

Question	Support Y/N	Commentary
1 a. Do you agree with the proposed standard approach to assessing local housing need	No	<p>The method proposed is too simple and is in itself not sound. Please see points a - f below:</p> <p>a) The use of household projections based on the previous 5 years performance is too susceptible to skews created by recent growth, or a change in demographics.</p> <p>b) It will repeat the error of each adjoining local authority going for employment-led growth, regardless of regional / sub-regional capacity; and for this leading to unrealistic growth allowances and subsequent unprogrammed migration across strategic housing market areas. This effect is already being seen in Thame in South Oxfordshire, where the current, adopted SHMA does not reflect reality and many homes are being occupied by those outside the adjacent SHMA area.</p> <p>c) The adjustment factor methodology is too susceptible to the influence of factors such as the environmental constraints within an area worsening the availability and affordability of housing, and not reflecting the true need level.</p> <p>d) The methodology takes no account of suppressed demand, such as hidden households or those needing to move to an area for employment or other purposes. These factors are significant omissions.</p> <p>e) The method is self-limiting, as negative feedback has been built in. Should early success lead to a decrease in house prices then the next iteration of the calculation will reduce calculated housing need, as the jobs/earnings ratio will have lowered. This will "lift the foot of the gas" just at a time when increased housing delivery was beginning to have an effect. House prices will quickly rise.</p> <p>f) The use of median, full-time earnings takes no account of households only able to work part-time because of care commitments or restrictions because of health, etc.</p>
1 b. How can information on local housing need be made more transparent?		<p>Through a national web-based GIS application that clearly delineates strategic housing market areas, plus an auditable trail housing need by LPA area. Please see additional points a - b below:</p> <p>a) The layperson often rejects housing because of the lack of transparency around the allocation process.</p>

		<p>Authorities should explain via "family tree" diagrams where need has arisen from, and crucially, when adjustments have been made to that need.</p> <p>b) Authorities will use multiple data sources and will create multiple housing land availability documents (SHLAA, HELAA, SHELAA, etc.). A single, map-based application showing the best data and information available regarding site selection would assist in informing the public and neighbourhood plan groups. This should be updated at each consultation held at any of the Regulations 18, 19 and 22 and finally, at the point of adoption. It is strongly recommended that links to the lifecycle of any site proposed for development through the plan process should be provided, including those that are cut from the process.</p>
2. Do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?	Yes	This will bring a much-needed period of stability, both during the examination and the earliest part of the subsequent adoption.
3. Do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?	No	<p>A national method (although not as proposed in this consultation) should simplify the process of assessing objectively assessed need. The proposed methodology is currently too biased to reflect past delivery and too inflexible to address employment and other issues. In theory, the adoption of a national standard would have additional benefits:</p> <p>In time, it would free up skilled planners to concentrate on other aspects of plan making;</p> <p>It would make easier the process of tracking OAN across the Country;</p> <p>It would bring transparency to the process of comparing housing need between adjoining areas, thus helping reduce tensions over Duty to Cooperate issues.</p>
4. Do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?	No	<p>With the assumption that any overprovision is sound LPAs will significantly reduce the evidence they produce in support of housing numbers above those suggested by the standard method alone. Please see additional points a - c below:</p> <p>a) This will have the opposite effect of reducing the workload at examination as it is likely to lead to an increase in challenges made.</p> <p>b) Local authorities are already suggesting buffers of housing supply in excess of SHMA-led OAN in order to guarantee a 5 year supply of land. These can and do conform to or exceed the levels of development suggested by their Sustainability Appraisals as causing harm. South Oxfordshire is a prime example of an authority ignoring its own evidence base in this way.</p>

		<p>c) Reduced scrutiny on increasing the supply against the proposed (flawed) methodology would only serve to exacerbate an issue that is already leading to challenge at examination and undermine the cases for those authorities with a genuine need for higher levels of OAN.</p>
<p>5 a. Do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?</p>	Yes	<p>In an attempt to reduce uncertainty for all parties a standard period should be introduced for joint working areas. Nothing “kills” development like uncertainty; it is within these joint working areas that developers have had to work the hardest in aligning development with the wishes of two or more authorities; often, major urban extensions or new towns / villages are required, as are significant investment interests.</p> <p>If necessary, extensions beyond the standard period could be sought by the joint planning authorities, in good time to avoid harming development on the ground.</p>
<p>5 b. Do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five year land supply and/or be measured for the purposes of the Housing Delivery Test, across the area as a whole?</p>	Yes	<p>Once agreed, this should not be capable of challenge but only be ended by mutual consent between the joint planning authorities, and / or the Secretary of State.</p>
<p>5 c. Do you consider that authorities that are not able to use the new method for calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five year land supply and to be measured for the purposes of the Housing Delivery Test?</p>	Yes	<p>The most recently adopted local plan or spatial development strategy would make more sense than that in an emerging plan as the underlying assumptions will not have been subject to examination.</p> <p>A mechanism for uplift should be permitted, however. Given the suppression of household formation seen due to the economic downturn in highly constrained areas and areas with affordability issues community-led housing schemes could be permitted pending the renewal of the higher level plan. This would obviously be subject to the existing plan or strategy, and the National Framework. Such schemes should be less contentious than market-led development in sensitive landscape areas, or those with significant urban extensions or new towns to deliver.</p>
<p>6. Do you agree with the proposed transitional arrangements for</p>	Yes	<p>It is reasonable to set a 5-year threshold for the life span of a local plan, before the standardised method is used. This gives sufficient time for development to</p>

introducing the standard approach for calculating local housing need?		happen in the manner envisaged by the authority's local community.
7 a. Do you agree with the proposed administrative arrangements for preparing the statement of common ground?	No	<p>The Duty to Cooperate is toothless and the proposed changes are not adequately addressing this. The proposed methodology only makes more transparent where and on what matters planning authorities still disagree by the time examination is reached. Please see suggestions a - d, below:</p> <p>a) All common ground matters should be reported within a single document twice a year by the signatory parties, with each assigning a traffic light (red, amber, green) assessment, including text commentary, on how they judge how progress has been made on each shared matter. Traffic light and commentary should be made about the record presented by the primary authority of Duty to Cooperate discussions, too.</p> <p>b) Common ground reports should be made available on all signatory web sites within one month of the reports being assessed. These reports would be available to interested parties and to the Inspector. These reports would assist in proving the authority has passed any new test of soundness, based on the principle.</p> <p>c) To help prevent future local plans being thrown out on day one of the examination each local authority should present its final report for independent inspection before being permitted to proceed to publication of a Regulation 19 local plan. The report of the examining officer should be brief but highlight what concerns must be addressed before submission of the local plan document.</p> <p>d) It is logical that signatories only sign against matters they have common ground in.</p>
7 b. How do you consider a statement of common ground should be implemented in areas where there is a Mayor with strategic plan-making powers?		Don't know
7 c. Do you consider there to be a role for directly elected Mayors without strategic plan-making powers, in the production		Don't know

of a statement of common ground?		
8. Do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?	No	The suggested timescale, using the key points in a plan's lifecycle is too infrequent. It is quite possible for many months, or even a year or more, to pass between regulation 18 – 19, 19 – 22, etc. The Duty to Cooperate is often a key reason why plans do not progress; therefore statement of common ground matters should be reported at least twice a year, with all signatories commenting and reporting on the effectiveness of each authority's cooperation and progress. As mentioned in Thame Town Council's response to 7 a. this could be on a "traffic light" model, with traffic light review and text commentary from each signatory on each matter they are involved in. The latter could tie in well to the proposal for an amendment to the tests of soundness.
9 a. Do you agree with the proposal to amend the tests of soundness to include that: ii) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?	No	The use of the statement of common ground is insufficient without a mechanism of capturing each signatory's assessment of the joint working exercise. A separate, or combined report with "traffic light" review and text commentary from each signatory on each matter they are involved in would reduce the chance of local authorities misrepresenting the level of agreement, or making genuine errors in reporting. This report should be subject to an early test, before Regulation 19 stage.
9 b. Do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?	Yes	This is fair.
10 a. Do you have suggestions on how to streamline the process for identifying the housing need for individual groups and what evidence could be used to help plan to meet the needs of particular groups?		Please see suggestions a - d below: a) Families with children – the LPA could use the estimators used by County education services to predict pupil yield from each housing type.  b) Self-build and custom-build – only to note that these are difficult as these individuals and households can register in more than one local authority area.  c) Private rented and build to rent – evidence of costs, plus interviews with estate agents would assist; this would need several views.  d) Affordable housing – need to look not just to housing register but also to try and seek hidden households.
10 b. Do you agree that the current definition of older	No	The problem is that it does not reflect the proportion of the older population who might choose not to downsize

<p>people within the National Planning Policy Framework is still fit-for-purpose?</p>		<p>or to live in general needs housing that is not capable of adaption, or capable only with great difficulty; this includes, but is not limited to their existing family home, listed buildings, conversions, etc. Many older people choose to move and put up with the inconvenience that larger or less adaptable properties bring.</p>
<p>11 a. Should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?</p>	<p>Yes</p>	<p>Our District Council is allocating a number of homes for the Town based on the number of houses the town had at the last census. They allocated first, then sought the justification. The evidence they have used to justify their decision is flawed; they believe our Town has a hospital, a cinema and, incredibly, a railway station when it very clearly does not! In spite of our repeated attempts to correct these simple errors we may now find ourselves having to embarrass our LPA at examination, as they have now published their Plan.</p> <p>An up-front allocation, given based on the true capacity of a NDP area to deliver, based on NPPF sustainability principles and backed by a robust sustainability appraisal can do nothing other than inject confidence into the planning system.</p>
<p>11 b. Do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?</p>	<p>No</p>	<p>Please note the comments a - c below:</p> <p>a) Without the benefit of a Sustainability Appraisal there would be no steer on whether the level of housing proposed would meet the sustainable development principles laid down in the National Framework.</p> <p>b) Neighbourhood plan groups and the local authority would require a steer on the type of constraints that can be considered when using the formula to calculate housing need. NDP groups will have to fund a SA everywhere the level of growth proposed is much above windfall. Is it just environmental matters that need consideration? What evidence is required to satisfy the need for health, education, etc?</p> <p>c) Growth subsequently allocated to a NDP group resulting from unmet need would in many cases not apply, should constraints naturally limit the growth an NDP area can take. In some cases, further growth will be possible; the NDP groups will need a period of grace before this takes effect to allow them to undertake a review of their plans. A proposal of two or three years from the adoption of the local plan above them would be reasonable.</p>

<p>12. Do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?</p>	<p>Yes</p>	<p>This is already done! Local plans must be viable in order to pass examination. Resources are poured into ensuring that policies are viable, and these usually err on ensuring profitability for the developer. Studies assess the viability thresholds for affordable housing and market housing by type; infrastructure is assessed, and the funding identified; this feeds through into CIL levels, which are themselves assessed for viability. Most, if not all of the documents that a planning authority publishes that question viability are openly consulted on.</p>
<p>13. In reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice.</p>		<p>Please see comments a - d below:</p> <p>a) The problem isn't with the planning authority. Considerable time and effort is already put into ensuring plan policy viability by both the local authority, and the Inspector at examination. The evidence studies on viability are widely consulted on, both for the methodology and the findings.</p> <p>b) These policies and the associated affordable housing need and CIL payments are too often immediately questioned through planning application and appeal.</p> <p>c) All that is required to speed up the delivery of housing is that viability is not questioned for a period following the adoption of a local plan. After this period – three years should not be too onerous – the authority should have a duty to test the viability of their policies again and publish their findings. If viability has varied from that judged at examination as being acceptable then the authority can seek adjustment through amending CIL and varying tenure requirements, pending adoption of the reviewed local plan, two years later.</p> <p>d) The process should be led by the local authority in single reviews, not by the development industry at every planning application.</p>
<p>14. Do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?</p>	<p>Yes</p>	<p>This is an excellent proposal. The presumption should be that the Plan policy has been fully tested for viability (they would not otherwise pass Inspection). It is suggested that in order to give confidence to the development industry that plan policies are re-tested for viability three years after adoption, with adjustments to affordable housing tenure and CIL being made where necessary, pending the full review of the local plan (which should be adopted within two years from that date under the 5-year rule).</p>
<p>15. How can Government ensure that infrastructure</p>		<p>Housing associations are often involved in the viability process. They are hidden from direct view with their</p>

<p>providers, including housing associations, are engaged throughout the process, including in circumstances where a viability assessment may be required?</p>		<p>opinions and needs expressed within affordable housing viability strategies. Their evidence is often key in proving levels of viability; perhaps this aspect merely requires more prominent exposure.</p> <p>It would be beneficial to involve housing associations much earlier in the process of preparing development briefs; development schemes should not be permitted to start without a committed agreed housing association / community housing trust. Regrettably, this has recently occurred within Thame, leading to a delay in the delivery of much-needed affordable homes.</p>
<p>16. What factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?</p>		<p>It is not certain why there should be a “preferred” approach. This should be embedded in policy, not guidance. Anything else risks method creep, where developers and their agents increase the complexity of assessments over time.</p> <p>Viability is the aspect of planning least understood by the wider community. A single standardised report, with attached glossary and worked examples would help bring confidence back into the community, while allowing them to better understand the difficulties both developers and planners genuinely face.</p>
<p>17 a. Do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?</p>		<p>Yes, this is an excellent principle.</p>
<p>17 b. What factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?</p>		<p>Thame, as a front runner in neighbourhood plans recognises the need for transparency in the reporting of all planning obligations and the associated expenditure. Please see additional points a - b below:</p> <p>a) The Town Council would strongly recommend that local authority reports should contain the theoretical, un-tested yield of any development site, and the yield the site gave following the planning process. Differences between the two should be clearly stated by the authority, with full reasons wherever certain expectations were not met, and where they were exceeded.</p>

	<p>b) It is believed the public would want to see a trajectory of when infrastructure and affordable is expected to be delivered, by site. This does of course represent an extra burden, but it is believed this information is already tracked by council housing policy teams and S106 / CIL monitoring officers.</p>
<p>17 c. How can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?</p>	<p>A duty could be placed on developers to similarly advertise on their scheme webpages or, if the scheme or developer is small, upon request a statement of what payments are due to the local authority, and when (a threshold should be considered; 10 or fewer home schemes should be exempt). This could be part of the marketing material they produce when promoting homes for sale and also part of any welcome pack they produce for residents.</p> <p>For all schemes, in addition to the proposed compulsory report, the local planning authority should publish on their webpage, against any individual scheme's planning application a simple statement of the affordable housing and infrastructure procured through the development. This should contain information on the theoretical yield of the site, the actual outcome following the planning process, and the reasons why there are any differences. Simply publishing the S106 agreement is insufficient.</p>
<p>19. Having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?</p>	<p>The benefits of dividing sites into smaller parcels is notable. In Thame, we currently have three national housebuilders building homes simultaneously; a fourth has already completed their allocation. Some 750 homes, excluding windfall developments, could be delivered inside 7 years, a remarkable rate given the size of the established community, were it not for the actions of one developer.</p> <p>A swift mechanism to force the developer to complete would be very beneficial - this would have to involve a financial penalty in order to have any effect. Work on the second phase of this site in Thame could be well under way, but they developer has chosen to stop building and instead pressure both the District and Town Councils to allow for a higher density development. Both councils invested considerable resources into helping the developer form the original scheme, which is in line with the neighbourhood plan. No other developer has acted in this way; no issues have unexpectedly arisen in terms of contamination, archaeology or unexpected ground conditions.</p> <p>The developer is simply seeking to maximise the profitable yield from the site in a way that is not in</p>

		<p>keeping with the vision and objectives of the Thame Neighbourhood Plan. The Council, and the wider community feel they should honour their commitment, build what they promised and within the expected timeframe. Homes are being denied to the local population and each day that passes sees prices rise.</p>
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