

# Levelling-up and Regeneration Bill: reforms to national planning policy

---

## Consultation questions and responses

- 1. Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?**

CYC agrees with this approach as it recognises that local planning authorities are required to demonstrate that they have a five-year supply of housing land at the point of adoption of their local plan. The proposal will significantly reduce the burden on the Council at the decision-making stage by not having to expend time and resources on defending applications that challenge or bring into question the five-year housing land supply position. The approach is also likely to incentivise local planning authorities to have an up-to-date local plan in place.

- 2. Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?**

Yes. CYC has built in significant land supply flexibility through the Local Plan and the requirement to add a buffer does not deal with or target the more pertinent delivery issues which largely lie outside of the Council's control. Adding a buffer just moves sites/land forward from later in the plan period with little.

- 3. Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?**

Housing supply over the lifetime of the local plan is carefully considered as part of the Local Plan examination so it seems only fair that where delivery exceeds predictions the 'over supply' is factored into 5YHLS calculations.

- 4. Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?**

Yes, setting clear guidance will speed up the Local Plan examination process. Clear advice should be set out in the NPPF and NPG

- 9 **Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?**

The consequences of such a policy statement need to be carefully considered in the context of wider sustainability issues.

- 18 **Do you support adding an additional permissions-based test that will ‘switch off’ the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?**

Yes.

- 19 **Do you consider that the 115% ‘switch-off’ figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?**

Yes

- 33 **Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?**

Yes, to the extent that ‘beauty’ is capable of being defined. It is a highly subjective term and if it is to be drawn into strategic policies there needs to be clear guidance on what that actually means.

- 34 **Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word ‘beautiful’ when referring to ‘well-designed places’, to further encourage well-designed and beautiful development?**

No.

**44 Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?**

Yes.

**48 Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?**

The Council is concerned about the removal of SPDs as these are useful tools that provide further guidance on policies within the Local Plan on a flexible basis. The consultation documents do not explain why this proposal is being introduced.

Requiring Supplementary Plans to be subject to examination will mean that this level of guidance will be simpler to include in a Local Plan but this will mean they are less responsive to changes in circumstance (e.g affordable housing requirements).

The work involved in converting existing SPDs to Supplementary Plans is significant, and the resource implications should be considered alongside the proposed requirement to have 100% coverage of Design Codes.

**49 Do you agree with the suggested scope and principles for guiding National Development Management Policies?**

Yes. However, the consultation is not seeking views on specific policies. It is important that further consultation follows on passage of the Bill.

The principle of National policies and their section 38 (6) status through provisions in the LURB is supported. However, the suggestion that in the event of a conflict between a national and a local policy, the former should prevail is not generally supported. The approach would undermine local authorities' ability to implement policy grounded in local context and that had been tested through examination.