locations.

We are also concerned that the strict 'zoning' of land in the way proposed will reduce the ability of the planning system to easily react to changing circumstances.

Without doubt development plans do need simplifying and the number of policies, supporting text and general fluffy background text reduced. However, there is little wrong with the principle of the current system of allocating land for development and then granting permission based on that allocation. Where the problem lies is the time it takes to prepare a plan, then the level of information requested at the application stage and the time it takes to deal with this, and finally the all too real risk of planning committees refusing planning permission on those allocations.

A reform of local plans should concentrate on the current process and make changes to that rather than wholesale reform because the approach of the Government will inevitably cause years of delay whilst every local authority brings their plans into line.

We have comments regarding the Duty to Cooperate and the front loading of information for local plans but we address these under Questions 7b and 9a.

Question Six

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

In the main we agree and do consider that the planning system would benefit from streamlining development management policies. There is often repetitive wording, not only in relation to national policy but within the same local plan.

Proposal 2 in relation to this point makes reference to design guides and design codes. We consider these in more detail in our answers under Pillar Two but it is important that speeding up plan preparation through a slimmed down development management approach should not then be delayed through an extensive period to prepare design related material.

Question Seven (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
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No, we do not agree with this single test.

Our principle issue with using just this test is that a less rigorous approach could be taken to the examination of local plans. We disagree with Paragraph 2.17 that the *achievement of sustainable development is an existing and well-understood basis for the planning system* because in our experience many people only think of sustainable development in the single sphere of loss of greenfield land and not the social or economic strands.

Our worry is that simply testing a plan against sustainable development could mean difficulties over understanding what the test actually is, and therefore potentially plans passing it when perhaps they should not.

Question Seven (b)

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

It is generally accepted by those who work in the development industry (whether companies like ours, developers or professionals) that some form of regional planning tier should be reintroduced.

Governments in recent times have had an ideological objection to regional planning; but the alternatives introduced since its abolition have failed spectacularly.

In reality the Duty to Cooperate has been rather a toothless instrument that has often resulted in difficult questions over the spatial distribution of housing put off for another day e.g. Birmingham. New development needs to be planned on a much wider scale beyond local authority boundaries and this can only be done at a more strategic level.

Whether or not it is called regional planning or another name is irrelevant. What is important, though, is a genuine approach to the spatial distribution of sustainable

development that is not influenced by politics or fettered by constraints where there are options to overcome them.

Question Eight (a)

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

☒ Yes☐ No☐ Not Sure

We agree that a standard method would be beneficial subject to the comments we made in our response to the Changes to the Current Planning System consultation; however, we have concerns over how this will take account of constraints. This is why we have responded as 'yes' and 'not sure'.

The revised standard method failed to level up the country as we were led to believe it would. As noted, we made comments to the earlier consultation on this matter and are of the view that more work needs to be done to adjust the revised approach further.

In terms of constraints, there is no indication of how they will feed into the eventual binding housing requirement. Nor is there an indication of who is going to calculate that requirement – national Government or individual authorities. Constraints can be very localised, especially if there is evidence they can be overcome, so it seems difficult to believe it can be anything but a local matter. If that is the case, will it be part of a local planning examination debates? If it is the Government who undertakes the process we can see a constraints input being a very blunt instrument e.g. an authority with 'x' amount of Green Belt or 'y' amount of AONB see their requirement percentage just reduced commensurably. This would be a too simplistic approach which would not have local knowledge to know if a constraint can be overcome.

It is noticeable that the reforms consider constraints but do not address how progressive authorities can bake-in growth over and above what a binding figure suggests.

Much more information is needed on this issue before we can decide if housing requirements with constraints taken into account is an appropriate way forward. However, one thing we are certain about is it will be a backwards step if the need for local planning authorities to demonstrate a five-year supply of deliverable housing land is removed.

Leaving it to the Housing Delivery Test means a lag between the identification of a shortfall and rectifying it, whereas there is a more immediate fix with the five-year supply test.

Question Eight (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
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Yes, but the distribution of housing is not entirely about directing it to urban areas.

Question Nine (a)

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

Yes	No	Not Sure
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There are so many unanswered questions in respect of this issue (because the White Paper is really more of a Green Paper) and it is not clear automatic outline permissions is a desirable outcome.

There are two main issues for us. Firstly, what will a new outline permission actually look like? A permission that is not backed up with technical evidence is almost worthless as a planning permission because significant technical work will then have to be done to prove it is acceptable as a development site. Such a permission would be little more than the status of a current local plan allocation and therefore it seems no real difference from the current situation.

If, however, a new style outline permission is to be similar to what we have now then a lot of technical work will be required at the local plan stage to get it to that status. This leads on to our second issue and that is the time and cost of promoting sites through the local plan process.

It seems to us that it is highly unlikely any local authority will have the time, human resource or financial ability to review all suggested sites in detail and provide technical advice on whether they should benefit from an automatic outline permission. Therefore from the very start of the process and the call for sites a site promoter will need to provide a suite of technical evidence without there being any indication at that stage whether a site will be

allocated or not. It is likely the eventual outcome of this process will mean significant wasted financial expenditure for those sites that fail to be identified in Growth Areas.

We do believe a quicker route to achieving planning permission should be part of these planning reforms; and we are firmly of the view that there should be no refusal of planning permission on the basis of principle if a site has been allocated, something that has recently happened to us. If, however, the new outline permissions are to have any real status then we see no other option but for there to be some technical work at the local plan stage and it is difficult to see how this can fit in with the Government's suggested new short timescales for preparing local plans.

Much more detail needs to be provided on the proposed new-style outline permissions, particularly how detailed they will be and what work must be undertaken to support them at the local plan stage. If significant detailed work is required at the local plan stage before a site has any planning status then this is likely to be financially prohibitive for many and very time consuming. If the Government envisage the majority of technical work will come after the automatic outline permission then this is no different than the system currently.

Whilst there may be merits in having automatic outlines, and not getting a refusal on principle is certainly one of them, what the Government should be doing is looking at ways to tweak the existing system to speed up plan preparation and planning permissions.

Question Nine (b)

Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

Yes	No	Not Sure
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No, we believe there are issues with both of these. For Renewal Areas we cannot see the presumption working without detailed rules because these areas could be varied and proposals will need to reflect this.

For Protected Areas, as we note above, the assumption by many will be that no development will happen here but that will be a wrong assumption to make and no doubt have a negative impact on the decision making process because of the perception there is a blanket ban on development.

Question Nine (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
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Yes, this would seem to be an appropriate mechanism for bringing forward this form of development.

Question Ten

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

Yes	No	Not Sure
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Yes, we broadly welcome the faster approach to decision making.

Many delays can be attributed to statutory consultees and if a faster approach is to be taken forward they must be compelled to make timely responses.

We see setting a firm deadline for determination as a benefit but steps must be taken to prevent applications being refused simply to avoid any sanctions because they have got to that deadline.

We can also see the benefit in shorter, more standardised applications and report formats; and we support the proposal for detailed planning decisions to be made by officers where the principle has already been established, albeit as noted above we have questions over the suggestions for the new-style outline permissions.

The return of application fees may be a useful tool but in certain circumstances this is already available to applicants but in the main they would rather have planning permission. Even once an application has passed its deadline and a fee refunded there must be other sanctions available to stop an endless determination period without having to resort to an appeal for non-determination.

Question Eleven

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

Yes	No	Not Sure
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Yes, we broadly agree.

Question Twelve

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

Yes	No	Not Sure
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We do support a shortened approach to local plan preparation but achieving a 30 month period will depend on various factors including:

- in how much detail Growth Area sites are assessed and how much technical information will be required.
- when and how long masterplans and design codes will take to prepare, taking account of any public participation.
- local election cycles and periods of purdah.
- staffing resources.
- the number of public consultation comments to be evaluated – the more comments the longer it will take.

However, our opinion is that 30 months is probably an unrealistic target, especially if the expectation is technical evidence needs to be compiled as this will mean more work not less. Two public consultation stages would be more appropriate (this is why we have also responded as unsure) because it gives both the development industry and local communities a chance to refine their cases as the emerging plan begins to mature. Each of these stages should have a nationally prescribed name so everybody understands what the stage actually is and there should be a maximum time limit for their preparation, again set nationally.

We support the intention that local plans should be reviewed at least every five years but this should mean actually undertaking a review not simply determining to do, or not to do, one.

What we do not support is the ability of the inspector to determine whether a verbal hearing or a written response is the most appropriate way to be heard. Being able to verbally put your points to an inspector as part of the discussion is beneficial to the examination process in our view.

We note that as part of an alternative option the suggestion is the right to be heard could be removed and certain local plans could be dealt with via written representations only. Both of these approaches are unacceptable. Furthermore another alternative approach presented is the removal of the examination stage altogether and local authorities would undertake a self-assessment. This would be an unreliable approach and we would strongly object to it because currently most, if not all, local plans fail the tests of soundness without be rectified by inspectors to varying degrees.

One thing not touched on in the consultation is the infuriating approach of having a part 1 strategic local plan and a part 2 site allocations/development management plan. All this approach does is massively extend the time period for having a complete plan (often the two parts are adopted years apart), it means a lot of repetitive work, requires two separate examinations, and presumably costs local authorities much more money. A much better approach is to have a single all-encompassing local plan.

Question Thirteen (a)

Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

Yes	No	Not Sure
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Our view is that neighbourhood plans have not become the champions of local democracy and promoters of local development needs that perhaps they were conceived as being. Many are now used as negative planning tools which seek to prevent development rather than promote it. They can also become the voice of a minority who have fixed views leading to less sustainable and suitable sites being allocated for development than would have been had the Local Plan made the allocation.

Under the new system neighbourhood plans should become a subservient document to the local plan rather than have equal status. This would reflect the far less scrutiny they receive and their narrower scope.

Question Thirteen (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 form and content of a neighbourhood plan usually depends on the views of those that prepare it. In the case of preferences on design, no one group should have a monopoly on what is right or wrong and design is one area of a neighbourhood plan that would benefit from having a mandatory roundtable session as part of its examination.

It is also important to remember that if a neighbourhood plan has very detailed design requirements then these will ultimately add to the price of a new home. Those increased costs will reduce the pool of prospective purchasers by taking the properties out of certain people's price ranges. This defeats the object of making new housing more accessible and affordable.

Question Fourteen

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
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There can be many reasons for how fast build out rates are. For land promoters such as ourselves, because a housebuilder partner has already made the financial commitment of purchasing a site before they commence development, there is no incentive to artificially slow down their build programme as they have already made a significant financial investment that necessitates a return of capital.

Overall we do believe it is good for the housing market to have a choice of available sites and locations, as well as a range of national, regional and local housing builders to develop them.

Question Fifteen

What do you think about the design of new development that has happened recently in your area?

Question Sixteen

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

As with Questions 1–4 these two questions are not really aimed at organisations like Richborough. We therefore have no specific comments to make except to say we support a greater emphasis on design.

Question Seventeen

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

Yes	No	Not Sure
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Yes, we broadly support this but we do have concerns over how they are to be prepared and the time that will be taken to do this (in the context of speeding up the system).

Paragraph 3.8 suggests it will be essential that design guides and codes are prepared with effective inputs from the local community considering empirical evidence of what is popular and characteristic in the local area. It goes on to say that to underpin the importance of this, *we intend to make clear that designs and codes should only be given weight in the planning process if they can demonstrate that this input has been secured.*

How is this process to happen within the shortened local plan preparation timescales or does the Government envisage design guides and codes sitting outside the local plan process? If so, who is to be the independent arbiter of it and whilst reference is made to the local community, where does the development industry come into it?

Guides and codes can be a very useful addition to the design process but they can be hijacked by those that shout loudest. It is important that input is taken from a cross section of the community including hard to reach groups.

The White Paper makes reference to *provably locally popular design codes* but straightaway there is issue about how this is judged. It is doubtful that a large section of the community would get involved in a design discussion because high-level consultation like this is generally not of interest (until development happens nearby); and therefore *locally popular* will no doubt be influenced by certain sectors of the community.

One thing that will need careful management is the relationship between design guides/codes and more technical guides. For example there are various examples of highway authorities who resist trees adjacent highways but that will no doubt be a clear conflict with a design guide. A situation must be avoided whereby a scheme is design compliant but attracts an objection on a technical matter because of this.

Question Eighteen

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
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Yes, we support this initiative. Design should be one of the main strands of developing new communities, especially as it the most physically visible of the elements that have to come together to create new places for people to live.

Having a chief officer for design and place-making is a welcomed approach because some authorities do not have any formal design expertise at all. This role must, though, fall under the umbrella of planning/development departments to achieve the necessary integration into the development process. If it sits outside that umbrella then the bigger development picture could get lost.

Question Nineteen

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
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Yes, but they must be subject to the same processes as the private sector and not be able to unduly influence design coding or guidance where the same opportunity is not given to the wider development industry.

Question Twenty**Do you agree with our proposals for implementing a fast-track for beauty?**☒ Yes☐ No☐ Not Sure

We support the principle but do not understand how it can really be achieved without much further detail, hence the 'yes' and 'not sure' response.

The White Paper suggests fast-track for beauty can be realised in three ways:

- schemes which comply with local design guides/codes have a positive advantage and greater certainty about their prospects of swift approval;
- significant development in Growth Areas will require a masterplan and site-specific code to be agreed; and,
- widening and changing the nature of permitted development, so that it enables popular and replicable forms of development to be approved easily and quickly.

There seem to be problems with all of these. Looking at the first one, we have already explored the potential issues of who influences local design guides and codes. Although guides and codes may seem like they have local support that might not be the case, but they could still get replicated through this fast-track process.

Arguably the second one is the most problematic. The White Paper is somewhat confusing on this matter because it starts by suggesting a masterplan and site-specific code are agreed as a condition of the permission granted through the plan; but then says these masterplans and codes could be prepared by the local planning authority alongside or subsequent to preparing its plan. So we might find a local authority preparing them alongside their local plan (time consuming for every site within a very tight timescale) or after the local plan and presumably therefore after the site gets an automatic planning permission. Further confusion is then added because in the next statement it raises the notion that site promoters not local authorities can prepare the masterplan or code if their site is coming forward in the near future.

The White Paper is unclear as to when, and by whom, masterplans and design codes are to be prepared for Growth Areas. Equally where are the general public factored in and, if there is to be only one public local plan consultation stage, will their single input be meaningful in what is usually an iterative process?

The issue with the third way is actually the same as the first because how will popular be defined?

The other factor in this is whose beauty are we fast-tracking? Again this goes back to the point we raised about who will influence design codes, and what might be the cost to the house buyer if codes become overly prescriptive.

At Richborough Estates we have a Design Director who oversees the design work of ourselves and our housebuilder partners. We are therefore keen advocates of placing design at the heart of new development but there must be a realism to it that recognises not everybody's opinion is the same.

Question Twenty One

When new development happens in your area, what is your priority for what comes with it?

This question is not aimed at organisations like Richborough but the level and type of infrastructure required in association with new development will depend on what development is being proposed and what infrastructure already exists in the area.

Question Twenty Two (a)

Should the Government replace CIL 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

There is not enough information provided to ascertain the answer to this.

At the moment a mix of s106 and CIL is complex and opaque where double counting certainly goes on. This does need to change but it is not apparent at the moment whether a single Infrastructure Levy is the appropriate way forward or whether only site-specific contributions are a better proposition and CIL removed.

Reform is needed and a single way of contributing does seem to be more straight forward (whatever form that takes) but it must be transparent and should not just be another layer of tax, which in many cases the existing CIL would appear to be.

Question Twenty Two (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

The most appropriate approach is for it to be set locally.

Question Twenty Two (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 overall amount☐ More Value☐ Less Value☐ Not Sure

It should aim to capture the same amount of value overall.

Question Twenty Two (d)

Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

☒ Yes☐ No☐ Not Sure

Yes, we believe they should as this would give them the ability to pump-prime infrastructure if necessary.

Question Twenty Three

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

☒ Yes☐ No☐ Not Sure

Yes, there is no reason why permitted development should not be subject to the same rules as those delivering development via planning permissions.

Question Twenty Four (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
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Yes, that would be the desired outcome but the potential must exist for the ability to deliver off-site where the correct circumstances exist.

Question Twenty Four (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
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More details of how this would work will need to be provided to give an informed opinion. If it was taken forward we would expect there to be an either/or option of doing the above or a traditional disposal to a social housing provider.

It is also important that the reforms do not negatively impact on site viability by having unrealistic affordable requirements.

Question Twenty Four (c)

If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

Yes	No	Not Sure
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Please see above.

Question Twenty Four (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
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No, as there are already other controls through the planning system.

Question Twenty Five

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

☐ Yes ☒ No ☐ Not Sure

No we do not agree if it means increasing the level of CIL to pay for non-development related things like reducing Council Tax.

Question Twenty Five (a)

If yes, should an affordable housing 'ring fence' be developed?

Please see above.

Question Twenty Six

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?

We do not envisage any.

Closing Comments

Richborough Estates welcome the fact that the Government is looking at reforms to the planning system but we are cautious about a wholesale reboot of the system because of the delay this will inevitably bring to housing delivery as local authorities come to grips with the new system.

Richborough Estates consider there must be some reform to the system but this should involve making amendments to the current system. As we say at the beginning, evolution not revolution.

The main changes we believe are needed are:

- Introduce a standard method for calculating housing requirements that fulfils the ambition for 300,000 homes but does not continue to perpetuate the north-south planning divide;

- Retain five-year housing land supply;
- A thorough review of Green Belt policy to make it more aligned to the needs of sustainable development;
- Remove Green Belt from the restricted policies definition in the NPPF where there is no up to date housing land supply – we accept that the test against Green Belt may be a higher threshold but this would encourage local authorities to positively prepare local plans where perhaps they have not had an incentive to do so in the past as a Green Belt authority;
- Shortening local plan preparation by removing a lot of the detailed policy, aims and visions, and reducing some of the stages – probably two public consultation stages provides a good balance between local democracy and moving things forward quicker;
- Removing the ability of local authorities to add local plan consultation stages or re-run them;
- Reducing the amount of evidence that has to be prepared to support an emerging local plan;
- Having a single local plan with all policies and allocations contained within – no more part 1 and part 2 plans adopted years apart;
- If a site is allocated and if an application is in conformity with that allocation then decision making should be delegated to officers and be restricted to technical matters. This removes the ability of councillors to play politics on the matter of principle when the site will have already been tested at the local plan examination;
- Cut back on the amount of information needed to support an outline planning application. The level of detail should be reflective of what matters are reserved for later determination – if ‘appearance’ is a reserved matter then local authorities should not be demanding details of windows, doors and materials at the outline stage;
- Greater deployment of design officers in local authorities who understand the housing market to work alongside the development industry;
- A more transparent system of planning obligations under a single structure to avoid any option for double counting; and,
- Better resourcing of local authority planning departments, and key statutory consultees e.g. highway authorities.

The above changes would, in our view, help speed up the delivery of new development.