

Planning Reform Working Paper: Reforming Site Thresholds

Question 1) Would a medium-sized site threshold help reduce barriers and accelerate delivery for SMEs, if linked to the proposed changes to regulatory requirements set out in the working paper?

The council welcomes the reduction of validation requirements. These have become unduly burdensome and have created additional work and costs for both developers and local planning authorities (LPAs).

In our opinion the concept of Biodiversity Net Gain (BNG) has been positive, and we, therefore, support the aims of the BNG legislation. However, gaps in the legislation, a lack of clarity over certain requirements and issues and the way in which the regulations were introduced has created unintentional bureaucracy.

Furthermore, despite the proposals set out in the working paper there will still remain challenges within the system which will impact on delivery. These include:

- Challenges getting Registered Providers to be willing to take on the properties on the site. We are currently experiencing either requests for 100% market housing on some small-scale sites or 100% affordable housing. Neither are ideal nor deliver balanced communities.
- Statutory consultee responses – significant delays are still being experienced and matters such as sewage capacity can cause significant delays. This impacts the ability for LPAs to decide the application within 13 weeks.
- S106 agreements – welcome a standardised approach and template. Outline S106 agreements could be submitted alongside the planning application documents. If these developments are going to be determined within 13 weeks then a standardised approach and templates would help.

Question 2) Should the threshold be 10–49 units, or could other size ranges provide a better balance of simplicity and impact?

We would support a proportionate system that offered a more graduated approach. The council is concerned that the size range is quite large and, therefore, there could be quite significant differences between the upper and lower ends.

It is also site specific and dependent on the type of scheme – for example, all flats or all houses, elements of conversion etc.

Question 3) Should the medium threshold apply to commercial and other non-residential development and how should mixed uses be reflected?

We understand and support a simplified approach to site thresholds across all types of development. The council would, however, note that any approach should be site specific depending on the characteristics and the type of mixed uses.

Question 4) If the medium-sized site threshold were introduced, should the exemption from paying the proposed Building Safety Levy for fewer than 10 dwellings be extended to align with medium-sized development sites?

No Comment.

Question 5) Should there be solely area-based size thresholds (ha) given the different contexts and densities, particularly for very small, small and medium-sized sites? Or would it be more appropriate to also specify a unit size threshold?

The council believes that it would be more appropriate/easier to specify a unit size threshold.

Question 6) Are the proposed streamlining options the right ones for government to consider?

While we welcome HM Government's intentions regarding streamlining, the council would argue that a simplified approach needs to be introduced for most, if not all, applications – e.g. the householder applications requirements and process. The system in our opinion has become 'weighed down' with layers of requirements across all application types – some of which result in conflicting issues.

Question 7) Are there further changes that could and should be linked to new or existing thresholds? Are there wider changes that could be made through national planning policy that would be beneficial?

No Comment.

Question 8) Is the planning application process for small sites more challenging on brownfield land than greenfield land? If so, then what are these challenges or barriers?

The planning application process for small sites can be more challenging on brownfield land. The common challenges and barriers are:

- Heritage issues.
- Parking.
- Contamination.
- Ecology.
- Sustainable design.

Question 9) Are the determination periods detailed in this working paper the correct ones? Would shorter determination periods be appropriate for a particular site size once wider reforms to planning fees have been implemented - including those set out in the Planning and Infrastructure Bill.

No Comment.

Question 10) What are the specific barriers SMEs face during s.106 agreements and what would be the most effective action for government to take, in line with its manifesto commitments on affordable housing?

No Comment.

Question 11) What are the barriers to developing very small sites as defined above and what parameters could be helpfully addressed in a design code?

No Comment.

Question 12) What types of rules set out in design codes would be most beneficial in unlocking development?

No Comment.

Question 13) Are there other issues or opportunities to consider for ensuring the success of these proposals?

No Comment.

Question 14) Do you anticipate any environmental impacts from these proposals that the government must consider under the Environmental Principles Policy Statement?

No Comment.

Question 15) Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

No Comment.