Leeds CITY COUNCIL

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Report of Director of City Development

Report to Executive Board

Date: 19th April 2017

Subject: Housing White Paper – Department of Communities & Local Government (DCLG)

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): ALL	☒ Yes	☐ No
Are there implications for equality and diversity and cohesion and integration?	☒ Yes	☐ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. The Government's Housing White Paper (HWP), entitled - *'Fixing our broken housing market'*, together with background papers and technical information, was issued by the Department for Communities and Local Government (DCLG) on 7th February. The material is wide ranging in scope and sets out a series of reforms that the Government plans to introduce, to help change the housing market and increase the supply of new homes (1 million new homes by 2020). The overarching emphasis of the Paper is the *"need to build many more houses of the type people want to live in, in the places they want to live"* and in order to achieve this, the White Paper seeks to take a comprehensive approach that *"tackles failure at every point in the system"*.

2. The deadline for comment on the HWP proposals is 2nd May 2017, with interested parties requested to respond to 38 questions set out as part of the document. The City Council's response to these questions (and additional points the Council wishes to raise) is set out in **Appendix 1** of this report.

3. Alongside the HWP, DCLG has also published a number of related consultation and technical documents. These are: Planning & affordable homes to rent consultation, National Planning Policy: consultation on proposed changes, Response to the starter homes technical consultation, Summary of responses to the technical consultation on implementation of planning changes, Consultation on upward extension (in London) and Rural

Planning Review call for evidence, Report of the Local Plans Expert Group: government response to the CLG Select Committee Inquiry, Community Infrastructure Levy Review and Three Dragons & University of Reading Research Report. Not all of this material is directly applicable to Leeds, but where key issues have been raised (in particular the proposed revisions to the Community Infrastructure Levy) which have implications for the City Council, the response has been included in **Appendix 2** to this report. A covering letter to the Secretary of State, in response to the consultation has also been included in **Appendix 3** of the report.

City Council action in tackling Housing Growth and Delivery

4. In supporting the needs of a compassionate City with a strong economy, the adopted Core Strategy, Aire Valley Leeds Area Action Plan, Site Allocations Plan and the Housing Breakthrough Project, provide a framework for Leeds to deliver housing growth. This is necessary to meet the complex housing needs across the District, now and into the future. Within this overall local context, the HWP is to be broadly welcomed in analysing the reasons for poor performance of the housing market and seeking to tackle issues of market failure, affordability and the need to boost housing delivery.

5. In reflecting these concerns and priorities, through Executive Board the City Council over several years, has sought to meet housing priorities through a range of initiatives and interventions, more recently focussed through the Housing Growth Board. These have included the regeneration of brownfield land, efforts to secure a 5 year housing land supply through selective release of greenfield land, building Council Houses, the Private Sector Accelerated Growth Programme, return of Empty Properties to use and bringing forward the East Leeds Extension for circa 5,000 homes. Also, in reflecting the planning priorities specified in the HWP, the City Council is taking a plan-led approach to meeting housing needs, place making and delivery, with development plans either adopted or at a very advanced stage.

The Scope of the HWP and City Council concerns

6. The analysis in the HWP is to be welcomed. It shows that the Government recognises the scale of the housing problem and that the reliance on a small number of volume house builders is a problem.

7. However, notwithstanding the positive and strategic intent behind the HWP, the City Council considers that key opportunities have been missed to fundamentally address market failures, boost regeneration (including the reuse of brownfield land through more specific interventions) and to support housing growth in sustainable locations through new delivery models and investment in infrastructure. Whilst the City Council has worked effectively and proactively with a range of partners and investors over several years (including Central Government), to deliver major regeneration and housing growth, these efforts are sometimes frustrated by the delivery models of the house building industry, viability issues, the tools and resources available to local authorities, or prevailing economic circumstances. It is considered therefore that as it currently stands, the White Paper is unlike to achieve the

step changes required unless more focussed requirements are introduced, there is greater clarity and accountability and there is a more effective balance of both 'sticks' and 'carrots' to boost delivery.

HWP Implications for Leeds

8. The HWP sets out a series of proposals, set out in response to the themes of: 'Planning for homes in the right places', 'Building homes faster', 'Diversifying the market' and 'Helping people now'. As detailed in the following report, this approach raises a number of issues for Leeds. These include:

- The development plan making process & role of neighbourhood plans,
- Proposals to 'standardise' the approach' to calculating Objectively Assessed Housing Need,
- Working with neighbouring authorities,
- Green Belt release – examining reasonable options,
- Housing density and space standards,
- Boosting local authority capacity,
- Infrastructure & utilities,
- Holding developers & local authorities to account,
- Diversifying the market including support for SMEs,
- Empty Homes,
- Meeting future housing needs,
- Review of the Community Infrastructure Levy

Recommendations

9. Executive Board is recommended to:

i) Consider and agree, the recommendations in response to the HWP questions, Background papers and Technical information set out in **Appendix 1** and **Appendix 2** of this report;

ii) Consider and agree the additional City Council comments in response to the HWP, set out in Appendix 1 of this report;

iii) Give delegated authority to the Chief Planning Officer, in consultation with the Executive Member for Regeneration, Transport and Planning, to make any further supplementary or additional comments to the HWP, Background papers and Technical information, in addition to the material considered by the Board; and

iv) Agree that for the reasons specified in para. 4.5.2, the report should be exempt from Call In.

1 Purpose of this report

1.1 The purpose of this report, is to set out the City Council's response to the HWP and associated background and technical documents, which were issued on the 7th February 2017. The format of the HWP consultation is the need to respond to a series of specific questions set out in the Paper. The response to these questions is set out in **Appendix 1** of this report. In responding to these questions, there are a number of related matters the City Council also wishes to raise in relation to the material. These are summarised under Main issues below and also included in **Appendix 1**.

1.2 In addition to the main HWP document, DCLG have also issued a series of background and technical documents. These cut across a range of issues, not all of which are directly relevant to Leeds. However, where there are specific implications, the City Council's detailed responses are set out in **Appendix 2** of this report and summarised in the Main issues section below.

2 Background information

2.1 The overarching ambition of Central Government as described in the HWP, is to *'fix the broken housing market'*. The Council considers that it is important to emphasise at the outset however, that the housing market is very complex and does not simply operate on a supply and demand basis. For decades also, successive Central Governments have taken different ideological and policy positions on housing provision and delivery. As a result, the approach has oscillated between more 'interventionist' and 'free market' models.

2.2 Within this context, Central Government's desire via the HWP is to 'fix' the housing market at a point in time, consistent with National Government manifesto commitments, including the delivery of 1 million new homes by 2020. The focus of the Paper (and supporting housing material), is therefore intended to boost housing supply and provision and to diversify the housing market. In seeking to achieve these ambitions, the Paper proposes a series of initiatives and interventions to facilitate change, including a range of technical changes to the planning process, performance management and monitoring, together with further mechanisms to enable people to gain access to the housing market.

2.3 It is accepted that whilst the HWP may be ambitious in its intent and makes a number of positive and necessary proposals to make a difference, the nature and complexity of the issues it is seeking to address are such, that the Paper lacks the sufficient clarity and measures to make the cross-cutting step changes which are necessary. Consequently, the City Council considers that in a number of key areas opportunities have been missed to introduce structural, operational and financial changes, which could make a lasting difference and ensure that those in need are able to access housing at an affordable price.

City Council Action to Boost Housing Delivery

2.4 At a local level, the City Council for many years has afforded a high priority to facilitating housing growth and delivery to meet a range of complex housing needs, now and in the future. The main focus of this work is in the inner area, East Leeds and the City Centre; areas which has been slower to recover from recession and where the adopted Core Strategy, Site Allocations Plan and Aire Valley Leeds Area Action Plan focusses the majority of housing development. This work has been focussed also through the Housing Breakthrough project and the work of the Housing Growth Board. In February Executive Board considered a Breakthrough Project report on "Housing Growth and High Standards in all Sectors", which detailed the Council's pro-active and cross tenure approach to stimulating housing growth. The Council established a cross Directorate housing growth team (working across planning, asset management, housing and regeneration) to stimulate delivery (e.g. the Private Sector Acceleration Programme has assisted in unblocking over 1,200 homes since 2014, with a further 7,783 on the programme).

2.5 In March, Executive Board also considered a report on developing mixed residential communities in the City Centre, which detailed implementation measures to stimulate the delivery of a specific Private Rented Sector housing model, where there is a potential supply of over 1,000 homes per annum. Moreover, the Council has also been successful in attracting development interest for the delivery of new private housing in the Seacroft, Halton Moor and Osmondthorpe areas of the City, by packaging its own land for sale to the market. A development agreement is now in place with Strata Homes and community regeneration specialist, Keepmoat which will secure the redevelopment of 13 sites delivering almost 1,000 new homes across these neighbourhoods. Executive Board also endorsed the Council House Building Programme (with an initial programme of 1,000 homes).

2.6 These actions reflect the local imperative to deliver new homes, particularly on brownfield land for a range of needs and in a variety of tenures. These efforts however need to be enhanced and accelerated by lasting structural changes and interventions focussed through the HWP, to urgently help stimulate the market, boost the supply of housing and to deliver the new homes which are needed in sustainable locations across the District.

3 Main issues

Housing White Paper (DCLG)

3.1 The main points of the White Paper are summarised below:

- Making sure every part of the country has an up-to-date, sufficiently ambitious plan so that local communities decide where development should go;
- Simplifying plan-making and making it more transparent, so it's easier for communities to produce plans and easier for developers to follow them;

- Ensuring that plans start from an honest assessment of the need for new homes, and that local authorities work with their neighbours, so that difficult decisions are not ducked;
- Clarifying what land is available for new housing, through greater transparency over who owns land and the options held on it;
- Making more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, releasing more small and medium-sized sites, allowing rural communities to grow and making it easier to build new settlements;
- Maintaining existing strong protections for the Green Belt, and clarifying that Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements;
- Giving communities a stronger voice in the design of new housing to drive up the quality and character of new development, building on the success of neighbourhood planning; and
- Making better use of land for housing by encouraging higher densities, where appropriate, such as in urban locations where there is high housing demand; and by reviewing space standards.

<u>Planning for homes in the right places</u>

- Providing greater certainty for authorities that have planned for new homes and reducing the scope for local and neighbourhood plans to be undermined by changing the way that land supply for housing is assessed;
- Boosting local authority capacity and capability to deliver, improving the speed and quality with which planning cases are handled, while deterring unnecessary appeals;
- Ensuring infrastructure is provided in the right place at the right time by coordinating Government investment and through the targeting of the £2.3bn Housing Infrastructure Fund;
- Securing timely connections to utilities so that this does not hold up getting homes built;
- Supporting developers to build out more quickly by tackling unnecessary delays caused by planning conditions, facilitating the strategic licensing of protected species and exploring a new approach to how developers contribute to infrastructure;
- Taking steps to address skills shortages by growing the construction workforce;
- Holding developers to account for the delivery of new homes through better and more transparent data and sharper tools to drive up delivery; and
- Holding local authorities to account through a new housing delivery test.

Building Homes Faster

- Increase planning fees – LAs can increase fees by 20% from July 2017 if the additional fee income is invested in planning departments.
- Provide £25million of new funding to help ambitious authorities in areas of high housing need to support planning and infrastructure plans.
- Deter unnecessary appeals by consulting on introducing a fee for making a planning appeal.
- Target the £3bn Housing Infrastructure Fund (capital grant) at areas of greatest housing need.
- Introduce a housing delivery test for local authorities to ensure they are delivering the housing needed with monitoring starting from the period April 2014-March 2015 to April 2016-March 2017.
- Address the lack of capacity in planning departments by ensuring councils have sufficient funding to recruit properly trained planners.
- Ensuring the right infrastructure is in place and secure timely connections to utilities to allow building to start promptly.
- Addressing skills shortages in the construction workforce.

Diversifying the market

- Backing small and medium-sized builders to grow, including through the Home Building Fund;
- Supporting custom-build homes with greater access to land and finance, giving more people more choice over the design of their home;
- Bringing in new contractors through our Accelerated Construction programme that can build homes more quickly than traditional builders;
- Encouraging more institutional investors into housing, including for building more homes for private rent, and encouraging family-friendly tenancies;
- Supporting housing associations and local authorities to build more homes; and
- Boosting productivity and innovation by encouraging modern methods of construction in house building

Helping People now

- Continuing to support people to buy their own home – through Help to Buy and Starter Homes;
- Helping households who are priced out of the market to afford a decent home that is right for them through our investment in the Affordable Homes Programme;
- Making renting fairer for tenants;
- Taking action to promote transparency and fairness for the growing number of leaseholders;
- Improving neighbourhoods by continuing to crack down on empty homes, and supporting areas most affected by second homes;

- Encouraging the development of housing that meets the needs of our future population;
- Helping the most vulnerable who need support with their housing, developing a sustainable and workable approach to funding supported housing in the future; and
- Doing more to prevent homelessness by supporting households at risk before they reach crisis point as well as reducing rough sleeping.

Summary of the City Council's Response to the White Paper in **Appendix 1**

3.2 Overall, Central Government's ambition to address what is described in the HWP as 'fixing the broken market", is to be broadly welcomed by the City Council. The analysis presented in the HWP, of what is wrong with the market, is considered to be correct and reflects concerns that have been experienced in Leeds around an over-reliance on the volume sector and delivery of owner-occupied housing.

3.3 It is especially welcomed that the HWP maintains that local authorities need to identify (via their objectively assessed needs) a range of housing (types and tenures) to meet the aspirations of a wide range of communities. However, the White Paper needs to be more explicit in the delivery of a range of housing solutions and delivery flexibility to plan and deliver the housing that local communities need.

3.4 In addition the Council welcomes that resourcing issues of local planning authorities are recognised in the HWP and that an increase of planning fees identified to help remedy this. Similarly, the Council welcomes recognition that local planning authorities with the greatest housing needs require additional resources.

3.5 The common criticism that planning slows down delivery remains and many of the proposals are focussed on local planning authorities rather than on the private development industry. As Members will be aware a lack of planning permissions is not the cause of low delivery in Leeds, where private developers often don't build even with a planning permission and for every house constructed there are seven with permission.

3.6 As previously reported to Executive Board, there are currently c19,000 new homes with planning permission in Leeds which are unimplemented. Housing completions, not just permissions are therefore an imperative in providing new homes. Consequently, the City Council considers therefore that the HWP should have gone further to ensure that there is an optimum balance between both 'sticks' and 'carrots' and that these are directed across the housing sector to the most responsible agency, body or provider. The HWP contains proposals on design which it is feared will weaken good design so as to achieve delivery of housing. As well as design policies as part of the Core Strategy, Leeds has established supplementary planning guidance called "Neighbourhoods for Living" which underpins good quality design in Leeds

3.7 The Government rightly accepts that a reliance on the volume house building industry to deliver the right level of homes needed of the right type and in the right locations cannot be sustained. However, the Government remains pre-occupied with amendments to the planning system as a means of remedying delivery rather than fundamentally changing the structure and balance of the market or more directly challenging the responsibility and methods of the house building industry to make up for current shortfalls in housing.

3.8 The policy solutions advocated in the HWP appear to reflect a 'one-size fits all' approach or at best are focussed on tackling an overheated housing market in the south-east of England. Consequently the City Council considers that greater recognition and differentiation needs to be made where local authorities such as Leeds are seeking to plan proactively for housing growth to suit local circumstances.

3.9 Within this context the City Council considers therefore that a whole Government approach is necessary to deliver and unlock housing growth, concurrent with necessary infrastructure in sustainable locations.

3.10 The HWP does not go far enough to enable local authorities to determine local solutions to meeting housing need and delivery. For example, more enabling freedoms for local authorities to access the Housing Revenue Account, so that the City Council itself can build at scale equivalent to its underlying HRA strength. Without this the Council's endeavours to tackle housing issues more fully will continue to be inhibited.

Background Papers & Technical consultations

3.11 The White Paper retains the Government's broad ambitions for "Starter Homes" but does not make the operation in practice, or whether Starter Homes are mandatory, particularly clear. The City Council would argue that there are a range of affordable products which would better suit the local Leeds housing market.

3.12 The HWP contains a background paper on a response to Starter Homes to which the City Council submitted a consultation response.

- The supporting document to the HWP 'Government response to the technical consultation on starter homes regulations', sets out the Governments response to the technical consultation which ended in June 2016. Following this response as part of the HWP consultation the Government is proposing to amend the NPPF to introduce a clear policy expectation that suitable housing sites deliver a minimum of 10% affordable starter homes. As part of the HWP consultation starter homes are defined as homes which are targeted at first time buyers with a joint income of less than £80,000 under the age of 40. It will be for local areas to work with developers to agree an appropriate level of delivery of starter homes, alongside other affordable home ownership and rented tenures.

- The Annex to the HWP seeks views on an updated definition of affordable housing, which includes a revised definition of starter homes. In addition it is proposed to allow more brownfield land to be released for development with a higher proportion of starter homes. Whilst starter homes are welcomed as a low cost housing product to assist first time buyers there is concern in relation to the impact of the proposals on affordable housing. Definitions of affordable housing should always relate to products that are affordable in perpetuity, which benefit future users, unless subject to other legislative requirements such as right to buy. The HWP proposes a 15 year repayment period for starter homes which does not provide perpetuity. Therefore, in its overall role as a separate component to affordable housing, starter homes require further and detailed clarification on their role, not simply further detail on repayment options / target setting by local authorities.

- The proposed changing of the definition of affordable housing to include starter homes, will inevitably change the provision of affordable housing for those on the lowest incomes and in greatest need. In particular there will be an impact on affordable housing targets set out in policy H5 of the Core Strategy as developers will prefer to provide starter homes over affordable housing. Executive Board agreed that the scope of a Selective Review of the Core Strategy (in February 2017) should include affordable housing, and the provisions of the HWP as they lead to changes to national policy and guidance will be reflected.

3.13 The HWP background material also makes recommendations to replace the Community Infrastructure Levy with a hybrid system of a broad and low level Local Infrastructure Tariff (LIT) and Section 106 for larger developments. A summary of these is set out in **Appendix 2**. However, at this stage these remain draft proposals, yet to be formally translated into Regulations and consequently will need to be kept under review.

3.11 Next Steps

3.11.1 As noted in paragraph 2 above (summary of main issues), the deadline for responses to the HWP is 2nd May 2017. Subject to Executive Board's consideration of this report, given timescales there is a further opportunity to add and consolidate this response in order to ensure that the City Council submits a comprehensive response to the important matters raised.

4 Corporate Considerations

Housing supply and completion is a key and fundamental issue for a District the size and complexity of Leeds. Consequently, it is an integral priority as part of the Best Council Plan (and Breakthrough Projects) and day to day service delivery. In meeting the City Council's planning obligations for housing as part of the development plan, the Adopted Core Strategy (and Core Strategy Review) and Allocation Plans (the Aire Valley Leeds Area Action Plan and Site Allocations Plan), there is a comprehensive framework

in place (and progressing via Plan submission and independent examination), to meet overall housing needs across Leeds in sustainable locations.

4.1 Consultation and Engagement

4.1.1 Given the cross cutting nature of the HWP (and supporting Background documents and Technical Papers) proposals, there has been extensive engagement across Council services, with responsibility of housing regeneration, growth and delivery. Engagement has also taken places with the Development Lead Members.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The HWP, aims to help tackle a national issue described by DCLG as 'fixing the broken housing market' and recognises the importance of meeting a variety of complex housing needs in the provision of housing. In Leeds, given the scale of the District and diversity of community areas, these issues are especially acute in meeting housing needs, now and in the future. In reflecting such issues, the Adopted Core Strategy (and selective Review) is focussed upon setting overall housing requirements, as well as incorporating Policies on Housing mix. Evidence base work currently underway as part of the Core Strategy Review (Strategic Housing Market Assessment), gives particular emphasis to helping to understanding the dynamics and nature of housing need and the housing market in Leeds, as a basis to influence subsequent planning Policy and implementation issues.

4.2.2 In addition to the planning context, in reflecting the priorities set as part of the Best Council Plan, the work of the Housing Growth Board is focussing on a comprehensive programme of work, in the delivery of projects and initiatives intended to boost housing delivery – including the needs of vulnerable people across the District.

4.2.3 An Equality, Diversity, Cohesion and Integration Screening has been completed and is attached as an appendix.

4.3 Council policies and Best Council Plan

4.3.1 As noted above, Housing Growth and delivery are key priorities as part of the preparation of the Development Plan, Best Council Plan and Breakthrough projects.

4.4 Resources and value for money

4.4.1 Housing is a key cross cutting issue for the Council, which has a direct impact on the Council's budget, policy and operational service issues. This is reflected in the expenditure required to maintain key services (including Social Care), income generated to the Council (including via Council Tax, Section 106 and CIL income), the management of the Council's housing stock and related asset management issues and also the strategic links to the provision of infrastructure and utilities.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The HWP sets out a number of Central Government proposals, much of which continue to be subject to statutory consultation which will necessary require the final proposals to be formally transposed into Primary and Secondary Legislation and amended National Planning Policy. The range of measures outlined in the HWP, are significant and include revisions to the plan-making process, the role of neighbourhood planning and Community Infrastructure Levy.

4.5.2 Whilst all decisions of the Executive Board are eligible for Call In, it is recommended that the Board resolve to exempt from the Call In process the decisions arising from this report. This is due to the short timescale to comment on the HWP proposals (set by DCLG) and the timing of Scrutiny and Executive Board meetings. As noted above the HWP (Background papers and technical material) was issued on the 7th February. Due to the wide ranging nature of the material and the need to complete internal consultation across Council services in preparing the draft response, it has not been possible to report to Executive Board until the April cycle. The deadline set by DCLG for final responses is the 2nd May. Consequently, if this report were to be Called In, it is likely that this further consideration and any additional recommendations to Executive Board would not be concluded until after the deadline. It is considered therefore that under these circumstances and given the significant nature of the HWP and its implications for the Council, it is considered important to meet the DCLG and therefore for the report to be exempted.

4.6 Risk Management

4.6.1 The need to deliver housing growth is a key priority as part of the Best Council Plan and related breakthrough project. Any subsequent related amendment to how housing growth is delivered needs to kept under review given these Council responsibilities, the threat of special measures from DCLG and the operation of the Presumption in Favour of Sustainable Development in the absence of a 5 year land supply, which removes local choice.

5 Conclusions

5.1 The HWP has been an eagerly awaited document, to help address and where possible remedy the operation of the housing market. This is an imperative, given what many commentators (including the organisation Shelter) have described as a ‘national housing crisis’. In a District the size and complexity of Leeds these issues are especially acute and the City Council has been proactive for many years to ensure that integrated strategies, programmes, initiatives, interventions and actions are all in place, to help moderate the excesses and where possible direct the operation housing market.

5.2 The stated ambition of Central Government reflected in the HWP is to address what is described as ‘fixing the broken housing market’. Whilst the

Paper provides a succinct and informed analysis of the current inadequacies of the market, the proposals which flow out of the analysis, appear to do little in practice to fundamentally remedy the structural issues and problems set out. Should the proposals of the White Paper be implemented as they stand, time would only tell if they would be sufficient to fix the problems identified. It is the Council's view however, that whilst a number of proposals could have a positive impact (subject to further qualification and clarification), in key areas the intended 'fixes', fall considerable short of the structure and lasting interventions which are necessary to affect a step change.

5.3 As set out in **Appendix 1**, the City Council acknowledges that there are a number of components of the proposals which are to be welcomed, many lack sufficient clarity or could more effectively targeted. Consequently, a series of recommendations are made (both in response to the HWP questions and additional points), which are seeking to strengthen and articulate necessary actions to take this key agenda forward. These comments are intended to be constructive and recognise the complexity of the issues the Paper is aiming to address. The purpose of these responses also, is to help provide a continuing context, to continue to work with a range of partners (including Central Government) to tackle housing priorities in Leeds, now and in the future.

6 Recommendations

6.1 Executive Board is recommended to:

i) Consider and agree, the recommendations in response to the HWP questions, Background papers and Technical information set out in **Appendix 1** and **Appendix 2** of this report;

ii) Consider and agree the additional City Council comments in response to the HWP, set out in Appendix 1 of this report;

iii) Give delegated authority to the Chief Planning Officer, in consultation with the Executive Member for Regeneration, Transport and Planning, to make any further supplementary or additional comments to the HWP, Background papers and Technical information, in addition to the material considered by the Board; and

iv) Agree that for the reasons specified in para. 4.5.2, the report should be exempt from Call In.

7 Background Documents[1]

7.1 None.

[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Appendix 1: Housing White Paper (DCLG) – Leeds City Council Response

No.	DCLG Question	LCC Response and Proposed Recommendations
1a	Do you agree with the proposals to make clear in the National Planning Policy Framework that the key strategic policies that each local planning authority should maintain are those set out currently at paragraph 156, of the Framework, with an additional requirement to plan for the allocations needed to deliver the area's housing requirement?	**Yes**. LCC broadly agrees with the addition of a requirement to plan for the allocations needed to deliver the area's housing requirement. **LCC Recommendation** DCLG need to ensure that evidence on the contribution from historic windfall and empty homes are also considered alongside the level of allocated land required. Such an approach is especially important in large metropolitan authorities such as Leeds. This is central to the Adopted Leeds Core Strategy (2014) where just over 10% of housing need is being met on un-allocated windfall sites.
1b	Do you agree with the proposals to use regulations to allow Spatial Development Strategies to allocate strategic sites, where these strategies require unanimous agreement of the members of the combined authority?	**No**. The Government's rationale for allowing the allocation of strategic sites via Spatial Development Strategies is currently unclear. Most Combined Authorities do not have such strategies in place and they will take time and resources to produce – which would seem contrary to the Government's intention to urgently boost housing supply and delivery and include a time delay in delivering policy solutions quickly and effectively. In West Yorkshire the majority of local authorities have an up to date Local Plan; either Adopted or at a very advanced stage. The City Council are concerned that such allocations could serve to remove the link between local people and plan-making, which was an issue in relation to the preparation of the former Regional Spatial Strategies. The first Core Principle of the NPPF sets out that planning should be *"genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area"*. The measures would also potentially cast doubt on the established Duty to Cooperate arrangements, as it is not clear how such proposals would operate in practice. **LCC Recommendation**

		The White Paper should take steps to strengthen the Local Plan as the keystone of the planning system. It is suggested that where Combined Authorities consider that genuinely sub-regional scale strategic sites are justified, these are supported by the Combined Authority via the Local Plan making process. In Leeds this has been the case with the progression to Examination in Jan 2017 of the Aire Valley Leeds Area Action Plan which provides for an Enterprise Zone and is a key allocation in the West Yorkshire Strategic Economic Plan and the Enterprise Zone for the City Region.
1c	Do you agree with the proposals to revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?	**Yes**. This is a helpful clarification which establishes that the LPA should set out, "an" appropriate strategy and allows a more proportionate approach to evidence. Both these elements are key means by which plans are slowed during preparation and the changes would help speed up their production and enable more responsive and targeted "selective" review.
2	What changes do you think would support more proportionate consultation and examination procedures for different types of plan and to ensure that different levels of plans work together?	**LCC Recommendation** The City Council supports the re-emphasis on the Local Plan as an integrated family of documents. There is a need to update the "Plain English guide to the Planning System" so as to specify the type and nature of individual Local Plan Documents. There is also a need to stress that Local Plans are geared to individual LPA circumstances via a proportionate evidence base and local consultation. This reflects the principles of 'localism', as established in the 2011 Act. Simplifying the "tests of soundness" or removing the need for LPAs to consult on the strict basis of soundness would provide a more 'user-friendly' experience, as this is an area of consistent criticism and confusion from those involved in consultation process. Greater use of on-line consultation will help speed up the process. Leeds' recent experience from use of on-line interactive mapping was positive with over 40,000 individual representations: 1/3 on paper; 1/3 by e-mail and 1/3 via on-line map.

		Provided that LPAs consider that they have prepared a sound plan which addresses key strategic policies, there should be a greater targeting of matters for development plan examination so as to avoid protracted debates / alternative strategies at a late stage and reduce costs. Government should also revisit support for LPAs mid-way through Local Plan making processes so as to ensure that fewer plans are withdrawn at Examination stage. Use of PINS frontloading or independent views via Planning Aid would be helpful. It is considered that generic good practice guidance on this matter is less helpful in addressing specific local issues that arise. Leeds has previously benefitted from a PINS frontloading visit and would therefore advocate its re-introduction.
3a	Do you agree with the proposals to amend national policy so that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people?	**Yes**. These needs are already picked up through Strategic Housing Market Assessments (SHMAs) and reflected in the Adopted Core Strategy. It is the implementation of such needs that causes difficulty when house builders are averse to constructing homes outside of their models. **LCC Recommendation** The City Council finds it difficult to include 'non-standard' homes as part of a wider mix where any impacts on overall viability are apparent. LPAs are currently in a weak position to refuse applications on basis of lack of mix, given wider Framework policies on viability and the presumption in favour of sustainable development. To that end, given that groups with particular needs form a part of the national demographic a stronger policy framework within the NPPF on a mix of housing is needed so as to encourage national housebuilders to change their models of delivery. If the Government's intention is to 'fix the broken housing market', greater emphasis needs to be placed on being able to effectively meet specific and complex needs, rather than just delivering what the market is prepared to provide.
3b	Do you agree with the proposals from early 2018 to use a standardised approach to	**Broadly Yes**. The White Paper confirms that the Government will consult on options for introducing a more standardised approach to assessing

	assessing housing requirements as the baseline for five year housing supply calculations and monitoring housing delivery, in the absence of an up-to-date plan?	housing requirements. Until the detail of such a methodology is known it is difficult to accept it in principle but efforts to simplify what has become a very elaborate technical exercise would be welcomed. It would be useful if such an approach could be 'pilot tested' prior to any formal introduction, in order to test how it might apply in different circumstances, as a basis to test and anticipate any unforeseen or unintended consequences. **<u>LCC Recommendation</u>** Some of the LPEG suggestions were strenuously challenged by demographic experts and the Government needs to specifically consider the following elements of such a standard approach: • *relationship between job growth and housing growth* and how this is reflected – the Council considers that the LPEG method would be subject to challenge for those authorities with economic / transformational growth ambitions • *need to plan a middle road through boom and bust* rather than for extremes of market performance – the Council (under the current methodology) has a housing requirement towards the upper limits of likely scenarios, which is not being delivered • *need for clarity on affordable housing need* as a driver of higher housing numbers – some LPAs may require higher overall numbers to deliver more affordable housing via planning gain, others like Leeds will deliver affordable housing need within housing requirements. A standard approach should not threaten this bespoke approach.
4a	Do you agree with the proposals to amend the presumption in favour of sustainable development so that authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?	**Yes.** Local Plan policies should reflect the desirability of re-using brownfield land. However, LPAs and housing providers also have to deal with the fact that brownfield land can be more expensive to develop, which can impact on the viability of proposals. This is the approach of the Adopted Leeds Core Strategy which identifies over 60% of its housing needs on suitable previously developed land, with

		a spatial strategy prioritising regeneration, city centre living and brownfield land. Definitions of “suitable land” are used for plan-making as set out in Footnote 11 of Framework. The City Council considers that the challenges of delivery arise at the decision taking stage where in our experience housebuilders argue that suitable land is not deliverable either because it is not available (e.g. Leeds has over 7,000 homes on suitable allocated land for housing within the City Centre much of which has more than one permission for housing and is in use for car parking) or is considered to not be achievable (e.g. house builders using standard models are unable to meet their profit expectations, despite flexibilities offered through the planning process). Developers argue via the decision taking process that other land (not identified as suitable for housing at the current time e.g. safeguarded land) should be developed instead. This argument – chiefly made via the five year housing land supply – erodes confidence in the plan-making process and replaces suitable previously developed land sites with greenfield releases. **LCC Recommendation** The fact that land is “suitable” should have greater weight than whether it is “available” (this can be artificially constrained) or “achievable” (this can be governed by developer attitude, profit expectation and often inflexible models). Placing each definition on an equal footing so as to expect all land to be deliverable has, since the NPPF was first published, helped slow down the delivery of housing and lead to more “planning by appeal”. Footnote 11 of the NPPF and accompanying guidance should clarify this. In addition, and in light of experiences in Leeds, in its proposed form the PiFSD should promote the use of suitable land for decision taking in the same manner as the plan-making criteria. In seeking to address viability issues, the Government needs to introduce

		greater challenge, where developers consider that proposals are not viable. What are the determinants of this? Is it market choice, profit margins or business models, rather than physical site constraints? Given that such sites are often located in sustainable locations within urban areas, greater incentives and interventions are therefore needed in the market to bring such sites forward.
4b	Do you agree with the proposals to amend the presumption in favour of sustainable development so that it makes clear that identified development needs should be accommodated unless there are strong reasons for not doing so set out in the NPFF?	**Yes**. Provided that greater powers are provided to LPAs to establish and deliver development needs on suitable land (as set out in our answer to question 4a). **<u>LCC Recommendation</u>** The City Council agrees that development needs must be met but achievement of their wider impact and achievement of concurrent environmental / economic / social objectives are also of key importance. Currently, the balance between the three components of sustainable development favours the economic objective of market housing delivery, particularly at the expense of the social imperatives of local infrastructure, affordable housing, delivery of schools and health services which in our experience are the issues of most concern to local people. The PiFSD sets a requirement for LPA to approve development unless the adverse impacts significantly and demonstrably outweigh the benefits. This is a high bar test.
4c	Do you agree with the proposals to amend the presumption in favour of sustainable development so that the list of policies which the Government regards as providing reasons to restrict development is limited to those set out currently in footnote 9 of the National Planning Policy Framework (so these are no longer presented as examples), with the addition of Ancient Woodland and aged or veteran trees?	**Yes**. This is clearer. However, it is important that central Government takes a whole Government and 'joined up' approach to delivering the principles of sustainable development. At a local level Leeds City Council has adopted a "Compassionate City" model, where by 'good growth', environmental protection and enhancement and supporting vulnerable communities are concurrent priorities.
4b	Do you agree with the proposals to amend	**Yes**. Subject to comments above.

	the presumption in favour of sustainable development so that its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?	
5	Do you agree that regulations should be amended so that all local planning authorities are able to dispose of land with the benefit of planning consent which they have granted to themselves?	**Yes**. Leeds as a unitary authority already has the power to do this. **LCC Recommendation** In already having the power to do this the City Council takes a proactive approach to de-risking the planning status of the sites it owns e.g. through a Housing Investment Land Strategy and would recommend this as an approach across two-tier authorities.
6	How could land pooling make a more effective contribution to assembling land, and what additional powers or capacity would allow local authorities to play a more active role in land assembly (such as where 'ransom strips' delay or prevent development)?	It is considered that this would be useful. The City Council has already encouraged pooling of land and use of the equalisation of land value in a major urban expansion to the East of Leeds. This is requiring use of Supplementary Planning Documents. **LCC Recommendation** The Government could make it easier to achieve positive planning outcomes in this area as follows: • national guidance should ensure that local planning authorities can – via plan-making and allocation of sites – set the geographies at which place-making should occur i.e. the red-line boundaries within which comprehensive planning applications should come forward. This should help LPAs resist applications for piecemeal parcels of land. • where within specific boundaries, landowners are preventing development coming forward and are constraining better place-making, LPAs need robust CPO powers to ensure that large scale allocations can be delivered swiftly and comprehensively.

		• the Government should reflect that ransom strips often exist outside of the main developable part of sites e.g. for access to main highways network. • the City Council recommends that Government re-defines a more reasonable and narrower level of uplift in land values for ransom strips at which owners must be compelled to bring forward land as part of wider comprehensive development proposals.
7	Do you agree that national policy should be amended to encourage local planning authorities to consider the social and economic benefits of estate regeneration when preparing their plans and in decisions on applications, and use their planning powers to help deliver estate regeneration to a high standard?	**Yes**. It should be a priority ambition of Local Plans with areas in need of regeneration. In Leeds our planning policies already prioritise the physical, economic and social regeneration of our housing estates, which contain some of the country's most deprived areas as measured on the index of Multiple Deprivation. Planning policy is not a barrier to our regeneration interventions in these neighbourhoods, it is the marginal market locations of our estates and the viability challenges to attracting commercial investment that prevent the renewal that is required through new development, new housing choices and refresh of social and physical infrastructure. Many estates are in low land value areas where the availability of land and de-risking of its development potential is simply not enough to encourage private sector interest. **<u>LCC Recommendation</u>** Estate regeneration should be more clearly defined in planning terms to avoid conflation with 'comprehensive redevelopment', which can have the effect of fracturing and dispersing long standing resident communities, breaking social ties and does not deal with many of the underlying issues which have led to the experience of social and economic isolation that regeneration should seek to address. Central government funding should recognise this distinction and the need for interventions that retain and improve the best aspects of our estates

		alongside sensitive targeted capital and revenue programmes that support existing communities. Greater support could be made available to help in building capacity around the Neighbourhood Planning activities that would establish community-led ambitions for change, which if supported by programmes to address health, skills, connectivity and employment will directly address the causes and consequences of deprivation, as a more sustainable approach to estate regeneration.
8a	Do you agree with the proposals to amend the National Planning Policy Framework to highlight the opportunities that neighbourhood plans present for identifying and allocating small sites that are suitable for housing?	**Yes**. This is already embedded in neighbourhood planning provisions and proposals are coming forward on at least one NP. **LCC Recommendation** The key issue is where NPs are resistant to development and wish to limit change. It is difficult for LPAs to dictate the pace and scope of NP preparation – as they are necessarily community led.
8b	Do you agree with the proposals to amend the National Planning Policy Framework to encourage local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the authority's housing needs?	**Yes** in principle. **LCC Recommendation** It is unclear what additional provisions the HWP is suggesting. Such development needs to be set within the wider spatial strategy - and existing NPPF core principles - of a LPA which should still direct housing development to those areas with greatest land supply (especially on previously developed land) and access to services.
8c	Do you agree with the proposals to amend the National Planning Policy Framework to give stronger support for 'rural exception' sites – to make clear that these should be considered positively where they can contribute to local housing needs, even if it relies on an element of general market housing to ensure that homes are genuinely affordable for local	**Yes** in principle. This would allow for a more flexible and pragmatic approach to those NPs who wish to allocate sites but are not in a position to align their plan-making timetable with that of upper-tier plans. It is unclear where the evidence for general market housing as a stimulus to deliver local housing needs comes from. This is considered to be too specific a situation to write into national policy and should be left to individual LPAs and NPs to determine subject to a local evidence base –

	people?	otherwise pressure on rural land around smaller settlements would be intense. **LCC Recommendation** Suggest that policy includes reference to “small-scale” rural exception sites.
8d	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that on top of the allowance made for windfall sites, at least 10% of sites allocated for residential development in local plans should be sites of half a hectare or less?	**Yes**. 25% of allocated sites in the Leeds Site Allocations Plan are <0.4ha – the majority of these are on previously developed land. The City Council acknowledges the intent to have a mix of sites available so as to boost housing delivery but advises that this in itself will not always be a stimulus for delivery especially where they are in areas in need of regeneration.
8e	Do you agree with the proposals to amend the National Planning Policy Framework to expect local planning authorities to work with developers to encourage the sub-division of large sites?	**Yes**. It is currently very difficult to affect change in the number of outlets housebuilders will develop on a site at a given time. In this way the supply of houses can sometimes be “drip fed” onto the housing market, which keeps prices high but delivery rates low. It also has the dis-benefit of local construction activity for far longer periods than is necessary. To truly affect change there is a need to encourage sub-division with landowners at an early stage before a developer is identified so that landowners are clear that the expectation is that they will work with a variety of developers to achieve swift build out i.e. volume, small and medium enterprise, specialist e.g. pre-fabricated development or meeting specific needs. **LCC Recommendation** National policy should establish clear guidelines on minimum number of outlets and phasing for large sites (in liaison with the Homes and Communities Agency) so that Local Plans can be far more certain as to housing trajectories where a number of large sites are included in Plans. Sub-division between types of housing developer and product is also important, including provision for custom and self-build and consideration of

		other local specialist housing requirements. It is difficult for smaller or specialist housebuilders to access land in high and medium market areas as these sites are often in the hands of the volume sector via strategic land holdings and options purchased from landowners. The remaining land, often previously developed land, can be achieved because of the flexible models of the SME sector, but requires borrowing at flexible rates. Potential for additional cross-subsidy from higher value housing delivery i.e. parcels of land within larger sites would assist the business models of the small builder. In the same way as planning policy is used to encourage delivery affordable housing the Government should consider planning guidance to provide LPAs with stronger tools to deliver different products and types of housing especially on large sites. These could be via planning obligations, CPO or voluntary sale of land at pre-defined rates relevant to the local market and housing needs.
8f	Do you agree with the proposals to amend the National Planning Policy Framework to encourage greater use of Local Development Orders and area-wide design codes so that small sites may be brought forward for development more quickly?	**Yes**, but in principle the experiences in Leeds are that planning is not the impediment to bringing smaller sites forward, rather access to finance. However, the City Council recognises that planning delay / costs impacts smaller builders disproportionately and these proposals would help to reduce uncertainty.
9	How could streamlined planning procedures support innovation and high quality development in new garden towns and villages?	As part of a plan-led approach, the City Council are supportive of new garden towns and villages and have identified a new settlement in its Site Allocations Plan. There is a need to recognise that new settlements are a valid option for authorities in the North of England; and it was disappointing not to see any such sites in the first phase of the Government's recent Garden Village and Towns prospectus. Such sites should also not be seen as 'additional' to identified housing needs but a chief means of delivering them amongst other mechanisms

		Streamlined planning at the plan-making stage should not remove the need for sites to be assessed alongside reasonable alternatives. Streamlined planning may assist in the speed of delivery of such sites, but it needs to be recognised that such sites are rarely stand-alone and without local impact. To that end, the current system enables existing local communities to engage with proposals e.g. to seek shared infrastructure benefits. Moreover, the speed of delivery is more likely going to be related to the number and type of house builders (including self-build / custom-build; modern methods of construction opportunities) which the developers support at any one time and up front delivery of key infrastructure to help build at place.
10a	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements?	**Yes**. But more clarity is needed on definition of 'reasonable options'. There is a danger that too many tests are being applied to proposals which can lead to challenge and confusion e.g. footnote 11 of the NPPF requires variously that sites are "suitable", "deliverable" and "developable" for different purposes. The test of "reasonable" should clearly relate to existing Framework tests otherwise this will be the focus of continued legal challenge which will slow the system down. Government should also re-emphasise what the purpose of Green Belt is. **LCC Recommendation** To align with footnote 11 of the Framework authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other developable options for meeting their identified development requirements. The Government should amend the NPPF to include previous wording in PPS2 that *"Their protection must be maintained as far as can be seen ahead"* and *"Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans"*. This will assist in providing clarity to plan users that Green Belts although permanent may change over

		longer time periods.
10b	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that where land is removed from the Green Belt, local policies should require compensatory improvements to the environmental quality or accessibility of remaining Green Belt land?	**No**. Green Belt is not solely about landscape and countryside quality but about openness and amenity. Such measures would have to be justified but not seen as instead of other requirements, to make development acceptable. Such an approach could help with Green Infrastructure/improve access for recreation, infrastructure provision etc.
10c	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that appropriate facilities for existing cemeteries should not to be regarded as 'inappropriate development' in the Green Belt?	**Yes**. But would depend on particular circumstances.
10d	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that development brought forward under a Neighbourhood Development Order should not be regarded as inappropriate in the Green Belt, provided it preserves openness and does not conflict with the purposes of the Green Belt?	**Yes**. But depends on nature of development & impacts. It will also need to be driven through a Neighbourhood Plan with community buy in.
10e	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that where a local or strategic plan has demonstrated the need for Green Belt boundaries to be amended, the detailed boundary may be determined through a neighbourhood plan (or plans) for the area in question?	**Yes**. However, more consideration is required as to how this will operate in practice and where identified needs can be met for local areas in NPs. The Council understands the Government's intention to remove the difficulties of timing and alignment of NPs with Local Plan process allowing NPs – these are being experienced in Leeds as it progresses 35 NPs at the same time as a Site Allocations Plan. **LCC Recommendation** Policy change needs to reflect that a Green Belt has been established.
10f	Do you agree with the proposals to amend the National Planning Policy Framework to make	**No**. The scope to use previously developed land in the Green Belt is already established in national guidance. The scale and development

	clear that when carrying out a Green Belt review, local planning authorities should look first at using any Green Belt land which has been previously developed and/or which surrounds transport hubs?	potential arising from such locations would be considered through the plan-making stage (or a selective review), which enables issues such as the effective use of land and active management of patterns of growth which make the fullest possible use of public transport, walking and cycling to be considered. There is already through this route an option to focus significant development in locations which are or can be made sustainable. It is suggested that the practical implications of this approach also need to be worked through. A standard national approach may result in small scale and isolated locations coming forward.
11	Are there particular options for accommodating development that national policy should expect authorities to have explored fully before Green Belt boundaries are amended, in addition to the ones set out above?	**Yes**, greater incentives or penalties for not developing brownfield sites in urban areas (within adjacent to communities/identified housing need/transport hubs etc). Delivery is often precluded by anticipated hope values and business models/viability arguments – in the Leeds experience, strong public/political perception that such brownfield opportunities have not been fully exhausted.
12a	Do you agree with the proposals to amend the National Planning Policy Framework to indicate that local planning authorities should provide neighbourhood planning groups with a housing requirement figure, where this is sought?	**Yes**. In principle NP groups should be able to have a housing requirement figure but the Council has concerns with the methodological approach to this. **LCC Recommendation** If the Government suggests that there should be a purely "bottom-up" approach to the setting of housing requirements this has many difficulties and may ultimately be impossible with the data sets available. First, true local need cannot be captured at the neighbourhood level since those who cannot afford to live in a neighbourhood area will not be reflected and where neighbourhood areas have skewed demographic make-up it will be unclear as to how this may be remedied – local choice or standardised make-up of neighbourhoods. Second, neighbourhood plan areas are too small to get meaningful data and do not align with the Office of National Statistics data on household and population growth – it will therefore be difficult for neighbourhood areas to ensure that they are meeting their entire future needs. Third, as a consequence local based methods e.g. surveys,

		aggregated data down to local area will not reflect true needs and will be statistically flawed. If the Government is suggesting that once set, a LPA OAN can be subdivided to the level of the individual neighbourhood plan area; again this is very difficult. Distributing need per neighbourhood area would mean that (whether a Neighbourhood Plan was active in an area or not) LPAs would need to break up its authority into small scale constituent parts. Each part would vary in terms of its constraints and opportunities (suitable land supply, access to services and infrastructure etc). Such an approach would be in danger of setting too much housing in the least sustainable and most constrained parts of an authority and not enough where the land supply and access to jobs was located. Therefore such an approach would need to be subject to planning checks and balances over a considerable number of neighbourhood areas. Only in this manner could a fair and comparative assessment of needs across an authority be undertaken. This would be unduly convoluted and it is for this reason that most LPAs chose to carry out housing market sub-area analysis of need which is more straightforward to correlate with land supply than neighbourhood area analysis. Only once an OAN has been assessed, sub-area housing market work undertaken and policies in place to allocate land for housing development would a true and fair reflection of a neighbourhood plan area housing requirement be made available. In the City Council's opinion this is why the current system which advises that NP can provide for more housing than set out in the Local Plan, is the best way of managing neighbourhood plan aspirations and providing clarity.
12b	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that local and neighbourhood plans (at	**Yes**. Although the importance of local character is already embedded strongly within Leeds supplementary guidance Neighbourhoods for Living. Encouraging local communities engaged in plan making to consider

	the most appropriate level) and more detailed development plan documents (such as action area plans) are expected to set out clear design expectations; and that visual tools such as design codes can help provide a clear basis for making decisions on development proposals?	detailed design would assist the development control process; communities able to better understand the positive attributes of their physical environment and make better informed inputs into development processes, more clarity over expectations on developers than can be provided at National or Local policy level. Neighbourhood/community planning groups would need expert help in developing this type of policy accurately.
12c	Do you agree with the proposals to amend the National Planning Policy Framework to emphasise the importance of early pre-application discussions between applicants, authorities and the local community about design and the types of homes to be provided?	**Yes.** Although this is established practice in Leeds, where the need for pre-application discussion is integral to the delivery of planning schemes. However, protracted discussions will need to be avoided, with clear and realistic expectations about design requirements and housing mix. Affordable Housing and viability are however likely to be potential issues, together with local community concerns about the need for further infrastructure to support growth, including school places and transport infrastructure.
12d	Do you agree with the proposals to amend the National Planning Policy Framework to make clear that design should not be used as a valid reason to object to development where it accords with clear design expectations set out in statutory plans?	**No**. A national policy on design is likely to be overly generic, and potentially become too difficult to enforce – potentially erode the strength of design arguments rather than assist. It would not be possible to accurately devise a national policy which definitively covers the complex matters of site specific design. A site by site, and proposal by proposal assessment is required guided by specific policies within Local Plans which have been influenced and examined publically and by a range of interests.
12e	Do you agree with the proposals to amend the National Planning Policy Framework to recognise the value of using a widely accepted design standard, such as Building for Life, in shaping and assessing basis design principles – and make clear that this should be reflected in plans and given weight in the planning process?	**Yes**. A reference to a nationally accepted guide to good practice in residential development would be supported, however, in Leeds a well-established, respected, and heavily used supplementary guidance exists and any erosion in its status would be considered a backward step. Neighbourhoods for Living offers stronger position in terms of justifying design decisions through its more detailed approach in comparison to national standards such as BFL which is generic to allow flexibility between regions and localities.
13a	Do you agree with the proposals to amend national policy to make clear that plans and	**Yes**. There is an argument to address this but it needs to be supported by a proper design analysis on a case by case basis which has regard to

	individual development proposals should make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs?	character and amenity. We should not be afraid to approach design and density differently so as to achieve high density development throughout cities and in rural areas. Design should not be given as a reason to avoid exploration of housing typologies which assist in delivering higher densities. However, higher densities must still deliver good design. Experience in Leeds, (and seeing development s in neighbouring authorities) is that high densities, combined with house builder standard approaches leads to standard house types with poor environments surrounding them. **<u>LCC Recommendations</u>** New approaches to house typologies may assist, but care must be taken in the wording of any text which alludes to changes in approach - 'innovation' and similar terms leads to often poor approaches justified solely by the need for density.
13b	Do you agree with the proposals to amend national policy to make clear that plans and individual development proposals should address the particular scope for higher-density housing in urban locations that are well served by public transport, that provide opportunities to replace low-density uses in areas of high housing demand, or which offer scope to extend buildings upwards in urban areas	**Yes.** The NPPF and planning process in general should be strengthened to encourage development near public transport connections, or require connections to be made if no suitable connection exists. This is even more important for a city such as Leeds without a low carbon mass transit system. Development higher densities and taller buildings should be on a place by place basis as there is no generic justification for either in design terms which can be applied nationally, or even across a district. Developers of sub-urban commercial schemes should be encouraged to develop mixed use schemes – residential above commercial etc.
13c	Do you agree with the proposals to amend national policy to ensure that in doing so the density and form of development reflect the character, accessibility and infrastructure capacity of an area, and the nature of local housing needs?	**Yes**. Developments must be consistent in all ways with their surroundings.
13d	Do you agree with the proposals to amend national policy to take a flexible approach in adopting and applying policy and guidance	**Yes**. Higher densities will place higher demands on open space and therefore the requirement for provision should not be undermined. Green space is an intrinsic part of the built environment and has been proven to

	that could inhibit these objectives in particular circumstances, such as open space provision in areas with good access to facilities nearby?	have not only physical but psychological health benefits. Likely that green space quality & improved accessibility is needed to withstand higher densities. Need to promote creative solutions/roof top gardens, use of green infrastructure etc. Also, need also to have regard to air quality/public health issues – currently high on agenda.
14	In what types of location would indicative minimum density standards be helpful, and what should those standards be?	**LCC Recommendation** It is difficult to generalise and to be nationally prescriptive on this issue. New development needs to be assimilated into an existing context, which is derived from its established character, identity and density. These can be complex and vary across a local authority area and it would make sense therefore that the approach to this matter be determined locally rather than via a national 'standard' or criteria. However, opportunities do need to be taken however to making the best use of urban land in sustainable and accessible locations, especially in relation to transport hubs and infrastructure.
15	What are your views on the potential for delivering additional homes through more intensive use of existing public sector sites, or in urban locations more generally, and how this can best be supported through planning (using tools such as policy, local development orders, and permitted development rights)?	**No**. The City Council would consider existing arrangements which encourage consideration of sites on their individual merits lead to better development outcomes rather than standardised approaches to intensive / high density development for public sector sites. The inference here is that simply because sites are in public ownership there could be a lessening of achievement of planning policy requirements. There is a need for a joined up local authority approach regeneration/planning/asset management/legal/children's services etc – but will still need private sector input (as a strategic partner and service provision). Permitted development rights coupled with weaken design will lead to a legacy of poor quality development.
16a	Do you agree that where local planning authorities wish to agree their housing land	**No.** A 10% buffer would be a possible third buffer to be applied to an authorities housing supply and it is unclear what the rationale for such a

	supply for a one-year period, national policy should require those authorities to maintain a 10% buffer on their 5 year housing land supply?	buffer would be. It would result in a more (not less) complex assessment – why would an authority with a 5% buffer see any value in fixing its supply for a year? How could an authority with a marginal 5YS (plus 5%) fix for a year if additional land (for 10%) was required from sites subject to plan-making review? Given the complexities for many authorities in deriving an annual 5YS it is considered that a one-year period should be the standard time period for a 5YS in any event. Consequently, it is considered that opportunities should be taken to clarify and streamline the current approach – to allow for local flexibility, rather than introducing additional technical and time limited requirements.
16b	Do you agree that The Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy?	**No**. This would be an additionally onerous layer to an already complex procedure. **<u>LCC Recommendation</u>** The Planning Inspectorate could usefully agree an authority's methodology and approach to housing supply at a convenient Development Plan opportunity e.g. Core Strategy or Allocations. For those authorities not covered by this and in tandem, more detailed technical guidance on land supply is needed which captures lessons learnt from the implementation of the NPPF and a significant amount of case law. This clarity would assist authorities deal with those who have an interest in de-railing a local authority's supply position for their own site preferences. This guidance should apply to a range of local authorities (especially larger Metropolitan authorities). For an authority like Leeds with over 1,000 sites in its SHLAA and around 500 in its 5 year supply the task of monitoring delivery of individual sites is already challenging and attempts to generalise have not found favour with PINS.
16c	If so, should the Inspectorate's consideration focus on whether the approach pursued by the authority in establishing the land supply position is robust, or should the Inspectorate	**<u>LCC Recommendation</u>** The City Council consider that the Inspectorate is well placed to provide more guidance on how a five year land supply should be calculated. Until then, there will be continued time consuming delay, largely at appeal, on

	make an assessment of the supply figure?	assessing a five year supply. Additional technical guidance (possibly via the PPG but with more detail on good practice and more readily updateable) should include: • a reflection of case law since the NPPF • alternatives to testing every site within a 5YS, especially for larger authorities • approaches to take where sites are suitable and achievable in theory but are not being brought forward by willing landowners • greater direction on the appropriate buffer to be applied and how persistent under-delivery might be calculated • a greater steer on the application of the Liverpool or Sedgefield approaches to dealing with past under-supply, especially where increased supply threatens to undermine spatial strategies • expectations of local authorities that Government ambitions for faster build out rates, use of permissions, role of SMEs and self-build are all factors which should influence a 5YS • a reflection that factors which have influenced an OAN should be the same factors which influence likelihood of delivery – otherwise a disconnect between ambitious targets and pessimistic delivery will harm the Development Plan
17a	In taking forward the protection for neighbourhood plans as set out in the Written Ministerial Statement of 12 December 2016 into the revised NPPF, do you agree that it should include a requirement for the neighbourhood plan to meet its share of local housing need?	**Broadly Yes**. It is recognised that Neighbourhood Plans have the ability to do this now but out of choice, the experience in Leeds is that the majority of Plans do not address this issue. In Leeds many NPs are smaller settlements and villages where the spatial strategy does not seek to direct significant numbers of new homes. NPs can elect to deliver more housing to meet specific identified local needs e.g. for older persons housing or affordable housing. In circumstances where a NP area is within a wider local area of growth, current legislation on conformity between NPs and the Local Plan would ensure that NPs meet their share of growth. Given these uncertainties, it is likely to be unrealistic for the housing requirement of an entire Local Planning Authority area, to be met from a patchwork of Neighbourhood Plans (see 12a above). This is especially challenging also,

		when there is not full Neighbourhood Plan coverage or 'adoption' within such areas.
17b	In taking forward the protection for neighbourhood plans as set out in the Written Ministerial Statement of 12 December 2016 into the revised NPPF, do you agree that it is subject to the local planning authority being able to demonstrate through the housing delivery test that, from 2020, delivery has been over 65% (25% in 2018; 45% in 2019) for the wider authority area?	See response to question 17a above.
17c	In taking forward the protection for neighbourhood plans as set out in the Written Ministerial Statement of 12 December 2016 into the revised NPPF, should it remain a requirement to have site allocations in the plan or should the protection apply as long as housing supply policies will meet their share of local housing need?	**Yes**. It is the City Council's view that, overall it is preferable to retain allocations. The allocation of sites is a challenging process, through a Plan-led system and as a consequence, in broad terms, the retention of sites allow for greater flexibility and as part of a Plan-led process, it is difficult to react quickly if insufficient allocations are in place. It should be emphasised however, that if allocations are retained, they should also be retained with their site phasing and planning requirements in place (especially where these have been determined via an adopted plan), unless circumstances have materially changed.
18a	What are your views on the merits of introducing a fee for making a planning appeal? We would welcome views on: how the fee could be designed in such a way that it did not discourage developers, particularly smaller and medium sized firms, from bringing forward legitimate appeals	It is recognised that this is a difficult area. As part of the HWP's commitment to a Plan-led approach, interventions are necessary to avoid 'planning by appeal', which can undermine the resource intensive nature of development plan preparation. However, there is also a need for fairness and transparency and not to penalise smaller developers and SMEs. The recommendations of the HWP do however need to urgently address the systematic, sustained and confrontational use of the appeal process (by some agents and housebuilders) to progress commercial interests, to the detriment of providing new homes in preferred locations via the plan-making process.
18b	The level of the fee and whether it could be	See response to question 18a above. The focus of the HWP, needs to be

	refunded in certain circumstances, such as when an appeal is successful	about facilitating and streamlining the process. There is therefore a danger that introducing further complexity, will be a break to progress and open up additional areas of dispute and contention. How would such fees be set, should this initiative be introduced.
18c	Whether there could be lower fees for less complex cases	See response to 18b above.
19	Do you agree with the proposal to amend national policy so that local planning authorities are expected to have planning policies setting out how high quality digital infrastructure will be delivered in their area, and accessible from a range of providers?	**Broadly Yes**. However, Government need to be very clear if this is intended to be an 'ask' of development proposals or an integral requirement such as drainage, electricity supply etc. It is the Council's view that this should be required as 'basic' infrastructure in the modern era – otherwise this is likely to be challenge in terms of viability or not providing other key requirements such as affordable homes or green space etc. Need to be clear what is meant by 'digital' infrastructure, given speed of technology? Is this intended to fix exiting problems or to support new growth? Need to have regard to market context and different providers.
20	Do you agree with the proposals to amend national policy so that: • The status of endorsed recommendations of the National Infrastructure Commission is made clear?; and • Authorities are expected to identify the additional development opportunities which strategic infrastructure improvements offer for making additional land available for housing?	**Yes**. Needs to be made clear. Would be helpful if there could be improved monitoring of national infrastructure delivery, as this will have implications for the scale and phasing of development. **<u>LCC Recommendation</u>** As part of a whole Government approach to supporting housing growth there is need for clarity on what national infrastructure – is it to fix existing capacity or to plan for future growth – for what period.
21a	Do you agree that the planning application form should be amended to include a request for the estimated start date and build out rate for proposals for housing?	**Yes.** **<u>LCC Recommendation</u>** The form should also ask for reasons if the start date is deferred.
21b	Do you agree that developers should be required to provide local authorities with basic	**Yes**, agreed. What about penalties if delays ?

	information (in terms of actual and projected build out) on progress in delivering the permitted number of homes, after planning permission has been granted?	
21c	Do you agree that the basic information (above) should be published as part of Authority Monitoring Reports?	**Yes**, a national position needs to understood but also the information needs to be presented via the house building industry – what about a league table of performance of house builders published nationally – need for wider ownership and accountability – this is not just a local planning authority issue.
21d	Do you agree that large housebuilders should be required to provide aggregate information on build out rates?	**Yes**. Agreed, but needs to explain reasons for any deviation from rates previously as part of a planning consent. **LCC Recommendation** In bolstering the desire of the HWP to speed up delivery, increase accountability and improve performance, it would be useful if DCLG could provide an overall monitoring framework to track this and to introduce 'league tables', to stimulate performance improvements.
22	Do you agree that the realistic prospect that housing will be built on a site should be taken into account in the determination of planning applications for housing on sites where there is evidence of non-implementation of earlier permissions for housing development?	**Broadly Yes**. But need to be able to understand the underlying reasons, is it because it's a 'bad' site? If so, why has permission being granted? Is it because of investor confidence, funding, infrastructure, unforeseen problems etc? If the site is brownfield and in a sustainable location, every effort should be made to bring forward, otherwise there is likely to be more pressure on greenfield and Green Belt sites – with other options exhausted or ruled out.
23	We would welcome views on whether an applicant's track record of delivering previous, similar housing schemes should be taken into account by local authorities when determining planning applications for housing development.	**Yes**. An applicant's track record should be taken into account, but see Q. 22 above and 24 below. The reasons for any delay will be pertinent to future decision making.
24	If this proposal were taken forward, do you agree that the track record of an applicant should only be taken into account when	**Yes**. This is an important issue but national planning guidance will need to be clear on how 'track record' is defined and the evidential basis upon which this might be assessed. A key issue in Leeds, is that whilst the City

	considering proposals for large scale sites, so as not to deter new entrants to the market?	Council is committed to housing growth and delivery, the level of completions falls short of expectations and that build out rates are often determined by marketing, sales strategies, business models and industry capacity, rather than planning policies or conditions. Whilst 'track record' might be an issue, greater clarity is needed for what this means in practice when a housing provider has not adequately performed. A fundamental objective of the White Paper is to deliver the homes that are needed, rather than local authorities being put in the position of putting perceived barriers in the way. Any penalties and interventions therefore need to be set nationally, as a basis to improve delivery and the performance of all providers. In terms of new entrants to the market, these need to be encouraged but the recommendations arising from the HWP need to be more explicit about the expectations, roles, responsibility and accountability for the volume housebuilders which currently dominate the market.
25	What are your views on whether local authorities should be encouraged to shorten the timescales for developers to implement a permission for housing development from three years to two years, except where a shorter timescale could hinder the viability or deliverability of a scheme? We would particularly welcome views on what such a change would mean for SME developers.	**LCC Recommendation** The City Council would like evidence to understand the impact of this and suggest that this approach is piloted. Whilst a shorter timescale may be promoted as a stimulus to development, some agents, investors and developers may argue that this is problematic if in at a low point in the economic cycle and more recovery time is needed.
26	Do you agree with the proposals to amend legislation to simplify and speed up the process of serving a completion notice by removing the requirement for the Secretary of State to confirm a completion notice before it can take effect?	**Broadly Yes**. Initiatives to encourage greater efficiency and streamlining are to be broadly welcomed. However, a simple transfer of responsibility away from the SOS to Local Planning Authorities will be problematic, unless new and funded local authority resources are put in place.

27	What are your views on whether we should allow local authorities to serve a completion notice on a site before the commencement deadline has elapsed, but only where works have begun? What impact do you think this will have on lenders' willingness to lend to developers?	"Completion" for the purposes of calculating housing delivery, needs to mean completion of the new homes built on the ground. It is not clear what this would mean for lenders in stimulating development. **LCC Recommendation** Suggest this initiative be piloted to assess its impact and also the views of lenders assessed, in order to consider the implications for investment decisions.
28a	Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that the baseline for assessing housing delivery should be a local planning authority's annual housing requirement where this is set out in an up-to-date plan?	**Yes.** But the test should also reflect the reasons for the lack of delivery. As the PPG currently sets out these may not be exclusively around land supply and may involve wider market issues. For example, in Leeds despite having a large stock of land with permission completions were hampered by the mortgage market review in 2015. **LCC Recommendation** Reflect that factors other than land supply can influence a LPAs performance on delivery.
28b	Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that the baseline where no local plan is in place should be the published household projections until 2018/19, with the new standard methodology for assessing housing requirements providing the baseline thereafter?	**No.** However, this might have some merit if targeted. It needs to be understood however, why a local plan is not in place. This could be due to a wide range of factors including a holding direction (beyond the scope of a local authority) or because of the need to await the conclusion of major infrastructure decisions. Local authorities should not be unduly penalised through a further performance regime (on top of an already complex system), where they are seeking to work through a challenging Plan-led process and where there are legitimate reasons in place for any delay. Government should ensure that the methodology is reasonable and realistic and take account of changes to the market. The onus should not just be on the local authority to monitor performance – structural changes are needed in the house building industry, to improve the performance of

		home builders e.g. policies for minimum proportions of different types of dwelling and different models of construction, modern methods of construction (modular build), opportunities for self- and custom-build within volume house builder schemes and monitoring of these.
28c	Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that net annual housing additions should be used to measure housing delivery?	**Yes**. Provided that reasons for any under delivery are fully understood. Increasing the supply of housing will not necessarily lead to more delivery, only delivery on the sites the volume sector have an interest in; which are not necessarily those which are compliant with local strategy, need and aspirations.
28d	Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17?	**Yes**. Attempts to average out performance are welcomed.
29	Do you agree that the consequences for under-delivery should be: a) From November 2017, an expectation that local planning authorities prepare an action plan where delivery falls below 95% of the authorities annual housing requirement? b) From November 2017, a 20% buffer on top of the requirement to maintain a five year housing land supply where delivery falls below 85%? c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%? d) From November 2019, application of the	**No**. Despite the stated complexities of the housing market and the roles and responsibilities of housing providers (SMEs, volume house builders, LPAs etc) the onus of this approach, penalties and accountability is squarely with the LPA. This is not reasonable. The ramping up of progressive LPA penalties does not fundamentally address the structural failure of the industry (the broken market the HWP is seeking to fix). Local authorities do need to be brought to task if the development plan is not in place but this is one component of the overall position.

	presumption in favour of sustainable development where delivery falls below 45%?; and e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%?	
30	What support would be most helpful to local planning authorities in increasing housing delivery in their areas?	Leeds has the largest annual housing delivery target of any local authority and last year delivered 3,296 new homes, the highest delivery rate of any core city. However recent planning application appeal decisions against the Council on several greenfield sites have resulted in the Council's position on 5 year land supply being rejected, partly on the basis of past under delivery against annual targets and concerns that many of our brownfield City Centre/Inner sites wouldn't deliver as quickly as projected in our SHLAA. However, one of the issues facing Leeds is the marked difference between the number of sites with planning approval and the number of starts – around 1 in 7 planning approvals for new residential development are converted into delivery. Achieving planning approval is not a barrier to housing growth. Market confidence and viability are the key issues. It is clear to us that the acceleration of housing development of the right quantity, in the right places, to the right quality and offering the right choice of size, form and tenure will be central to the properly planned, sustainable growth of our city. To drive the necessary growth we need to unlock and regenerate central and inner parts of our city, where despite success in realising commercial, retail and leisure development, residential schemes have not been implemented with the same pace as the first phase of city living in the early-mid 2000's and there is a need to drive forward a new wave of residential development, including the new models of PRS. Traction here will deliver schemes with high densities that will contribute to

		a step change in our growth trajectory. New approaches and sources of funding or investment are required that will bring forward the key interventions to stimulate accelerated residential development by removing barriers to growth in these areas and allow a return to pre-recession rates of delivery. We have identified 5 ways in which Government support and flexibility would help us do this: 1. Patient public investment and grant funding to make a positive impact on market confidence, viability and deliverability. Government should recognise the need to target the right form of support to privately-led residential sites and schemes with a move away from 'impatient' fully recoverable investments towards more flexible funding that plays a longer game on returns. 2. Investment in infrastructure and public realm. This has a significant part to play in creating underlying market confidence and the acceleration of wider investment. Creating a funding offer to enable a co-ordinated approach between the public and private sector players that have a genuine interest in place making to support existing and new investments can unlock opportunities and create the investment landscape for new homes and related amenities. 3. Site acquisitions and land assembly. Across Leeds there are many sites in the ownership of companies or individuals who do not have the capacity, resources or willingness to bring these forward for development. Equally, there are many sites with extant planning permissions but often these serve only to maintain a book value for owners rather than providing a route towards meaningful implementation and delivery. Leeds City Council is undertaking its own programme of engagement and support with these owners to accelerate delivery but government funding or underwriting of acquisition and CPO costs would enable the Council to be more

		proactive in assembling land and bringing sites to more willing development partners 4. De-risking and site preparation. Brownfield sites with a legacy of contamination or relic structures from past industrial uses pose technical and viability challenges require de-risking interventions to enable future development, which may range from simple assistance such as desk top and intrusive surveys to more intensive work to remediate and prepare sites for investment. Availability of flexible 'no strings' funding to assist this would be beneficial to help bring a greater number of sites to a point at which development viability can be confirmed or investment secured. 5. Unlocking the delivery of affordable and social housing. Leeds is mid-way through a programme of delivering its own programme of 1,000 new affordable homes by 2020 but more could be done to stimulate further local authority investment and through changes to government policy to enable home ownership for those on lower incomes. Support could include: removal of restrictions on borrowing through the Housing Revenue Account so that the Council itself can build at scale equivalent to its underlying HRA strength; enabling full retention of Right to Buy receipts by local authorities to be dedicated to new build replacement stock; support and policy flexibilities to enable the development of models enabling tenants to 'rent to buy'; maximising local flexibility in defining and delivering a mixed package of affordable housing, including Starter Homes, with reference to local market conditions and affordability criteria
31	Do you agree with our proposals to: a) Amend national policy to revise the definition of affordable housing as set out in Box 4? b) Introduce an income cap for starter homes?	**No**. Whilst starter homes are welcomed as a low cost housing product to assist first time buyers there is concern in relation to the impact of the proposals on affordable housing. Definitions of affordable housing should always relate to products that are affordable in perpetuity, which benefit future users, unless subject to other legislative requirements such as right to buy. The HWP proposes a 15 year repayment period for starter homes which does not provide perpetuity. In particular there will be an impact on

	c) Incorporate a definition of affordable private rent housing? d) Allow for a transitional period that aligns with other proposals in the White Paper (April 2018)?	affordable housing targets set out in Policy H5 of the Core Strategy as developers will prefer to provide starter homes over affordable housing. An income cap for starter homes is supported, as is a transitional period. It is our understanding that the build to rent model is a different financial model and is broadly welcomed by the Council as an additional source of supply. The HWP reference to affordable housing is broadly in the grain of current definitions and subject to fulfilling in-perpetuity requirements the City Council would be willing to discuss this model with institutions and developers. This flexible approach of the City Council is one which is being adopted in the City Centre to deliver mixed communities. There is a danger that this would lead to an even more complicated approach, bogged down by semantics, what we need is solutions and higher housing outputs. All the homes described are wider aspects of Affordable Housing. Would it be easier to describe the typology and an affordable housing ladder – which is focused on delivery and output – whatever rung of the ladder?
32a	Do you agree that national planning policy should expect local planning authorities to seek a minimum of 10% of all homes on individual sites for affordable home ownership products?	**No**. The NPPF needs to work for every part of the country and not simply the over-heated housing market of the south east. Therefore a more flexible approach is needed. Local viability issues need to be reflected at the plan-making stage. There is also a need to allow flexibility in the tenure of affordable homes; again driven by local aspirations and needs. **<u>LCC Recommendation</u>** There is a need for a clear statement that affordable housing is required to be provided from new development and that precise levels, types and tenures is a matter for the Local Plan and its evidence base to determine.

32b	Do you agree that this policy should only apply to developments of over 10 units or 0.5ha?	**No**. Some smaller sites may have sufficient viability to deliver affordable housing subject to local circumstances. This blanket approach would stifle achievement of affordable housing in rural areas or lead to pressure to allocate larger sites which may not be as sustainable.
33	Should any particular types of residential development be excluded from this policy?	**Yes**. 100% affordable housing schemes should be exempt.
34	Do you agree with the proposals to amend national policy to make clear that the reference to the three dimensions of sustainable development, together with the core planning principles and policies at paragraphs 18-219 of the National Planning Policy Framework, together constitute the Government's view of what sustainable development means for the planning system in England?	**No**. The HWP sets out a very weak model of sustainability, which simply seeks to balance competing objectives, rather than genuinely facilitating step changes and positive (measurable) outcomes within the environmental, social and economic objectives. **LCC Recommendation** More needs to be done to dramatically reduce resource consumption and respect environmental limits. Agreed comparative measures of such limits would help create baselines against which Local Plans can operate. Lessons from eco-systems services approaches to planning have been lost since the global recession and could provide a useful starting point for a more meaningful balance between environmental and other objectives. Leeds City Council is committed to a model of 'good economic growth' within a compassionate City, where financial and health inequalities are major issues and are being reflected in plan-making and decision taking.
35a	Do you agree with the proposals to amend the national policy to amend the list of climate change factors to be considered during plan-making, to include reference to rising temperatures?	**Yes** in principle, but need more clarity on how this might apply.
35b	Do you agree with the proposals to amend national policy to make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?	**Yes**. However, it is unclear from the HWP what this means in practice. Current evidence indicates that climate change implications need to be addressed with greater pace and scale. Considerable investment needs to be made in resilience for communities so as to improve investor confidence and ensure infrastructure security prior to comprehensive growth.

36	Do you agree with these proposals to clarify flood risk in the National Planning Policy Framework?	**Yes**. These are key national and local imperatives which are reflected in Local Plans already. **LCC Recommendation** Clarity is needed on the financing and phasing of flood risk interventions for catchments so as to accommodate housing growth.
37	Do you agree with the proposal to amend national policy to emphasise that planning policies and decisions should take account of existing businesses when locating new development nearby and, where necessary, to mitigate the impact of noise and other potential nuisances arising from existing development.	**Yes**. Local business amenity (like residential amenity) tends to already be embedded in existing policy and decision taking good practice. It is unclear whether the White Paper is also concerned with residential amenity. **LCC Recommendation** The Government should ensure that housing growth ambitions set out in the WP are carried out within a considered approach to "place making" and respecting the amenity of existing residents and businesses. Good design, community involvement with plan-making and decision taking (rather than speculative development) and front loading of infrastructure (including green infrastructure) can assist residential amenity.
38	Do you agree that in incorporating the Written Ministerial Statement on wind energy development into paragraph 98 of the National Planning Policy Framework, no transition period should be included?	Wind energy need to be integral to the energy mix – many communities would see this as preferable to fracking, nuclear and ongoing reliance on fossil fuel.
	LCC Additional Points	
	A whole Government Approach to Housing Growth	**LCC Recommendation**

	A number of major housing schemes, economic development and infrastructure projects in Leeds (including the East Leeds Extension and Thorpe Park) are predicated on the need for new roads, rail connections and public transport provision to be in place	For a "whole Government" and 'joined – up' partnership approach to be in place, to support housing growth. This will entail the Department for Transport, DCLG, the Homes and Communities Agency, Highways England, Network Rail, service providers and operators, to take a proactive and timely approach, to facilitating the urgent delivery of major growth projects. This needs to be an outcome focussed approach to problem solving. This should also facilitate opportunities for statutory "single issues" consultees to support the overall housing agenda.
	Infrastructure provision & Delivery Whilst the HWP expressed a broad commitment to the need for infrastructure (including digital) and utilities, there is little detail or clarity on measures or step changes to improve provision or agreed timetables for delivery. In Leeds, through the preparation of the development plan, key issues have arisen regarding the provision of new school places, medical facilities and highways infrastructure to support housing growth. These are key issues, where timely, planned and integrated solutions are necessary.	**LCC Recommendation** For the HWP recommendations to be more explicit about interventions and funded solutions to deliver, priority local infrastructure projects (including schools, medical facilities, highways and public transport) to support housing growth. This needs to be set within the context of the 'whole Government approach', described above.
	Viability Many of the proposals in this report rely on the development industry to amend their models of delivery so as to speed up delivery and meet specific needs for local housing aspirations. The HWP does not seek to amend the approach set out in the NPPF that where policy requirements affect viability it is difficult for	**LCC Recommendation** Many of the suggestions in the HWP for a more diverse housing market with a greater number of players delivering different types of housing can be achieved only if there is clarity in the approach to assessing viability and the attitudes of the different housebuilding sectors to this. Moreover, changes above to the calculation of a 5 year supply depend on attitudes to viability from different house builders. The Government should seek to standardise the methodology for assessing viability, taking into account the

	local authorities to implement them.	experiences of local planning authorities so that authorities have a clear expectation that initiatives such as parcelling up larger sites, promoting self and custom build and requiring modern methods of construction can be justified at a plan-making and decision-taking stage.

Appendix 2: Background Papers & Technical consultation – Leeds City Council Response

Review of the Community Infrastructure Levy

The Government commissioned an independent review of the Community Infrastructure Levy (CIL) in late 2015 to assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the Government's wider housing and growth objectives. It has been widely recognised that CIL is over complicated and is not delivering the level of infrastructure which it was expected to. As part the CIL review, the independent review group submitted their report to Ministers in October 2016. This Independent review report is set out as a supporting document to the HWP. The report sets out a number of findings and recommendations. Given that a CIL Review has been expected for some time, it was expected at this stage that as part of the HWP the Government would have ratified which recommendations it is was accepting. However the Government have simply added the report by the Independent review group as a supporting document to the HWP and not made any recommendations for the Review of CIL.

The main recommendations of the report are to replace the CIL with a hybrid system of a broad and low level Local Infrastructure Tariff (LIT) and Section 106 for larger developments. The main proposals set out in the Independent review report are summarised below:

THE LOCAL INFRASTRUCTURE TARIFF (LIT)

- the setting of the LIT should be linked to the Local Plan process wherever possible and should feed into local and 'bigger than local' infrastructure plans.
- the LIT should be calculated using a national formula based on local market value set at a rate of £ per square metre and charged on gross development.
- the LIT should continue to apply to 'development' as defined in the existing CIL regulations, further work by Government to devise a LIT formula for commercial development that ties it to the residential rate but which does not exceed it.
- there should be a cost of collection cut-off below which local authorities do not have to collect a LIT.
- the process for exemptions and reliefs should be simplified with no (or very few) exemptions to the LIT.

LIT AND SECTION 106

- small developments (10 units or less) should pay only the LIT and no other obligations, unless exceptional circumstances apply.
- for large/strategic developments local authorities should be able to negotiate additional and specific Section 106 arrangements.

- the requirement for a Regulation 123 list should be removed and pooling restrictions set out in Regulation 123 should be removed.
- for larger developments developers should be able to make infrastructure provision in kind; and if appropriate, the LIT contribution should be able to be delivered by way of in kind provision
- further measures are introduced to standardise and streamline the Section 106 process.
- local authorities provide annual Infrastructure Delivery Plan updates as part of their
  Authorities' Monitoring Reports

Given the Government have not made recommendations in relation to the findings of the Independent Review of CIL, there will be uncertainty over the future of CIL until the Government sets out what its approach is. The City Council gave feedback as part of the CIL Review Panel Questionnaire, which undertook consultation in January 2016. In terms of the recommendations an approach which simplifies CIL is supported given the complexities around the implementation, however until the details and mechanisms for this are set out it is difficult to comment on this.

A 3: Covering letter to DCLG Secretary of State

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The Leonardo Building
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Contact:
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Secretary of State
DCLG

xx April 2017

Dear Secretary of Sate

Housing White Paper

Overall, Central Government's attempt to tackle a national issue, to "fix the broken market", is broadly welcomed by the City Council. The analysis presented in the Housing White Paper (HWP), of what is wrong with the market, is considered to be largely correct and reflects concerns that have been experienced in Leeds around an over-reliance on the volume sector and delivery of owner-occupied housing. However, unless more fundamental changes and interventions are proposed, the HWP reads as a series of palliative measures, rather than instigating the urgent step changes required.

At a local level, the City Council has afforded a high priority to facilitating housing growth and delivery to meet a range of complex housing needs, now and in the future. The main focus of this work is in the inner area, East Leeds and the City Centre; areas which has been slower to recover from recession and where the adopted Core Strategy, Site Allocations Plan and Aire Valley Leeds Area Action Plan focusses the majority of housing development. This work has been focussed also through the Housing Breakthrough project and the work of the Housing Growth Board. In February Executive Board considered a Breakthrough Project report on "Housing Growth and High Standards in all Sectors", which detailed the Council's pro-active and cross tenure approach to stimulating housing growth. The Council established a cross Directorate housing growth team (working across planning, asset management, housing and regeneration) to stimulate delivery (e.g. the Private Sector Acceleration Programme has assisted in unblocking over 1,200 homes since 2014, with a further 7,783 on the programme).

In March, Executive Board also considered a report on developing mixed residential communities in the City Centre, which detailed implementation measures to stimulate the delivery of a specific Private Rented Sector housing model, where there is a potential supply of over 1,000 homes per annum. Moreover, the Council has also been successful in attracting development interest for the delivery of new private housing in the Seacroft, Halton Moor and Osmondthorpe areas of the City, by packaging its own land for sale to the market.

A development agreement is now in place with Strata Homes and community regeneration specialist, Keepmoat which will secure the redevelopment of 13 sites delivering almost 1,000 new homes across these neighbourhoods. Executive Board also endorsed the Council House Building Programme (with an initial programme of 1,000 homes).

These actions reflect the local imperative to deliver new homes, particularly on brownfield land for a range of needs and in a variety of tenures. These efforts however need to be enhanced and accelerated by lasting structural changes and interventions focussed through the HWP, to urgently help stimulate the market, boost the supply of housing and to deliver the new homes which are needed in sustainable locations across the District.

Notwithstanding the positive and strategic intent behind the HWP, the City Council considers that key opportunities have been missed to fundamentally address market failures, boost regeneration (including the reuse of brownfield land through more specific interventions) and to support housing growth in sustainable locations through new delivery models and investment in infrastructure. Whilst the City Council has worked effectively and proactively with a range of partners and investors over several years (including Central Government), to deliver major regeneration and housing growth, these efforts are sometimes frustrated by the delivery models of the house building industry, viability issues, the tools and resources available to local authorities, or prevailing economic circumstances. It is considered therefore that as it currently stands, the White Paper is unlike to achieve the step changes required unless more focussed requirements are introduced. Consequently, there is a need for greater clarity and accountability and a more effective balance of both 'sticks' and 'carrots' to boost delivery.

The City Council's detailed response was considered by Executive Board on 19th April and a copy of this (relating to the questions set out in the HWP, additional points and comments in relation to background papers and technical documents) is appended to this letter. In summary the Council also wishes to reiterate the following key points:

i) It is especially welcomed that the HWP maintains that local authorities need to identify (via their objectively assessed needs) a range of housing (types and tenures) to meet the aspirations of a wide range of communities. However, the White Paper needs to be more explicit in the delivery of a range of housing solutions and delivery flexibility to plan and deliver the housing that local communities need.

ii) The HWP needs to be more radical in its approach, for example, if local authorities were able to allocate sites for affordable housing – as local authorities currently do for Travellers or older people, this would have an enabling impact on the market. This approach is likely to help reduce land values to enable Registered Providers to more readily acquire sites and to build. This may have the effect of stimulating more house building at speed, rather than land being reserved by volume house builders built out at low rates.

iii) The Government rightly accepts that a reliance on the volume house building industry to deliver the right level of homes needed of the right type and in the right locations cannot be sustained. However, the Government remains pre-occupied with amendments to the planning system as a means of remedying delivery rather than fundamentally changing the structure and balance of the market or more directly challenging the responsibility and methods of the house building industry to make up for current shortfalls in housing.

iv) The policy solutions advocated in the HWP appear to reflect a 'one-size fits all' approach or at best are focussed on tackling an overheated housing market in the south-east of England. Consequently the City Council considers that greater recognition and differentiation needs to be made where local authorities such as Leeds are seeking to plan proactively for housing growth to suit local circumstances.

v) The City Council considers that a 'whole Government' approach is necessary to deliver and unlock housing growth concurrent with necessary infrastructure in sustainable locations. This is especially the case in relation to the delivery of major highways, rail and public transport infrastructure to support major growth, such as the East Leeds Extension (c7,000 homes in total).

vi) The HWP does not go far enough to enable local authorities to determine local solutions to meeting housing need and delivery. For example, more enabling freedoms for local authorities to access the Housing Revenue Account, so that the City Council itself can build at scale equivalent to its underlying HRA strength. Without this the Council's endeavours to tackle housing issues more fully will continue to be inhibited.

The above summary and the detailed responses attached are intended to be constructive comments, aimed to help 'fix the broken housing market'. The City Council would welcome the opportunity to discuss these points further with Central Government and other key stakeholders to help resolve these critically important issues.

Yours sincerely