READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	**PLANNING APPLICATIONS COMMITTEE**		
DATE:	**7th October 2020**		
TITLE:	**PLANNING WHITE PAPER AND OTHER NATIONAL PLANNING CHANGES**		
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1. PURPOSE AND SUMMARY OF REPORT

1.1 The government is proposing to completely overhaul the planning system in England, which was established in 1947. The Planning White Paper (Planning for the Future) was published on 6th August for consultation, and proposes a new planning system with the intention of delivering development more quickly, based around zoning land in local plans and much reduced requirements for applying for development that complies with those plans. This consultation is open until 29th October, and this report recommends a draft response (Appendix 1).

1.2 At the same time, another consultation on changes to the existing planning system looked at measures that can be introduced within the existing context in advance of primary legislation to enact the White Paper. This consultation closes on 1st October, and this consultation reports on the Council's response (Appendix 2).

1.3 Appendices
Appendix 1 – Proposed response to the Planning White Paper
Appendix 2 – Response to changes to the existing planning system

2. RECOMMENDED ACTION

2.1 That you agree the proposed response to the consultation on the Planning White Paper (Appendix 1).

2.2 That you note the response to the consultation on changes to the current planning system (Appendix 2).

3. PROPOSED CHANGES

3.1 The current planning system in England has been in place since the Town and Country Planning Act 1947. Changes have been made periodically, and these changes have sped up considerably over the last ten years, but they have been made within the basic framework of the system that was established after the Second World War with the intention of enabling and managing the large-scale rebuilding needed at that time.

3.2 On 6th August 2020, the Government published a Planning White Paper ('Planning for the Future') for consultation. It proposes the most fundamental change to the planning system since it was established in 1947. It starts from the assumption that the current system is unfit for purpose and stands as a significant block to the development that the country needs, and, in particular, that it is responsible for the current housing crisis. The motivation for the overhaul is therefore to remove barriers to development and significantly increase the supply of homes in particular.

3.3 Alongside the White Paper, a number of other planning changes were published for consultation, which would operate within the current system and would be introduced largely through national policy. The purpose would be to make these changes in the shorter term before a new system can be introduced by an Act of Parliament, although some of these changes may form part of the new system.

Planning White Paper

4.1 At its heart, the Planning White Paper proposes a form of zoning system, whereby the use of all land is defined at the plan-making stage, which means that the planning application process is substantially reduced. Zoning systems exist in many other countries, including most European countries, although these vary significantly and no specific model appears to have been used in the White Paper

4.2 The White Paper is based around the following three pillars:

- Pillar One – Planning for Development
- Pillar Two – Planning for Beautiful and Sustainable Places
- Pillar Three – Planning for Infrastructure and Connected Places

4.3 The following are some of the main elements to be aware of in **Pillar One – Planning for Development**:

- Local Plans would be fundamentally changed, to become first and foremost map-based, using a standard national template and software, dividing all land in their area into three categories: 'growth', 'renewal' and 'protection'.

- Land for 'growth' would be suitable for substantial development (with substantial being defined in policy), i.e. comprehensive

development/redevelopment. Inclusion in the Local Plan would automatically confer outline approval or permission in principle. Flood zones would be excluded (unless risk can be fully mitigated).

- Land for 'renewal' would be suitable for development, which would cover existing urban areas, and include infill, town centre development etc, with the Local Plan specifying which development would be suitable where. There would be a statutory presumption in favour of development for the uses specified, and this will include some kind of automatic permission where a development complies with the specifications of the plan. It is likely that most of Reading would be a 'renewal' area.

- Land for 'protection' will be land where more stringent controls apply, either defined nationally or locally on the basis of policies in the NPPF (the implication being that local authorities would not have scope to invent their own protection categories). These could include Green Belt, Areas of Outstanding Natural Beauty, Local Wildlife Sites, local green spaces and conservation areas. Here, a planning application would be required as is the case currently. The paper states that this can include back gardens.

- Policy in the local plan would be restricted to clear and necessary area- or site-specific parameters, such as height and density. General development management policies would be set out in national policy only.

- Design guides and codes would be produced for local areas and either included within the plan or later as a Supplementary Planning Document (SPD).

- Many of the plan-making requirements would be removed, for instance sustainability appraisal, duty to co-operate and the tests of soundness, and would be replaced with a simpler 'sustainable development' test.

- A binding housing figure would be set at a national level through a standard methodology. This methodology would take account of constraints as well as need, unlike the current methodology, which is based on need only.

- There would be a statutory 30-month timetable for Local Plan production. The new process would include only two consultation stages – an initial call for ideas/sites, and consultation on a full draft after the plan has been submitted. Authorities would have either 30 months (where there is no local plan adopted within the last 5 years) or 42 months to adopt a new plan after the legislation comes into force. The White Paper envisages that engagement will be made much more extensive and effective at the plan-making stage, to make up for loss of consultation opportunities at planning

application stage, but the only proposals for how this can be achieved seem to be based on new technology and social media.

- Neighbourhood plans would be retained, but how they would fit in an entirely new system is unclear.

- There would be faster decision-making through new technological solutions (e.g. more automated validation, machine-readable documents), reduction on information requirements (e.g one short planning statement), standardisation of technical reports and data, standard national conditions, template decision notices. There would also be delegation to officers to decide applications where the principle is established.

- The Paper proposes refunding application fees where an application goes over statutory time limits (with no scope to negotiate extensions), and potentially a deemed consent in those cases. There would also be an automatic rebate of the application fee if an appeal is successful.

4.4 The following are some of the main elements of Pillar Two – Beautiful and Sustainable Places:

- A National Model Design Code will be published in autumn 2020, accompanied by a revised Manual for Streets.

- Local design guides and design codes should be produced either as part of the Local Plan or as SPD, but will only be given weight if effective input from the local community can be demonstrated. Without local design codes, developments should comply with the national design code.

- A new national expert body on design and place-making will be set up, which will assist local authorities with design codes, and every local authority will be expected to appoint a chief officer for design and place-making.

- There will be a fast-track process for developments which comply with design codes in areas for 'growth' and 'renewal' in the Local Plan. There will also be a widening of permitted development rights to allow "popular and replicable" forms of development, according to a pattern book, in 'Renewal' areas.

- There is continued commitment to various elements of the Environment Bill, including biodiversity net gain, as well as a national expectation on trees, and the continued push for the Future Homes standard and development to be net zero carbon by 2050.

- Environmental Impact Assessment processes would be simplified.

- There would be an updated framework for listed buildings and conservation areas. The government also want to look at whether some simple listed building consents can be dealt with by suitably experienced specialists in the industry.

4.5 Finally, the following are the main elements of **Pillar Three – Planning for Infrastructure and Connected Places**:

- The Community Infrastructure Levy and Section 106 agreements would be abolished and replaced with a new Consolidated Infrastructure Levy.

- Rather than a charge per sq m of floorspace, the new Levy would be based on a proportion of the final value of a development, over a certain threshold. It would make the Levy more responsive to market conditions, but means the actual contribution would not be known until the development is completed, and may well be zero if the development value falls below the threshold. It would also only be paid on occupation, so there would be no contributions at earlier development stages. Local authorities could borrow against future levies so they can forward fund infrastructure.

- The rate would be set nationally. It may be a single rate across the country, or more regionally based. It would continue to be collected and spent locally.

- The Levy may be extended to cover more developments that benefit from permitted development rights, for instance where there is no new floorspace.

- The Levy would cover affordable housing, which could be secured on-site through the levy or be an off-site payment. The implication is that the amount of affordable housing would therefore also be set nationally.

- There is potentially more freedom on spend, and this could include provision of council services and reducing council tax. The Paper also proposes that a proportion should be kept to cover planning service costs on Local Plans, enforcement, etc.

4.6 Finally, the government would develop a comprehensive resourcing and skills strategy. This will include greater regulation of pre-application fees. The proposal is to work closely with the property technology ('PropTech') sector to roll out much greater digitalisation. There may be more enforcement powers, and local authorities are expected to be able to refocus on enforcement due to less application requirements.

4.7 For every proposal, the White Paper sets out alternative options to inform consultation, although these are generally a middle-ground between the proposals and the existing system. The government clearly does not see 'no change' as an option.

Changes to the existing planning system

4.8 Alongside the White Paper, another consultation document was published that proposes a number of changes to the existing planning system. These would not require primary legislation, and would be brought in in advance of the White Paper, potentially later in 2020.

4.9 The four changes are as follows:

- A revised standard methodology for calculating housing need;
- The introduction of 'First Homes';
- An increased threshold for requiring affordable housing; and
- Extension of the 'permission in principle' process.

4.10 There is currently a national **standard methodology for assessing housing need** which local plan-making needs to take account of. It is based on a combination of national household projections and affordability. Using current information, it leads to a figure of 649 homes per year for Reading, which is below the 699 homes per year which was calculated for Reading's Local Plan (which pre-dated the introduction of the methodology). The new methodology provides a much greater emphasis on affordability, and would also factor in a minimum 0.5% annual growth in the existing dwelling stock. Based on this approach, using most recent available information, Reading's need would be 700 homes per annum. On the face of it, therefore, the methodology does not result in a great deal of difference for Reading, but it is worth responding to as the methodology is highly sensitive to different demographic assumptions, and could increase very significantly if the household projections change significantly (which they have done in recent years).

4.11 The consultation also proposes making **First Homes** a compulsory part of developer contributions to affordable housing. This is a new affordable housing product, largely to replace Starter Homes, and is defined as homes to be sold at a minimum 30% discount to local first-time buyers in need of housing. The discount would apply in perpetuity. The proposal is that at least 25% of on-site affordable housing contributions, as well as 25% of off-site financial contributions where this is provided in place of an on-site contribution, will be First Homes. National policy currently requires that 10% of all housing on sites of over 10 dwellings would be for affordable home ownership products, and in Reading this is largely delivered as shared ownership. In practice, this will mean that First Homes would generally replace shared ownership as the favoured affordable home ownership product.

4.12 The consultation proposes raising the **site threshold for providing affordable housing** from 10 units to 40 or 50 units, for an initial time-limited period of 18 months to enable SME developers to recover from Covid-19. The assumptions are that this would result in a 7-14% (if 40 units) or 10-20% (if 50 units) reduction in affordable housing delivery. The consultation states that the government would monitor the impacts on the sector before reviewing the approach, but there are no guarantees that the threshold would revert back to 10 dwellings after 18 months.

4.13 Reading is in an unusual position, in that we do not apply the existing national policy threshold in any case, and this has been supported at appeal and by the Local Plan Inspector. We will therefore continue to apply our own local policies on this matter that seeks affordable housing from all sizes of development, but we would need to be aware that we may face fresh challenges on this at appeal.

4.14 A **'permission in principle'** (PiP) application route has been in place since 2017, in which an application can be made for permission in principle for housing-led development on sites of up to 10 dwellings. This then needs to be followed by a technical details consent stage, at which the detailed matters are considered. The proposal is to extend the 'permission in principle' application route to include major developments, up to 150 dwellings or 5 hectares (which is the Environmental Impact Assessment limit). A time period of 5 weeks would continue to apply to these larger developments, as would the same, very minimal, requirements in terms of information submission. It is proposed to keep fees low and based on the area of the site rather than dwelling numbers, which may not be known until the technical details are applied for.

4.15 The permission in principle route has been little-used in Reading so far, as it offers few clear advantages for minor development over the outline and reserved matters route. However, for major developments, a 5-week route to some form of consent may prove very attractive. Fees based on site area rather than dwelling numbers may also provide a much cheaper route in Reading where sites are comparatively small by national standards.

4. COUNCIL RESPONSE

4.1 A report was brought to Policy Committee on 28th September recommending draft responses to both of the consultations. These recommended responses are set out at Appendix 1 (for the Planning White Paper) and Appendix 2 (for the changes to the current planning system).

4.2 The recommendation to Policy Committee included a delegation to the Deputy Director for Planning, Transport and Regulatory Services, in consultation with the Lead Councillor for Strategic Environment,

Planning and Transport to make any changes to the response to the Planning White Paper (Appendix 1) agreed by Planning Applications Committee. PAC therefore has the opportunity to suggest amendments to the response before it is submitted.

4.3 As the deadline for submission of the response to changes to the current planning system of 1st October will have passed at the time of the PAC meeting, there is not an opportunity to amend the response to this consultation (Appendix 2), but this is included for your information.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The operation of the planning system in Reading contributes to the following priorities in the Corporate Plan 2018-21:

- Securing the economic success of Reading;
- Improving access to decent housing to meet local needs;
- Keeping Reading's environment clean, green and safe;
- Promoting great education, leisure and cultural opportunities for people in Reading.

5.2 The changes proposed within the Planning White Paper may have significant impacts on the ability of planning to continue to meet those priorities.

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

6.1 The implications for the environment and the response to the climate emergency will largely depend on the detail of the new planning system and how it will operate. Many of the environmental and climate elements in the Reading Borough Local Plan are in the general development management policies, and, under the proposed new planning system, development management policies would be set at national level. Therefore, the implications would depend on the content of those policies, but they would inevitably be less responsive to local circumstances.

6.2 The White Paper does continue to commit to the progress of the Environment Bill, which includes provisions such as a 10% biodiversity net gain on development sites. It also includes the objective of making new homes 75-80% more energy efficient by 2025 and achieving net zero carbon by 2050. The Government has already consulted on these proposals under the Future Homes Standard, and the intention is to continue with this proposal.

7. COMMUNITY ENGAGEMENT AND INFORMATION

7.1 The proposed response to the Planning White Paper consultation does not require community engagement.

7.2 The Planning White Paper would result in fundamental changes to the planning system that will have sweeping implications for community involvement. The paper intends that much more fundamental and wide-ranging consultation will be included at the plan-making stage, to counterbalance the loss of consultation opportunities at the planning application stage. However, there are no firm proposals for how this would work, and it seems to rely largely on technological solutions and greater use of social media, which would increase engagement with younger people, who tend to be heavily under-represented in planning consultations. More detail is needed on how this would work in practice. In reality, the streamlined local plan process over a 30-month period would include only two opportunities for community involvement (the recent Reading Local Plan process had four), and there would be no opportunities for engagement on matters such as development management policies, which would be set at national level.

8. EQUALITY ASSESSMENT

8.1 The Planning White Paper specifically asks for responses on the equalities impacts of the proposals. These impacts would need to be formally assessed when greater detail of the proposals is available. There are no equalities implications of the recommended actions of this report.

9. LEGAL IMPLICATIONS

9.1 The current planning system was established by the Town and Country Planning Act 1947. The current primary legislation covering the planning system is set out in the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004.

9.2 Implementation of the proposals in the Planning White Paper would require a new act of parliament to replace the existing acts. No firm timescales for enacting legislation are set out in the White Paper, but the paper does specify that it would want the new generation of local plans in place by the end of this parliament.

9.3 Permission in principle (PiP) was introduced as Section 58A of the Town and Country Planning Act 1990 by the Housing and Planning Act 2016. The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 specifies that PiP cannot apply to major development. Secondary legislation will therefore be required to make the proposed amendments to PiP.

10. FINANCIAL IMPLICATIONS

10.1 The preparation of the responses has been undertaken within existing budgets and does not have any financial implications for the Council.

10.2 The proposals in the Planning White Paper would have very substantial and wide-ranging financial implications for the Council. At this stage, it is not possible to fully assess how the system will operate and how it would be financed. The planning function would be resourced very differently, with much more of a focus on setting expectations for sites up front in planning policy, and much less at application stage, which would also have implications for income from application fees. The White Paper suggests that a portion of the Consolidated Infrastructure Levy could be retained to help fund the planning service, although it does recognise that there will continue to be some need for central funding.

10.3 The proposed new Consolidated Infrastructure Levy would directly affect the money available to local authorities for infrastructure provision, but, again, until firm proposals are in place it is not possible to assess the financial implications in full. The most clear-cut implications include that the Council would lose the ability to set its own levy requirements, and would be dependent on national government to set a levy rate that reflects the circumstances of authorities such as Reading. There would also potentially be more freedom on spend, to enable services to be funded as well as infrastructure.

10.4 The changes to the current system may also have financial implications. National policy which requires 25% of off-site affordable housing contributions to be spent on First Homes would reduce the funds available for Local Authority New Build. If applied in Reading, the raising of the threshold for affordable housing contribution could also reduce the financial contributions that the Council receives, although the largest impacts would be expected to be on on-site affordable housing provision. Finally, the extension of PiP could offer a cheaper route to outline planning permission and could therefore reduce application fee income.

Value for Money (VFM)

10.4 The consultation has potentially very serious financial implications for the Council, and a robust response at this stage therefore represents good value for money.

Risk Assessment

10.5 There are no direct financial risks associated with making this response.

11. BACKGROUND PAPERS

- Planning for the Future – Planning White Paper (August 2020) https://assets.publishing.service.gov.uk/government/uploads/sys

tem/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf

- Changes to the Current Planning System Consultation (August 2020) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907215/200805_Changes_to_the_current_planning_system_FINAL_version.pdf

APPENDIX 1: PROPOSED READING BOROUGH COUNCIL RESPONSE TO CONSULTATION ON PLANNING WHITE PAPER (as recommended to Policy Committee 28th September)

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

Local, accountable, transparent.

Q2(a). Do you get involved with planning decisions in your local area? [Yes / No]

Yes.

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

Local authority 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]

Local authority response

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

As a local planning authority, it is not possible to choose only three of these priorities, all of which are extremely important for us to achieve.

However, the Council declared a Climate Emergency in February 2019, and action on climate change is a priority which must guide all that local and national government does into the future.

Q5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]

No.

The need for these changes to be made is not evidenced. In Reading, there are 3,754 dwellings with planning permission but not started at March 2020, which is enough to meet our needs for over five years. This is not unusual – the number of homes with permission but not started has generally hovered

between 2,000 and 4,000 over the last 15 years. In addition, in Reading at March 2020, there are local plan allocations and developments with a resolution to grant permission subject to Section 106 for almost 9,000 homes. The existing planning system delivers land for homes here, and a fundamental change to the system is simply not required.

As the White Paper consultation states, there are many zoning-based systems in other countries, particularly in Europe. These zoning systems may create the greater certainty that the government is looking for, but all systems have their pros and cons. However, this White Paper does not appear to have been based on any analysis of any of the zoning systems that have operated for many years elsewhere and the effects of which have been widely studied, but rather attempts to build a bespoke, experimental, extremely light touch zoning approach from scratch. What consideration has been given to lessons that have been learned from other countries? Do these systems speed up development, and if so, what are the consequences? We would expect such a fundamental change in how planning works to have been properly researched and considered.

The proposal that land be zoned for only three categories ('growth', 'renewal' and 'protection') is extremely restrictive and does not in any way reflect the complexity of the areas that these local plans will cover. As an urban borough with very few greenfield sites, most of Reading for instance would fall within the 'renewal' category. However, renewal will take many different forms across the town. In the town centre, it may involve high density redevelopment of underused areas including buildings of more than 20 storeys – or, within a few hundred metres of the same site, it may include low-rise, sensitively-designed development within a conservation area or its setting. Outside the town centre, it may involve medium density development along public transport corridors, extensive regeneration of suburban housing estates, or very small-scale infill within areas of existing high quality character. The current local plan system can, and does, reflect these vital differences, but simply badging something as 'renewal' on a map and then giving broad guidelines on what is acceptable cannot.

The different application processes for 'growth', 'renewal' and 'protection' areas set out in this White Paper create an incentive for authorities to identify land for protection as open countryside, because it appears that the alternative is largely uncontrolled development. A protection designation under the current proposals at least results in a planning application. Some sites that might actually be appropriate for the right form of development may well end up in the protected category, and this may therefore serve to prevent supply coming forward in some cases.

The proposal also fails to fit with our experience of how the planning system operates. The proposals rely upon accurately predicting how developers and landowners will want to develop their sites in the future, but in our experience this can change substantially over time, and the development that comes forward is rarely exactly the same as that which was proposed at the time the plan was drafted. This means that setting policies with

appropriate levels of flexibility to take account of these changes is an essential part of local plan-making and actually helps to deliver development. Certainty in the local plan only works if that certainty is reflected in the developer intentions.

In summary the proposals have potentially huge implications, and may well not work in the manner intended, with risks including poor-quality development and, in some cases, actual suppression of supply. The need to make such a fundamental change to a system which was, after all, founded to deliver significant post-war growth, and was successful in doing so, must be much more clearly established based on real evidence. RBC does not believe that evidence would point to a need to make changes to the basic principles of the system, but if the need for a change is clearly demonstrated, the government should look first at the operation of those systems which already exist.

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.]

No.

This amounts to a wholesale centralisation of much of planning policy. Local areas will lose much of the control that they have over the form of development, leaving only location and design in their hands. They will no longer have the ability to set policies that respond to their own local priorities and deliver the development that the local community needs. This will lead to a further deterioration in confidence in the planning system, and will undermine any notion of changing public opposition to development.

In addition, the tendency for national government to continually change the planning system means that it is highly unlikely that there will be any consistency in these policies, which will almost certainly change frequently, and in ways which some developers will exploit to provide poor quality developments. It is also fair to say that national leadership on some matters, for instance climate change, has been considerably behind some local authorities, and a reliance on purely national level development management policies may well mean a reluctance to meet key challenges.

If national development management policies are to be set, the process for putting them in place needs to be improved. Local planning policies have to go through a rigorous process including consultation, sustainability appraisal (or equivalent) and public examination. This means that they can be given considerable weight at determination. National planning policy goes through a much lighter-touch process, and one of the consequences of this is that it can change much more frequently. A process would be required which ensures that policies are appropriately tested. There does not appear to be any suggestion in the consultation that such a process will be in place.

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.]

Not sure.

RBC would need to see details on how this "sustainable development" test is actually worded before an opinion could be given.

RBC has concerns about the removal of the duty to co-operate in the continued absence of any genuine strategic planning. The duty is far from the ideal tool in ensuring that areas are properly planned to take account of strategic matters, but it is better than nothing at all. Whilst there would presumably continue to be provisions for authorities to undertake joint planning, one of the main levers that promotes such joint planning is the need to demonstrate that the duty to co-operate has been complied with.

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

More formalised strategic planning is required if there is to be no duty to co-operate. In many cases, this would best be based on a city region approach, with local authorities working closely together to meet the strategic priorities of their areas. Without any firm proposals for stronger strategic planning, the removal of the duty to co-operate will mean that strategic issues are often simply not planned for, leading to disjointed development and failure to support development with the right strategic infrastructure.

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.]

No.

A standard methodology for assessing needs, where that methodology is soundly based and does not fluctuate significantly from year to year, is a helpful way of eliminating much of the back and forth at local plan examination stage. However, it needs a local assessment of constraints for this to be translated into a proposed supply figure. There is no way for constraints to be accurately assessed at the national level for an authority such as ours. Whilst it may be possible to use broad definitions such as Green Belt, AONB and designated wildlife sites to calculate a capacity for some areas, in an urban area such as Reading where many of those constraints do not exist and where almost all development is brownfield, the only way to reliably assess capacity is a site-by-site analysis taking account of the unique circumstances of each site. This cannot be done at a national level. It is far better to calculate the need at a national level and

continue to allow local planning authorities to use their local knowledge of capacity to assess what can actually be delivered.

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.]

No.

Affordability is an appropriate indicator of need, although it needs to be carefully balanced by other factors.

The extent of existing urban areas is not a good indicator of the quantity of development to be accommodated, in part because relying on this will create a self-perpetuating cycle whereby the more homes are delivered, the greater the need. RBC has responded in more detail on this in the response to changes to the current planning system. Whilst it is true that it is often the most sustainable solution to focus on existing urban areas, it is not always the case, and, in any case, use of household projections already accounts for this to some extent because the needs will generally arise in existing urban areas.

Q9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

No.

The proposed automatic outline permission gives no scope to consider whether there has been a significant material change that means that development is no longer appropriate. Even with the streamlined process, a new local plan would take 30 months to prepare, which may not be sufficiently fast to respond to those changes. The current system, in its wording of Section 38(6) of the Planning and Compulsory Purchase Act 2004, allows for these material considerations to be taken into account.

The need for a masterplan to be in place prior to submission of the detailed application is noted, but if these are to follow on from the local plan (which is probable, as the 30-month timescale for local plan production is unlikely to give sufficient time to prepare a masterplan) it would need to be an established principle that authorities can refuse the detailed permission if such a masterplan does not exist.

Reference is made to faster routes for detailed consent, but no details are available on what these would be, unless this is a reference to the faster decision-making under Proposal 6, in which case RBC's comments in response to Q10 apply.

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.]

No.

Judging by the comments in the White Paper, we anticipate that most of our area would be an area for 'renewal'. The proposals for how planning approval would be given in such areas are, frankly, confusing. The three routes to consent are set out on p34, although actually, it is four routes to consent because planning applications that do not accord with any of those three routes can still be considered in the normal manner, and based on our experience of planning in an urban area, development will come forward in a form not predicted in the local plan much more frequently than the White Paper seems to anticipate.

However, the ways in which terms are used interchangeably makes it difficult to work out what is actually proposed. Page 34 refers to an 'automatic permission' for certain development types, which mirrors the language for growth areas, where a form of permission in principle is proposed. However, it then cross-refers to the fast track for beauty proposals, which in that section are couched more as a permitted development right subject to certain criteria.

Meanwhile, a statutory presumption in favour of local plan-compliant development is also proposed in 'renewal' areas. The text on p34 refers to this being development that complies with the local plan description and NPPF. No mention of local design codes is made, leading to the question of which applications will actually benefit from those codes other than area-specific codes for growth areas.

The proposals also seem to set up a dual system, whereby a developer could choose to exercise permitted development rights via a national pattern book approach, or to make an application for local plan-compliant development. Although it is appreciated that local authorities can seek to modify (not replace) the pattern book, the starting point appears to be that developers can ignore the local plan and instead go down a pattern book route. Much of the development that takes place in renewal areas would therefore be development over which the local authority has no control. We strongly disagree that this is an appropriate approach. A genuinely plan-led system with strong emphasis on local design preferences would not contain these potentially wide-ranging permitted development rights.

In terms of 'protection', there are a number of issues with the proposals.

Firstly, the suggestion seems to be that local authorities will only be able to choose from a shopping list of possible protections that are set in national policy. This would prevent local authorities from identifying their own protections that pick up on matters of local, rather than national, significance. Almost inevitably, national policy would be unlikely to be able

to adequately cover all possible protections that may be needed at local level.

Secondly, when protections are included in a local plan, they are not necessarily protections against all form of development, but come with important contextual wording that clarifies how the protection will apply. Simply zoning an area for protection will not give the required level of granularity.

Thirdly, it is noticeable that the certainty that would be afforded to 'growth' areas would not be reflected in a corresponding certainty in 'protection' areas. There is no automatic refusal proposed in such areas that counterbalances an automatic approval in growth areas, rather it is anticipated that a planning application would be made as under the current system. Developers, benefitting from automatic consents elsewhere, will be able to simply funnel their resources towards areas defined for protection, where there could be an increase of appeals.

Finally, the proposal states that the 'protection' areas can include back gardens. On a purely map-based local plan system, is the suggestion that a local planning authority should map every back garden that is proposed to benefit from this protection? It does not seem practical to do so, and would potentially lead to much discussion of individual gardens at examination stage, which cannot be a good use of time. Further thought is needed about how this would operate.

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.

The Nationally Significant Infrastructure Projects process removes all local democratic accountability from the process, and using it to determine proposals for new settlements would amount to a huge power grab by central government, as the Secretary of State would be the decision-maker.

New settlements are not nationally significant in the same way as vital infrastructure projects are, where there are often limited options for how that infrastructure can be delivered and where it benefits a much wider area than the local authority or even the region. It is of course essential that the homes that the country needs are delivered in total, but a new settlement is in most cases one of a number of options for how those homes (which are usually derived from a local rather than national need) are delivered in a local area, and it is not therefore a decision which is appropriate to make through this process.

This proposal works against some of the ostensible aims of the White Paper. It is pure fantasy to imagine that local residents will happily engage in a local plan process to make developments of a few dozen homes more

'beautiful', whilst a new settlement of many thousand new homes down the road would be dealt with over the heads of local representatives by the Secretary of State.

Q10. Do you agree with our proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]

No.

There are some elements of the proposals which would be helpful to all concerned, including shorter and better presentation of the key data and technological solutions to improve validation timescales. However, these could easily be introduced within the current framework and would be far more effective in that context, assuming that planning departments are sufficiently resourced.

As for proposals on local plans, there is a massive reliance on technological solutions to make processes faster and more consistent. RBC agrees that working towards this is in everyone's interests, and this is now more critical than ever following large scale remote working brought on by the Covid-19 pandemic. However, we have used various software packages to manage the application process over the years, and our experience suggests that this is a considerable hurdle to overcome. Therefore, we are very concerned that legislation could end up being introduced before the technology is in place and is affordable to allow local planning authorities to adequately comply with it. Given how important it is to the White Paper proposals, ensuring that the technology and funding is in place must be a prerequisite to introducing the legislation to avoid a chaotic situation playing out.

The proposals would delegate technical details to officers where the principle of development has been agreed, and would therefore reduce democratic oversight of planning decisions on some very major developments. Technical details in some cases are much more wide-ranging than the title suggests, and may include such matters as height. Removal of local democracy from this process will only serve to further erode public confidence in planning.

We do not agree with any notion that there should be either a refund of the application fee or a deemed consent for any application that is not determined within statutory timescales. Difficulties in determining applications within timescales are often the result of lack of resources, and this will hardly be solved by the fees on which local authority planning departments depend being returned. A positive conversation about how planning should be better resourced is needed, and it is fundamental that any reforms ensure planning departments are sufficiently resourced if the reform is to have any chance of success from the outset. In addition, often long determination periods are not the fault of local authorities and relate to getting input from statutory consultees or are because the applicant has not provided adequate information. In terms of deemed consents, allowing

poor quality developments simply because applications were not determined in time punishes a whole community and may cause severe environmental impacts simply because of a procedural issue. This would be a wildly disproportionate sanction.

In addition, we fundamentally disagree with any suggestion that local authorities should have to refund the application fees for developments when an appeal is allowed. This would only exacerbate any financial incentive to appeal a decision, and would create a climate in which local authorities cannot refuse an application without certainty that an appeal would be dismissed. Such certainty is rarely possible, as Planning Inspectors' decisions are not always predictable, and can be inconsistent.

Should the changes to decision-making proposed here be made, this would need to be accompanied by appropriate transitional funding, alongside some form of ring-fenced income generation to replace or supplement planning application fees.

Q11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

Not sure.

RBC is supportive of the principle of plans being web-based and accessible from all devices, which can only aid transparency and make consultation processes run more smoothly. However, this will only be the case if functioning software can be rolled out to achieve this. Our strong concern is that legislation will be brought in in advance of that functioning software resulting in a situation where local planning authorities are expected to comply with legislation for which the technology is simply not in place.

In terms of being purely map-based, in practice this will be difficult to achieve, even if development management policies are set out at the national level. The White Paper talks about the potential for design codes to be part of the local plan, and there will be a need to set out parameters for what development is identified for growth and renewal areas. An accompanying document will always be necessary, even if it is slimmed down.

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.]

No.

The only way a 30-month timetable is achievable is by significantly reducing opportunities for the community to be involved, which flies in the face of local democracy in plan-making. This is demonstrated by the proposed process, which has two stages at which the community are involved – Stage 1, where there is a call for ideas, and Stage 3, after the plan has been

submitted. This means that there is no stage at which the local planning authority publishes a draft plan and is then able to respond to the consultation, because at this point the plan has already been submitted. Opportunities for the public to make their voices heard are proposed to be removed at the planning application stage, due ostensibly to the front-loading of involvement at the plan-making stage – yet, in actual fact, opportunities for involvement are also proposed to be removed at plan-making stage.

Even with the restricted consultation process proposed, a 30-month timescale would be challenging enough in an authority such as Reading which receives comparatively few representations. In an authority where a local plan regularly generates more than 10,000 representations, simply reading and considering those representations is a hugely time-consuming process, and trying to fit this into a very short timeframe will mean needing a huge investment in temporary resources to deal with them. Technology on its own will not be a substitute. Even if technology allows for quick analysis of a standard questionnaire, in practice consultees want to make comments that do not necessarily fit into standard questions, and if they are denied that opportunity this will certainly not help to engage and empower the community.

Other constraints on achieving a plan within this timescale will be the capacity of the Planning Inspectorate. Our, relatively straightforward, local plan was submitted in March 2018, yet it was not until September 2019 that an Inspector's Report was received. The consultation notes the delays with the Inspectorate as needing to be addressed, but does not include any proposals for doing so. Hopefully, the expectation is not that Inspectors will be freed up by a reduction in planning appeals, as that is highly unlikely to be realistic.

Finally, it is worth noting that one of the biggest reasons that there is a delay in plan-making is because of continual changes by central government. Plans reach advanced stages of preparation, yet policy or legislation at national level changes and authorities need to redraft their plans or review their evidence base, or wait to see whether changes that have been mooted in white papers, ministerial announcements or, as recently, opinion pieces in national newspapers will be followed through, and how. This considerable uncertainty is never recognised in documents such as the White Paper as being part of the problem, but it should be, as it works in direct opposition to swift plan-making, and is the biggest contributor to plans being out of date as soon as they are adopted.

Q13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]

No.

Neighbourhood plans as they currently exist simply do not fit into the proposed system. If development management policies are set nationally, and a local plan has defined all land within its area for growth, renewal or protection, and design codes are also outside this process, there is nothing left for Neighbourhood Plans to do. They will simply exist as a wish-list with no bearing on the development that actually takes place. This will serve only to lower confidence of local residents in the planning system. The proposed local design codes offer an opportunity for neighbourhoods to help shape developments, but it does not appear to be the proposal that these be introduced as 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?

As set out in our answer to Q13(a), if there is no clear role for neighbourhood planning in the new system, there would be no purpose in reflecting community preferences, and doing so will only increase mistrust.

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.]

Yes.

The government is correct to say that there is a need to examine ways to secure timely build out of developments, and prevent ways of housebuilders sitting on land with planning permissions. However, there is a misplaced belief that the best way to do this is through the planning system, as planning permission generally relates to the land, not to the identity of the developer. The government needs to look at other ways of regulating the market rather than the planning regime, which is unlikely to be an efficient way of tackling the issue.

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

Other.

It is not possible to generalise about the design of development in our area in this manner. Quality differs between developments. However, it is certainly worth stating that some of the poorest development that has taken place has come through the permitted development route.

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

Other.

Our sustainability priority is tackling and adapting to the climate emergency. All of the items specified in the question are a bare minimum requirement in achieving this priority, as is much more, such as dealing with flood risk and extreme weather events, protecting and enhancing biodiversity, promoting renewable and decentralised energy and reducing waste. These priorities cannot be divorced from one another.

Q17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]

Not sure.

Design guides and codes can be very useful, and the principle of wider use of them is reasonable. However, the increased use of local design guides and codes is highly dependent on sufficient resources in terms of time, money and skills being available, as set out elsewhere in our response. This will need to be addressed within the resourcing strategy mentioned in the White Paper, and an assumption that resources currently directed to development management can be reallocated to design guides will not be sufficient.

The White Paper also proposes that design guides should only be given weight where it can be demonstrated that local input has been secured. There will need to be further guidance to substantiate what this means, and how it is to be demonstrated. It could imply a simple consultation statement, or it could also mean a local referendum as in neighbourhood planning. One of the risks of this clause is that it will lead to poorer design outcomes in less affluent areas, where residents tend to be less well engaged with the planning process. Efforts should of course be made to improve this engagement, but it is not always possible, and it may mean that a local design code cannot achieve sufficient weight to be relied upon in some areas.

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.]

Not sure.

The establishment of a new body would be one way of helping to address the skills and resourcing issues that local authorities are likely to face. However, the specific remit of such a body would need to be defined before we could comment further.

It is not currently clear that local authorities will have the resources to appoint a chief officer for design and place-making. Whilst applications may reduce, so will application fees with automatic permissions, and the expectation that local authorities will simply be able to reallocate resources to other priorities such as design or enforcement may well be misplaced. In addition, urban design skills are a limited resource, and it is not at all clear that there are sufficient qualified and experienced individuals for every authority in England to have a chief officer for design and place-making. There needs to be further thought on how this would be resourced.

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.]

Yes.

Placing a further emphasis on design would be welcome, as long as Homes England is adequately resourced to deliver it. Much would depend on the wording, however.

Q20. Do you agree with our proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]

No.

The fast-track to beauty is a seriously misleading concept. A fast-track route for development that complies with the plan and a design code does not equate to beauty, however good that design code is. Beauty is a hugely subjective term. The more prescriptive a design code is to try to achieve this intangible 'beauty', the more likely it is to restrict truly innovative design and architecture that might actually deliver what many consider to be beautiful developments. Aesthetic quality is not by any means the sole determinant of a successful development.

This also betrays a lack of understanding of local opposition to development. The aesthetic quality of development is rarely the main reason that local residents object. Strain on infrastructure is much more significant, as are noise and disturbance and environmental impacts. However 'beautiful' a development is, if it places an unacceptable burden on roads and schools, residents will object, and it is not clear that the infrastructure proposals in this White Paper will do anything to resolve that. Planning is about much more than agreeing with the design of a development, but the proposal does not make clear how all of the other issues that need to be considered will be resolved.

RBC is not opposed to an increasing emphasis on local design codes, and would actively welcome any change which will genuinely allow local areas to reject poor design. However, it is not clear how local authorities will be resourced to create these design codes (in terms of time and staffing, but

also in terms of skills), as there will inevitably be great variation in these codes even within local areas.

The White Paper proposes that permitted development rights should be rolled out to 'popular and replicable' forms of development, using a pattern book approach. This will inevitably lead to the increasing standardisation of development across England, and result in an accelerated decline in local distinctiveness. As such it is likely to actively work against achieving 'beautiful' development. Such a proposal will also hugely benefit the large housebuilders that already dominate the market, who will tailor their standard products to these national pattern books and roll them out at scale across the country. The proposal that local areas can define elements such as materials might help achieve some level of local distinctiveness (where there are locally-distinctive materials in the first place), but this will only be skin-deep.

We are also generally concerned that permitted development rights are being proposed to be further expanded even within the context of a planning system with much reduced local oversight. Surely a new system should be in place of expanded permitted development rights, not alongside it? If the system is designed properly, and a well thought out zoning system is introduced, there should be no need for further deregulation via permitted development.

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

Other.

All of the above, as well as many others, are priorities.

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.]

No.

This proposal on the face of it would have some merit in reducing discussion around contributions, particularly affordable housing, and making the application process quicker. However, the risk is that a set levy rate will have to be set at a lowest common denominator level (as it is for CIL) and will therefore actually reduce contributions to affordable housing. In addition, the more one delves into the detail, the more difficult it is to see how this proposal could satisfactorily be achieved.

Use of development value to calculate the levy causes some issues. A levy which is calculated at the stage that the development is completed will be difficult to predict. Decision makers will need to assess a development without being at all clear how much, if anything, will be contributed either in-kind or as a payment, including affordable housing. This will make it impossible to know whether the impacts of a development will be adequately mitigated, and therefore whether it is acceptable. Justifying a development in the face of local opposition will be considerably harder with no certainty about infrastructure provision or affordable housing.

Basing a system on development value will require a valuation to be prepared and considered for every development that would be liable to pay the levy, and may require being assessed by someone suitably qualified to do so. In some cases, this may mean that disagreement on elements of the calculation simply takes place once the development is completed, when local authorities have fewer enforcement tools to ensure compliance. It will also have resourcing implications.

In addition, a high development value is not the same thing as a good level of viability. The levy may act as a disincentive to develop more complicated brownfield sites, such as those in our own area, which may have relatively high existing use values and particular costs such as remediation of contaminated land. In addition, rates would need to be set carefully to avoid creating an incentive to develop at a value just below the threshold for paying the levy.

The proposal for a threshold based on total development value is a particular concern, as it suggests that small developments will be exempt. In our area, small developments often have very good levels of viability, and are able to make extremely valuable contributions to affordable housing and infrastructure. In addition, evidence which RBC used in its Local Plan examination demonstrates that small sites continue to deliver well during economic downturns when compared to larger sites, and this ensures that contributions continue to be made during times when people have particular need of affordable housing in particular.

For the above reasons, if it is to be tied to values, a levy based on a proportion of the difference between gross development value and land value would be more likely to achieve the aims of the White Paper, although this will carry its own difficulties of assessing viability and detailed discussion over assumptions and methodology.

A new system based entirely on a levy would also fail to deal with non-financial obligations that are currently part of a Section 106 agreement. Whilst on-site affordable housing and transport and highway works would presumably be viewed as in-kind developments (although valuing these works for levy purposes presents an issue in itself), a levy would not address requirements to produce local employment and skills plans or travel plans, or would deal with other provisions such as occupancy restrictions on

serviced apartments or granny annexes. Some alternative means of addressing these issues would need to be developed.

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]

Locally.

Given the vast differences between values in different parts of the country, a flat national CIL rate would lead to extreme reductions in the amount of money available for infrastructure provision in more buoyant parts of the country such as ours where infrastructure is already under strain. Far from maximising revenue nationally, it would have the opposite effect. If rates are to be set nationally, they should at the very least be area-specific to reflect these substantial differences in value. However, it is far better that rates be set at a local level to enable differences in viability between areas, and indeed within an authority's own area, to be addressed.

There is no clear rationale for national government to take over the setting of CIL rates. The CIL charging schedule process has been substantially slimmed down, with examinations often taking place by written representations, and is relatively straightforward. The White Paper does not say what the advantages are of taking the setting of rates out of local authority hands, and it therefore simply seems to be part of the centralisation of planning powers that is a running theme in these proposals.

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.]

More value.

The current levy is rarely sufficient to address all of the infrastructure effects of development as it is, and when combined with those developments that are exempt from CIL or the provision of affordable housing, there is clearly a need to maximise the funding available.

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.]

Not sure.

Greater flexibility for local authorities in financial tools to help to deliver infrastructure is generally welcome.

However, in practice, it is likely to be very difficult to take advantage of this where the actual amount to be paid for infrastructure (if anything), and the timing of that payment, is not yet known. Basing the levy on a calculation performed only on completion is not likely to generate the certainty necessary to allow for such borrowing.

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.]

Yes.

Any reformed Infrastructure Levy should capture all developments which create a need for infrastructure or where affordable housing will be needed to create a mixed and balanced community. Developments under permitted development rights should not be exempt from this, particularly if the government proposes to continue to extend those rights.

Permitted development rights are not exempt from CIL at the moment (albeit a Notice of Chargeable Development is needed), so it is assumed that the proposal would be to ensure that permitted development contributes to affordable housing. This would be a welcome change. We have estimated that, between 2013 and March 2020, Reading lost out on 570 affordable housing units plus financial contributions to affordable housing of over £3 million, which could have been secured on office to residential conversions had they been received as planning applications. These permitted development rights have been a considerable blow to our efforts to meet the very substantial need for affordable homes in our area.

However, to be clear, our strong belief is not that a Levy including affordable housing is charged on permitted development schemes, but rather that these permitted development rights are removed and the infrastructure needs are considered by the planning application route, along with all of the other many effects of such developments.

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.]

Yes.

It should go without saying that the aim should be to secure more affordable housing wherever possible.

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.]

In-kind payment wherever possible. However, we have concerns about how this would work in practice.

Once the levy is paid and, potentially, the site sold, it is difficult to see what enforcement mechanisms there would be to ensure that the affordable housing remains affordable in perpetuity without a legal agreement of some format. And, without such an owner, if the housing does cease being affordable, and the current owner is not the individual/company that was responsible for compliance with the levy, it may not be clear who is legally responsible without the legal agreement.

In terms of whether in-kind affordable is preferable to a 'right to purchase', the onus should be on the developer to provide the units on-site wherever possible, and pass those units to a registered provider where necessary. This will help to achieve mixed and balanced communities, which is the purpose of affordable housing delivery, without creating an additional workload and financial risk for local authorities in purchasing all of the discounted affordable housing units.

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.]

Yes.

It is clearly in the local community's interest that the risk of overpaying is reduced.

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. Please provide supporting statement.]

Yes.

Removal of the Section 106 agreement and therefore any oversight of affordable housing quality (as distinct from the housing quality generally) through the planning application process would lead to a need for other measures to ensure that the affordable housing provided reflects the overall quality of the development. It would also remove the mechanism by which occupancy and management of affordable housing that is not provided by a registered provider, i.e. affordable private rent, is overseen, as this currently requires substantial detail to be set out in the Section 106.

At this point, it is difficult to be specific about what additional steps are required, as there is no detail about how provision of in-kind affordable housing as part of the levy would work in practice.

Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]

Yes.

If a new Infrastructure Levy replaces Section 106 as well as CIL, there will need to be greater flexibility in any case to cover matters not traditionally regarded as 'infrastructure'. This includes affordable housing and funding of local employment and skills initiatives.

However, RBC would have concerns about the suggestion in the White Paper of allowing authorities to use Infrastructure Levy funding to fund normal Council services or reduce council tax. This could lead to development taking place and not being supported by sufficient infrastructure. As the government will be aware, the timely provision of infrastructure is one of the main reasons local communities object to development, and this could lead to that infrastructure not being delivered at all. If one authority decided that its priority was to use the new CIL to reduce council tax, this could mean that development relies places an unacceptable burden on infrastructure provided in an adjacent authority.

Q25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

Not sure.

Authorities which face affordable housing needs should be expected to use the Levy to meet those needs. However, the extent of affordable housing needs differ significantly from authority to authority, and it is not clear that a single defined ring-fence could work across the country.

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?

These are extremely wide-ranging proposals, and as such their effects on groups with protected characteristics could potentially be significant, and may only become more apparent when further detail emerges.

A move towards much greater reliance on engagement using digital technology will favour younger age groups. It is recognised that these groups tend to be underrepresented in planning consultations at the moment, but that does not mean that changes should be made that exclude many older people. Proposals will have to be carefully developed to avoid that effect.

The proposal to set development management policies at national level could have effects on people with disabilities. Local plans such as ours contain expectations for the accessibility and adaptability of new housing, based on local evidence of likely need. National development management policies may well result in less accessible and adaptable housing being provided.

APPENDIX 2: READING BOROUGH COUNCIL RESPONSE TO CONSULTATION ON CHANGES TO THE CURRENT PLANNING SYSTEM (as recommended to Policy Committee 28th September)

Standard methodology for calculating housing need

Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?

No.

There are three major reasons for this, as set out below.

- A standard annual growth in dwellings is a crude measure which has no relation to need. If there are sufficient homes in an area to accommodate needs, to build more will only negatively affect the natural environment of those areas for no reason and with no likelihood of take-up of dwellings.
- The effect of a 0.5% annual increase in a baseline will be to reinforce existing patterns of urban areas, as stated in paragraph 25 of the consultation. However, the standard methodology is intended to be a reflection of need, not a choice about distribution. Consideration of distribution of need should be taking place at local plan-making stage, and if necessary through the duty to co-operate.
- Using existing stock as part of the calculation creates a self-perpetuating cycle. Delivering significant levels of new housing, in line with the government's aspirations, would only serve to inflate the need in the standard methodology in the future, and would not take account of whether that delivery has in fact served to reduce the level of need.

Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.

No. Please see the answer to question 1.

Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.

When the methodology was first proposed, RBC's response highlighted that in some areas, the greatest pressure is in terms of lower-quartile earnings to house prices rather than median. This was evidenced for our area in the 2016 Berkshire Strategic Housing Market Assessment. This highlights the issues in the area, in that it is generally affluent, but there are pockets of

high levels of deprivation, in Reading in particular, and the high purchase and rental prices within the area place market housing out of reach of a significant number of people as a result. RBC continues to consider that there is a case for including an adjustment for lower-quartile affordability alongside median affordability.

Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.

RBC is not opposed to the idea of including an adjustment for change in affordability over 10 years, and considers that this is a reasonable indicator of market signals of a need for housing. However, we are concerned that the way it has been applied in the proposed formula, in which it is simply added to the adjustment for current affordability, gives it a disproportionately significant role.

To demonstrate this, we can examine the application of the formula to the 2019 affordability ratio for Reading, which is 9.06. The corresponding ratio from 2009 is 6.37.

The calculation would be as follows:

[((9.06 – 4)/4) x 0.25] + [(9.06 – 6.37) x 0.25)] + 1

Simplified, this is:

0.316 [current affordability] + 0.673 [change in affordability] + 1 = **1.989**

In our case, the formula therefore places more than twice as much weight on past changes in affordability as current affordability. This will mean that the housing need of one authority may be very significantly higher than another authority even where affordability is currently the same. Whilst this affordability trend may continue into the future, it is also possible that it is the result of some factor (such as significant infrastructure delivery) which is a one-off and will not continue to affect affordability into the future.

Therefore, RBC believes that, if an adjustment for recent affordability changes is to be made, it is better made as an adjustment to the overall affordability ratio rather than added to it. If the government still considers that it is necessary to give affordability greater weight within the calculation, this can be achieved in a more equitable manner by simply applying a greater mathematical weighting to the affordability adjustment, perhaps by using an alternative multiplier to 0.25.

Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

This is a difficult question to answer, as so much depends on what the current figures are at the time that the calculation is undertaken. Using current calculations, the figure that it generates for Reading at least appears about right, and corresponds closely to our own locally-assessed need which pre-dated the standard methodology.

The difficulty comes in particular with changes to the household projections. The more significant affordability multiplier created (in most cases) by adding in past affordability changes magnifies any changes in the household projections. These projections are much more volatile at local authority level than they are for England as a whole: whilst the growth in households over the 2020 to 2030 period in the 2018-based projections is only 3% lower for England than the 2016-based projections, the growth for the South East is 18% lower, whilst the growth for Reading is 66% lower. At the same time, the growth for neighbouring Wokingham is 40% higher. The difference from the 2014-based projections is even greater in most cases.

This volatility, magnified by an increased affordability multiplier, means that housing need levels may fluctuate wildly depending on when a plan is being prepared, and often during plan preparation. Plan preparation often becomes an art of waiting until the most favourable household projections are available. One way of addressing this could be using smoothed averages of the last two (or three) sets of projections. Another way could be basing the calculation on less volatile affordability calculations to begin with, and using the household projections as a sense-check and only increasing need if the projections indicate that it is required. RBC does not necessarily endorse these options, but they may be worth investigating to allow for a more consistent and predictable outcome. The government has made clear that it wants more certainty in the planning system, but housing need calculations are currently a source of considerable uncertainty.

Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:

Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?

Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?

If not, please explain why. Are there particular circumstances which need to be catered for?

RBC does not have a particular view on this matter, other than the phrase 'close to publishing' will have to be defined much more clearly in order to avoid uncertainty and debate at examination.

First Homes

Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):
i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.
ii) Negotiation between a local authority and developer.
iii) Other (please specify)

RBC believes that, if a minimum of 25% of affordable housing is to be delivered as First Homes, the priority should be option i), to replace other affordable home ownership tenures. This would generally mean shared ownership. The affordable housing products which most clearly address affordable housing needs in our area are rental products, at a rate wherever possible and viable well below 80% of market rates. RBC would be extremely concerned if First Homes were to be introduced in a way that reduced its ability to secure rented accommodation, as that would considerably reduce our ability to respond to the most significant needs.

It is somewhat surprising that option ii) would be even considered. If local plan policies are already in place, with tenure requirements that respond to local needs, it would be supremely unhelpful if national policy were to contradict these requirements with an expectation that the remaining 75% is simply negotiated on a case by case basis. Negotiation needs to take place within some form of context, as usually provided by national policy, and in any case this does not seem to fit within the spirit of introducing greater certainty into the system.

Additionally, it is worth noting that none of these consultation questions ask whether a change to require a minimum 25% First Homes should be made at all, which is a curious omission. RBC's strong view is that it should be for local authorities to set out the affordable housing tenure expectations that best meet the needs in their local areas. It is at local level that assessments of needs have been carried out, which should inform these expectations.

RBC is particularly concerned with the proposal that national policy specify that 25% of off-site financial contributions should be spent on First Homes. This goes further than existing policy on affordable home ownership, which contains no such explicit requirement. The best use of financial contributions in our area is usually for delivery of new local authority

housing, as this delivers a greater number of homes at rental levels that are affordable to those in need. Provision of new local authority homes not only meets needs in terms of affordability, but it can be a key driver of overall housing delivery.

With regards to current exemptions from delivery of affordable home ownership products:

Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to apply to this First Homes requirement?

The existing exemptions set out in paragraph 64 of the NPPF should continue to apply to the First Homes requirement. The reasoning for the exemptions to the affordable ownership requirement existing apply equally to First Homes. For instance, the reasons why the exemption for build to rent exist apply equally to First Homes, in that homes for sale cannot practically be delivered as part of a build to rent scheme. The exemptions retained should not only be those specifically set out in criteria a) to d) of paragraph 64, but also the more general wording, including where a the minimum proportion of affordable home ownership would "significantly prejudice the ability to meet the identified affordable housing needs of specific groups", which represents a valuable flexibility where there are particular local circumstances.

Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.

No. Please see the answer to Q9.

Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.

No additional exemptions are required, as long as the wording "unless this would … significantly prejudice the ability to meet the identified affordable housing needs of specific groups" (paragraph 64) is retained. Loss of this wording would unacceptably limit local flexibility, and may result in the need for further exemptions to be established.

Q12: Do you agree with the proposed approach to transitional arrangements set out above?

Yes.

Q13: Do you agree with the proposed approach to different levels of discount?

RBC welcomes the scope to apply higher levels of discount based on evidence at plan-making stage. We would want this opportunity to be extended to those authorities where local plans have already been adopted

before the introduction of First Homes, with tenure to be specified in a SPD, as this will enable First Homes to be introduced in a manner which matches the particular affordable housing needs of those authorities. We would also ask why it is necessary to specify that an alternative can only be 40% or 50% - if, for example, a 45% discount responds best to the needs of the area and can be suitably evidenced, there seems no reason for this to be prevented.

Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?

RBC considers that it should be for the applicant to demonstrate why this is necessary on a case-by-case basis, and based on viability considerations only.

Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?

No. No limits on site size could allow for substantial developments to come forward without any reference to most local plan policy, since exception sites are only required to reference policy in the NPPF or local design policies. This could significantly undermine local plan-making and a plan-led approach to development.

Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?

RBC does not wish to comment on this matter.

Affordable housing threshold

For each of these questions, please provide reasons and / or evidence for your views (if possible):

Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?
(see question 18 for comments on level of threshold)

No.

RBC does not agree that national policy should prevent local authorities from seeking contributions to affordable housing for any size of site if it can be justified by evidence. The government will be aware of RBC's strong feelings on this matter, having challenged the previous Written Ministerial Statement in the courts, and having recently demonstrated that there are strong reasons for seeking affordable housing from all sizes of site in areas with considerable affordability pressures to the satisfaction of a planning inspector during the examination of our now-adopted local plan, as well as in more than 30 planning appeals.

There remains an overwhelming need for affordable housing in many areas. This need has been calculated at 406 homes per annum in Reading (Berkshire Strategic Housing Market Assessment), which equates to some 58% of our overall housing need. This need will only become more acute as the effects of the coronavirus pandemic make themselves felt and manifest themselves in job losses and economic hardship. Securing affordable housing is already being made substantially more difficult by the continued expansion of permitted development rights that do not allow for affordable housing to be secured. In that context, a 7-20% reduction in affordable housing as estimated in paragraph 77 (and which in any case presumably does not take account of new permitted development rights) is not acceptable. Raising the threshold for provision of affordable housing may in the short-term provide a financial boost to some developers, but it would prioritise those development interests over the needs of the many who require affordable housing.

In any case, local policies generally allow for viability to be considered at the planning application stage in exceptional circumstances. The economic conditions brought about by the coronavirus pandemic could certainly represent exceptional circumstances. These economic conditions are already feeding into the information that will be used as the basis for viability testing. Therefore, if it is not viable to provide a policy-compliant level of affordable housing due to the current circumstances, the planning system already allows this to be considered. Furthermore, by the time developments come to be built, the economy may well have recovered in any case, but a blanket threshold approach prevents mechanisms being built into Section 106 agreements to secure contributions where viability improves.

In short, this represents a blanket approach to an issue that can be considered on a case-by-case basis, and would unnecessarily reduce affordable housing provision at a time where many more people are likely to need it.

Q18: What is the appropriate level of small sites threshold?

i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)

iii). National policy should not specify a threshold for contributions to affordable housing. Please see the answer to Q17.

Q19: Do you agree with the proposed approach to the site size threshold?

As set out in the answer to Q18, RBC does not agree that national policy should set a threshold.

If a site size threshold is to be introduced alongside a threshold of number of dwellings, it should be made clear that it only applies where the dwelling number threshold is not already exceeded. It is not clear from the

consultation document that this would be the case, but this is the way that the current 'major' development threshold is applied. An increase to 2 or 2.5 hectares (as suggested in the consultation) could, in the case of a dense urban authority such as Reading, equate to several hundred homes.

Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?

For clarity, RBC does not agree with the introduction of the threshold in the first place, for any period. However, if it is to be introduced for a time limited period of 18 months, it should come with a clear presumption that the threshold will expire automatically after 18 months unless there are clear recovery-related reasons for extending it. Such an extension should be subject to further consultation and clearly based on relevant evidence. Ideally, the criteria for considering whether it should be extended should be available at the point that the initial threshold is introduced. There is certainly a perception that changes to the planning system are not always based on relevant evidence, as the recent expansion of permitted development rights on the same day as publication of a report highlighting the poor accommodation created by such rights demonstrates. It would therefore be very welcome if changes to the system could be linked more effectively to the evidence justifying those changes – as is expected of local authorities in plan-making.

Q21: Do you agree with the proposed approach to minimising threshold effects?

It is agreed that, where a threshold exists, there should be measures to minimise the effects of this threshold by preventing sites from being artificially divided. The consultation does not specify what this proposed approach to minimising effects is, and it is not therefore possible to state whether or not we agree.

In our experience, the most frequent effect of an affordable housing threshold is not the subdivision of sites but the artificial lowering of the number of dwellings on a site. For many years, while national policy set a threshold of 15 dwellings, an entirely disproportionate number of sites in Reading were proposed for 14 dwellings. A threshold therefore had the effect of reducing overall housing delivery. RBC does not agree that national policy should set a threshold (as set out in our answer to Q17), but if it exists, this effect should be addressed.

Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?

RBC does not wish to comment on this matter.

Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?

The Government has many means at its disposal to support specific sectors and groups of businesses, and use of the planning system to do so is an extremely blunt tool given that it is based on the merits of the proposal not the identity of the applicant. The planning system should not be the only, or the main, means to support SME builders.

Permission in principle

Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?

No.

Permission in Principle (PiP) is in an unusual place, in that it rarely offers any clear advantages over a more traditional route, such as outline and reserved matters, or pre-application followed by a full application. In our case, where much of our development takes place on often complex, brownfield sites, it is rarely possible to divorce consideration of the principle of land use and amount of development from detailed consideration of some of the key issues, which will include contamination, flood risk, biodiversity, transport impacts, character and heritage. This will increasingly be the case if it is to be expanded to cover major development. Those sites where development is clearly acceptable in principle are usually already local plan allocations, and these allocations at least offer the opportunity to caveat the principle of development with some of the main considerations to overcome, unlike PiP. A grant of PiP does not, in practice, appear to confer much more certainty on a development than a plan allocation.

Removal of the restriction on major development would not be of particular assistance, because in practice the information required to be submitted alongside a PiP application is rarely sufficient to actually establish the principle of a development, unless a site is allocated, in which case PiP adds very little value. In order to secure PiP on a site with a minimum of information, an applicant may in fact have to reduce the development capacity of the site, because, for some sites, a higher level of development can only be justified with much more substantial evidence by a different application route.

Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.

If PiP is to be extended to major development, the differences in scale between an 11-dwelling development and 149-dwelling development mean that any limit on the amount of accompanying commercial development should not be a defined floorspace (as for minor developments) but should instead be a proportion of the total development.

In our experience, if more than around 25% of floorspace on a development is commercial, it moves away from being a residential-led development towards a more mixed scheme which is more likely to have impacts beyond the site boundary and which require testing through, for example, retail impact assessments at application stage.

For clarity, however, RBC does not agree that PiP should be extended to any major developments, however much commercial floorspace is included.

Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?

The quality of a decision is only as good as the quality of the information on which that decision is based. The very limited information submitted at PiP stage will very rarely be sufficient to establish the principle of the location, land use and amount of development. However, if the amount of information to be submitted were to be extended, the 5-week timescale would not be sufficient to assess it, particularly for major development. This therefore underlines why it does not make sense to extend PiP to major developments.

Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.

The issue of height illustrates the difficulties with the entire PiP process that we have already referred to. Height is often a key factor in the consideration of the principle of development in our area, because, in a dense urban area, height is one of the main determinants of the amount of development. Sensitivities of height in an urban area such as ours include the historic environments, daylight, climate and impacts on townscape and landscape. For many sites, the principle of the development cannot be divorced from consideration of height. Therefore, on the face of it, height should indeed be considered at PiP stage rather than Technical Details.

However, if height is to be included at a PiP stage for which the five-week timescale is unchanged, this causes an issue in that it is unlikely to be practicable to deal with height in this timescale. This is because acceptable height is likely to depend on daylight and sunlight assessments and potentially wind effects, as well as on assessment of impacts on any nearby heritage assets and local townscape, and will also be subject to considerable representations during public consultation which would expect to be informed by those assessments. Without these assessments at PiP stage, it is unlikely to be possible to determine that a certain height is acceptable in principle.

RBC therefore considers that the issue of height demonstrates why PiP should not be extended to major developments.

Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:
i) required to publish a notice in a local newspaper?
ii) subject to a general requirement to publicise the application or
iii) both?
iv) disagree

If you disagree, please state your reasons.

We agree with ii). Newspaper notices are expensive and in our experience rarely represent value for money as a Public Notice in a newspaper is rarely the way the public expect to receive notification of a forthcoming development. However, otherwise, the consultation requirements for a major PiP application should mirror the consultation requirements for a major planning application.

Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectarage, with a maximum fee cap?

Whilst this approach would reflect the outline application fee arrangements, it is not ideal. A flat fee based on hectarage is highly unlikely to reflect the complexity of consideration of a proposal in an urban area such as Reading, where development will often be at a high density, and where the considerations of proposals are likely to be significantly more complex than in a rural location with a similar hectarage. A flat fee may well fall significantly short of covering the costs of assessing the application.

Q30: What level of flat fee do you consider appropriate, and why?

Current PiP fees are slightly below the equivalent outline planning application fee for a similarly sized site. A similar approach to major applications may be most appropriate if PiP is to be expanded. The fee should avoid creating a significant incentive for using a PiP route rather than outline where an outline application may well be the most appropriate route. It is worth noting that applicants are already abusing the outline system by submitting the vast majority of information at the outline application stage where the fee is substantially lower.

Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.

This would seem to be a logical change to make.

Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.

What is lacking in making decisions on PiP is not so much national guidance, but the necessary information at application stage to justify the use and amount of development. National guidance will not resolve this issue, unless it expands upon the minimum requirements for submission, for instance, at least desk-based analysis of the relevant issues, in which case timescales for consideration would need to be extended.

Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?

This depends to a large extent on the level of information requirements, the timescales for determination and the application fee, all of which are matters that are not yet determined. Without significantly greater information requirements for major PiP applications, it will often simply not be possible to agree to the principle of development – however, a five-week timescale would not be sufficient to assess those information requirements, and the application fee would also need to reflect the costs of assessing this information. Ultimately, PiP does not fit comfortably within the current planning system and represents an unnecessary duplication of processes in most cases.

Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.

In our experience so far in Reading, Permission in Principle has rarely been used as an application route. Although the novelty of PiP may play a role in this, in our view this reflects the degree to which the purpose of PiP when compared to other application routes is not clear. It is still not clear what gap PiP is intended to fill. An approach with considerable upfront pre-application discussion followed by a planning application works well in Reading, and delivers well against development needs whilst minimising risk for applicants at the earliest stage. Therefore, it would not in our view provide any particular advantage to expand PiP to major developments.

If PiP were set at a significantly lower fee than an outline application, it is possible that more applicants might choose that route. However, given the minimal information required, it is unlikely that it will often be possible to grant PiP in most cases, which will only serve to place more costs on the applicant and lead to further delays.

Q35: In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty?

If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?

RBC does not wish to comment on this matter.