

**RESPONSE TO THE HOUSING WHITE PAPER
FIXING OUR BROKEN HOUSING MARKET**

28TH APRIL 2017

**EAST LINDSEY DISTRICT COUNCIL
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Question 1

Do you agree with the proposals to: a) 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?

It would appear as if this is clear already in paragraph 156 and does not require amendment. It says that "Local planning authorities should set out strategic priorities for the area of the local plan. This should include strategic policies to deliver the homes and jobs needed in an area..." This clearly means a local authority should allocate land for housing and jobs because you cannot have a policy that states how many houses the housing target should be delivering with no delivery mechanism behind it.

b) Use regulations to allow Spatial Development Strategies to allocate strategic sites, where these strategies require unanimous agreement of the members of the combined authority?

The Council agrees that Spatial Development Strategies should be permitted to allocate strategic sites but only with the agreed consent of the constituent authority in which the site is located and subject to robust local consultation. To fail to gain such consent and local buy in to the allocation of these types of sites will inevitably cause delays and public disquiet during the detailed planning application stage. It also goes against the main policy direction of a greater local say in the location of development.

c) Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?

The Council agrees with this matter, greater clarification around the evidence base for a Local Plan could save time and funding.

Question 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?

Local Plan examinations are time consuming and costly. They have become less adversarial but they can still be a lengthy process. There is also a tendency for Councils to gather too much evidence in case issues come up at examination and this leads to a more lengthy process with a "fear of failure culture" around the examination.

The Council would support the abandonment of public hearings in favour of written representation examinations only unless the Inspector believes the local authority is clearly out of conformity with national policy or there has been a failure in the duty to cooperate.

The examination should be split into two parts, with the housing target and spatial distribution of growth being agreed first as "stage 1" and the strategic policies and land allocations set out as "stage 2" This way would alleviate the possible need to carry out more work on allocations if the Inspector was minded to change the housing target.

The Housing Target should be a matter that is agreed with the Inspectorate and the Local Planning Authority taking into account written representations of consultees. This will shorten the process considerably and reduce the cost of examinations both for the Inspectorate and local authorities. This would be particularly pertinent if there was a national methodology for the baseline housing target because all the Inspector would be doing is ensuring that it had been applied correctly in each case.

Whilst the Council is a strong advocate of robust consultation, the amount of consultation needs to be proportionate. It is how a local authority responds to consultation is actually more important than how often they consult. East Lindsey does an individual rebuttal against each consultation response on the Local Plan and clearly shows how the plan has changed or gives a reason why the Plan is remaining the same. This is then discussed before Councillors at a meeting which the public can attend. This ensures that the consultation process is two way and is part of a transparent process which involves local consultees.

Question 3

Do you agree with the proposals to:

a) 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?

The Council agrees with the proposals to amend national policy as long as the policy is clear which groups it means. The Council already has an older persons housing policy in its emerging local plan.

b) From early 2018, use a standardised approach to 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?

*The Council agrees with the proposal to use a standardised approach to assessing housing requirements as the baseline for the five year housing supply calculations. The Council has tried to make the 5 year supply calculations simpler because it was difficult for those outside the authority to understand how the calculations were worked out. A copy of East Lindsey`s 5 year supply paper is attached at **Appendix A** to the answers to the consultation, this may assist in showing how it can be worked out in a more simpler and consistent way that everyone can understand. Setting the matter out in such a way and publishing it on the Council`s website has resulted in a marked reduction in the number of queries around this issue and makes it clearer for those wishing to develop.*

The Council also publishes its position statement which sets out every housing planning permission and the work that is done to contact landowners/developers/agents to try and establish when they are going to bring a site forward. No site goes in the 5 year supply without it being confirmed as deliverable by the landowner/developer/agent. This makes the whole process more transparent and also means that the Council is not fighting appeals on assumptions around deliverability. The Council would not support any changes to the national position which means its transparent way of working would be altered or curtailed as this could lead to an increase in queries around the 5 year supply and unnecessary litigation at planning appeals. Please contact us if you wish to discuss this further, the Council would be pleased to assist in this matter.

Question 4

Do you agree with the proposals to amend the presumption in favour of sustainable development so that:

a) Authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?;

b) It makes clear that identified development needs should be accommodated unless there are strong reasons for not doing so set out in the NPPF?

c) 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?

d) its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?

The Council agrees with the rewording of the presumption in favour of sustainable development, however with regard to the restrictive policies in the NPPF. The whole NPPF needs to be made clearer with regard to these policies. If national policy does not wish to see development in these clear areas unless there are exceptional circumstances then it should clearly say that. This would make it clearer for those outside the planning system to understand.

Question 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?

The Council has no comment to make

Question 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)?

The Council has no comment to make

Question 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?

The Council would support this proposal but national policy must say "where applicable" because many authorities like East Lindsey do not have large housing

estates which require regeneration and therefore it is not relevant in either decision making or plan making.

Question 8

Do you agree with the proposals to amend the National Planning Policy Framework to:

a) Highlight the opportunities that neighbourhood plans present for identifying and allocating small sites that are suitable for housing?;

The Council supports neighbourhood plans and providing a settlement is sustainable, in that it has services and facilities, such as a shop, doctors, bus service and school and was not in an area of high flood risk would support residents undertaking a neighbourhood plan that wished to allocate small sites for housing.

b) 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?;

Whilst the Council would be supportive of more opportunities to support villages to thrive, it is not clear what the paper means by "villages". They can range in size from very small to comparatively large; East Lindsey is a large rural District with many smaller rural communities. We have undertaken a piece of work which shows that there is no correlation between housing growth and the support for local services and facilities, even in some of the larger settlements in the District. The smaller villages have consistently lost services and facilities despite the Council having a policy of dispersal and support for rural housing. Therefore any policy to support rural housing needs to be clear about what is meant by "rural" and clearly set out what it means in terms of national policy in relation to "thrive". The Council's policy over the last 30 years has in effect let many settlements grow in terms of population but those settlements have diminished in terms of sustaining that community. This leaves a predominately older population using the car to access services or being unable to gain access to services by a diminishing poor public transport system. The Council is trying to readdress this in its emerging local plan by pulling back from housing growth in these smaller settlements restricting housing to brownfield sites and rural affordable housing exceptions.

c) give stronger support for 'rural exception' sites – to make clear that these should be considered positively where they can contribute to meeting identified local housing needs, even if this relies on an element of general market housing to ensure that homes are genuinely affordable for local people?;

Whilst the Council would support stronger national policy around rural exception sites, it does need to be clear what "rural" settlement actually means. At the

present time the whole national framework would indicate that sustainability of a settlement means that can provide services and facilities for its residents and they should not have to access higher order settlements for their basic day to day needs. The Council has a rural exceptions policy for affordable housing and in its emerging local plan has developed a policy to support open market housing on brownfield sites in smaller rural villages if they cannot be used for economic or leisure use. Having greater clarity around the definition of sustainability and smaller rural settlements would assist the Council in policy making and determining planning applications.

d) 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?;

The Council already allocates sites down to three houses; so would strongly support this proposal. This is because East Lindsey is a large rural authority and operates using smaller local building firms. This allows them access to the housing market and helps maintain the economy of the District including the local supply chain.

e) Expect local planning authorities to work with developers to encourage the sub-division of large sites? and

The Council would support the sub-division of large sites and does so already but not at the expense of affordable housing coming forward because of the need within the District.

f) encourage greater use of Local Development Orders and area-wide design codes so that small sites may be brought forward for development more quickly?

It is not clear how this will help sites come forward any quicker than at present and therefore appears to be onerous. The majority of the sites in East Lindsey are small and presently there are over 100 single housing plots with permission which have not yet been started.

Question 9

Question 10

These questions are not relevant to the Council. East Lindsey is not looking to develop a garden village and does not have any green belt land.

Question 12

Do you agree with the proposals to amend the National Planning Policy Framework to:

a) Indicate that local planning authorities should provide neighbourhood planning groups with a housing requirement figure, where this is sought?

The Council would support this requirement and has already done this with one of its communities who is carrying out a neighbourhood plan. They are now looking to allocate sites to this required figure.

b) Make clear that local and neighbourhood plans (at 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?;

The Council would support this and already encourages its communities who are neighbourhood planning to draw up design polices and character appraisals of their settlements and if they wish to use design codes then they are encouraged to do so, as long as they are not restrictive of growth.

c) 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?

The Council would support this proposal and already encourages pre application discussions and community engagement prior to the submission of a planning application.

d) makes 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?; and

The Council would support this proposal.

e) Recognise the value of using a widely accepted design standard, such as Building for Life, in shaping and assessing basic design principles – and make clear that this should be reflected in plans and given weight in the planning process?

The Council would support this proposal, though would not wish this to be carried forward into its Local Plan. Whilst design codes such as Building for Life have their place in the process and the Council would support this if a community wished to put such a code in their neighbourhood plan. The Council has found in the past that the use of such codes, slows up the planning process,

leading to debate over detail that is not necessary and is very often a matter of subjective differing views. In the Council`s emerging Local Plan the design policy advocates the use of a place making check list, which looks more holistically as design and how a development sits within its wider environment. This more broad approach is felt to be easier for those outside the planning system to understand and utilise.

Question 13

Do you agree with the proposals to amend national policy to make clear that plans and individual development proposals should?

a) Make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs?

The Council does not support this proposal, it should be for local plans to set density standards if deemed necessary, based on local character.

b) 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?

In very built up urban centres the Council would support this approach.

c) 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?;

By placing the emphasis on local plans setting density this would take the issue of accessibility, character and infrastructure capacity into account.

d) Take a flexible approach in adopting and applying policy and guidance that could inhibit these objectives in particular circumstances, such as open space provision in areas with good access to facilities nearby?

By placing the emphasis on local plans setting density this would take the issue of open space provision and good access to facilities into account.

Question 14

In what types of location would indicative minimum density standards be helpful, and what should those standards be?

The Council does not support minimum density standards and it should be for the Local Plan to set density standards for each area based on local character. This allows for local input and consultation into the process.

Question 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)?

The Council believes this work is already going on. Councils should already as part of their growth strategy, have looked to allocate growth in the most sustainable settlements in their respective areas. This ensures that growth is located near to suitable services and facilities. The NPPF could be amended to place a greater emphasis on this. The Council would not support a further weakening of permitted development rights as this could lead to unsuitable development and harmful impacts on existing residential areas.

Question 16

Do you agree that?

a) where local planning authorities wish to agree their housing land supply for a one year period, national policy should require those authorities to maintain a 10% buffer on their 5 year housing land supply?;

The Council does not see why any authority would wish to agree their housing supply for a year and what purpose it would serve. The Council also cannot see how it would save anymore time or make matters clearer by having an agreement to consult with developers and infrastructure providers. This appears to be more time consuming and costly. In areas such as East Lindsey the Government is once again not allowing in the 5 year supply any consideration around demand. In East Lindsey it is a lack of demand that means the Council is struggling to meet the 5 year supply. This is outside the Council`s control because a local authority cannot make people move into a District and buy houses and it cannot stop people moving out.

It would be more appropriate to just set a standard buffer for everyone in the NPPF so that it took the argument at appeal out of the process. Consideration of the buffer is one of those issues that is contentious at appeal and Local Plan examination and to make the process simpler and fairer a common standard buffer is required.

b) The Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy?

See answer above.

c) 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 make an assessment of the supply figure?

See answer above.

Question 17

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 the following amendments?

a) a requirement for the neighbourhood plan to meet its share of local housing need?;

b) 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?

c) 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?

The Government has not given any consideration to demand. All the policies around the 5 year supply are predicated on the fact that there is a shortage of housing. But in some areas, like East Lindsey this is not the case. East Lindsey struggles to meet the 5 year supply because there is a lack of demand against the housing target. In East Lindsey the Council believes that the continued population growth through the in migration of mainly older persons is driving a robust second hand housing market to the detriment of the new build market. So, whilst the population is still trending upwards, albeit slowly, the demand for new housing appears to be long term trending downwards. This is outside the Council's control because a local authority cannot make more people move into a District and buy houses and it cannot stop people moving out. This policy could now start to penalise those communities who are neighbourhood planning in areas like East Lindsey where demand is low.

Question 18

What are your views on the merits of introducing a fee for making a planning appeal? We would welcome views on:

a) 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;

b) The level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful; and

c) Whether there could be lower fees for less complex cases.

The Council would strongly support bringing in fees for making appeals, this may prevent onerous appeals that take up much resource within planning departments and multiple appeals. The fee should be reasonable but it should cover the cost of the appeal so for hearings and inquiries the fee should be much higher, this will also encourage appellants to take the written representation route. The fee should be split between the Inspectorate and the Local Council to cover or part cover the cost of the appeal.

Question 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?

Whilst the Council strongly supports the national drive to provide digital infrastructure it does not support this proposal. In large rural district areas, digital infrastructure is problematic and provision is outside the control of the Local Planning Authority, therefore policies could be undeliverable.

Question 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?**

The Council would support this proposal with the caveat that the Government needs to make clear in its statements around national infrastructure why it unlocks additional development and what kind of development it should unlock. There should also be a clear consultation process with the relevant communities that it effects.

Question 21

Do you agree that:

a) The planning application form should be amended to include a request for the estimated start date and build out rate for proposals for housing?

The Council strongly supports this proposal. At the present time the Council telephones or writes to all those with planning permission for housing to try and find out when they are going to start on site and how many houses they are going to bring forward. On many occasions this information does not accord with the information provided during the application process; developers/agents/owners state then that they are going to develop and that the Council needs to approve their application because of housing need and they are going to contribute to this; afterwards sites either sit there not being developed or they go up for sale and then lie on an estate agents books for months, sometimes years. By contacting everyone this also helps the Council understand the market signals of the District.

b) that developers should be required to provide local authorities with basic information (in terms of actual and projected build out) on progress in delivering the permitted number of homes, after planning permission has been granted?

See answer above

c) the basic information (above) should be published as part of Authority Monitoring Reports?

The Council already publishes its position statement and this contains information on deliverability of sites which it has gained from telephoning or writing to those with planning permission for housing. What might be more helpful if both sets of information was published, what goes on a planning application and then the Council`s follow up after a set period of time. This would then show which sites said they were going to come forward and what really has happened.

d) that large housebuilders should be required to provide aggregate information on build out rates?

See answer above

Question 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?

The Council would strongly agree with this proposal. East Lindsey has sites where owners have submitted applications for housing over and over again going back years and the sites are still not developed.

Question 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.

The Council strongly agrees with this proposal, there are a small number of developers in the District where the Council knows that they will develop if they get approval and the Council would want to support new sites coming forward from these developers and be able to say that it was a material consideration.

Question 24

If this proposal were taken forward, do you agree that the track record of an applicant should only be taken into account when considering proposals for large scale sites, so as not to deter new entrants to the market?

The Council strongly agrees with this proposal, there are a small number of developers in the District where the Council knows that they will develop if they get approval and the Council would want to support new sites coming forward from these developers and be able to say that it was a material consideration. This should not affect new entrants to the market because they are "new" and therefore they would not have a track record of failed delivery.

Question 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.

The Council would strongly agree with this proposal. East Lindsey has sites where owners have submitted applications for housing over and over again going back years and the sites are still not developed. The District also have hundreds of houses sat with planning permission but not started on site, with no indication of a start time and any changes to force them to get on and build would be welcomed by the Council.

Question 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?

The Council would support this proposal but clarification is required around how many years the start on site should have commenced for.

Question 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?

The Council would strongly support this. East Lindsey has sites where owners have submitted applications for housing over and over again going back years and the sites are still not developed. There are also sites which have started but not been developed, one site goes back to the 1970`s. This could be very useful in areas of high flood risk, where there are existing commitments which may or may not have been started, to remove the permission and then reissue it to another developer who is really going to develop would be supported by the Council. The Council is seeking ways of achieving this particularly in the coastal area of the District. Clarification would be required on the length of time a site has been started before a completion notice is served.

If someone applies and gets planning permission for housing they need to ensure that the site is going to be built out within a reasonable period of time. These sites which just sit dormant skew the housing figures and it means that Local Councils do not have a five year supply of housing when in reality they do it's just development is not willingly coming forward. Any changes to force those with permission to get on and build would be welcomed by the Council.

Question 28

Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that:

- a) 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?**
- b) 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?**

c) Net annual housing additions should be used to measure housing delivery?

d) Delivery will be assessed over a rolling three year period, starting with 2014/15 – 2016/17?

The Council strongly objects to this proposal. Once again the Government is trying the one size fits all approach to housing delivery. Nowhere in this proposal is there any statement about demand. A local authority cannot be held accountable where demand is the main reason for under-delivery.

There is a presumption that failure to meet a five year supply must be a local authorities fault when this is not always the case. Not every local authority area in the country has a housing shortage. In East Lindsey the population growth is driven by the in migration of older persons and demand from the existing working population is low and falling. Therefore natural demand for housing is low with in migration housing growth being soaked up by the second hand housing market.

Though the Council has a five year supply at the moment, this is unlikely to last because housing starts and completions are low because of this lack of demand. The Council does grant planning permission for housing and has over 5000 housing commitments but they are only being built out slowly if at all in many cases. The reasons are a lack of demand, low viability and poor access to finance. The Council knows how the market operates in the District because there is a process of contacting all those persons with housing planning permission to ascertain when they are going to bring sites forward. The Council could allocate all the available land in the District for housing but it would not produce any additional development if there is no new build market. It is not within the Councils power to make additional people live in the District, stop them leaving or to ensure they buy new homes over second hand homes.

This process penalises those areas with low demand and basically allows for land banking and over allocation to amounts of housing that are not actually needed or wanted by local communities. Any policy around this matter needs to be clear that if lack of demand is the reason for non-delivery then those areas are exempt from the national test.

Question 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 authority's 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 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%?

The Council fundamentally and strongly objects to this proposal for the reasons set out above.

Question 30

What support would be most helpful to local planning authorities in increasing housing delivery in their areas?

Whilst the Council would support any support to assist in the delivery of housing this does need to be directed at those areas where housing need is high but supply low. The one size fits all approach to the housing shortage is penalising those areas where demand is low and supply high, readjusting the process to the aim policy at those areas in need would assist in getting the balance of housing growth right across the country.

Question 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?;

c) incorporate a definition of affordable private

d) allow for a transitional period that aligns with other proposals in the White Paper (April 2018)?

Whilst the Council supports the concept of starter homes, particularly on brownfield sites, the Government needs to be clear if they are supported in areas of high flood risk. Unless there is an local area connection criteria for areas of high flood risk, these areas will be effectively importing young people from areas where they are already safe into areas of high flood risk where they will be unsafe. This is an important consideration because to all intents and purposes a starter home will become part of the open market housing in an area, this could increase the population of areas of high flood risk greater than existing local need. There is also a need for clarification on areas such as

AONBs, unsustainable settlements with no services and facilities. There is a danger that in areas as set out above, developers will use the starter home requirement to effectively build in areas that would normally be off limits, because of other policies in the NPPF.

The Council would not support the idea of starter homes on rural exception sites, because they are in the end going to be open market homes and this will therefore encourage open market housing in unsustainable locations without services and facilities. East Lindsey is a large rural District with many smaller rural communities. We have undertaken a piece of work which shows that there is no correlation between housing growth and the support for local services and facilities, even in some of the larger settlements in the District. The smaller villages have consistently lost services and facilities despite the Council having a policy of dispersal and support for rural housing. Therefore any policy to support rural housing needs to be clear about what is meant by "rural". The Council's policy over the last 30 years has in effect let many settlements grow in terms of population but those settlements have diminished in terms of sustaining that community. This leaves a predominately older population using the car to access services or being unable to gain access to services by a diminishing poor public transport system. The Council is trying to readdress this in its emerging local plan by pulling back from housing growth in these smaller settlements restricting housing to brownfield sites and social/affordable rented rural affordable housing exceptions only.

The transitional period is far too short. For those submitting their local plans in line with Government Requirements there will be no time for a review. The review period should be five years from 2017. This allows for the adoption of plans in 2017 and time to review.

Question 32

Do you agree that:

a) 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?

b) that this policy should only apply to developments of over 10 units or 0.5ha?

The Council supports that a minimum of 10% of all homes on individual sites should be affordable homes but with caveats such as rural exceptions sites should only be for social/affordable rented or shared ownership with a local connection.

The Council would strongly object to this policy if it was only applied to sites over 10 units because it does not take into account viability in individual places around the country. In East Lindsey the threshold for affordable housing is 15

units because of viability and therefore the Council believes that every application would be arguing against the 10 unit threshold. This will delay development coming forward.

Question 33

Should any particular types of residential development be excluded from this policy?

See answer to question 32 above.

Question 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?

The Council supports the proposed change to national policy

Question 35

Do you agree with the proposals to amend national policy to:

a) Amend the list of climate change factors to be considered during plan-making, to include reference to rising temperatures?

b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?

The Council supports the proposed change to national policy

Question 36

Do you agree with these proposals to clarify flood risk policy in the National Planning Policy Framework?

The Council would very strongly agree with this. Flood risk policy needs to be absolutely clear, if the Government does not want general open market housing build in areas of high flood risk then it should say so. Building this kind of housing encourages those that are already safe and outside flood risk to move into unsafe areas. The effect of this means that emergency services have more people to consider when evacuating, more resources are needed and more people are endangering their lives.

East Lindsey has 38% of its District in high coastal flood risk and we have developed a policy with the Environment Agency which sets out the housing for this area. We have looked at how many homes are needed through natural household formation – so only looking at the growth in the existing population. The amount of housing is very small over the 15 year life of the Local Plan and the Council has more than enough existing housing commitments to cover this with a buffer. Sequentially the Council has other safe sustainable settlements to place its housing within its own District and if it did not could discuss the matter with neighbouring authorities under the Duty to Co-operate.

The development of this policy however has taken many years and is still causing much objection. Making national policy clearer will remove this objection and mean policy creation can take place quicker.

Question 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?

The Council would support this proposal. It is important that noise and potential nuisances are taken into account in the decision making process and national policy should reflect this.

Question 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?

The Ministerial Statement requires the identification of sites for wind turbines within Neighbourhood or Local Plans. No size thresholds are indicated, so this would apply to all turbines from a turbine on an agricultural business or other commercial enterprise with a hub height of 30 – 50m, to more commercially scaled operations with hub heights in excess of 100m. From the Council's extensive experience of considering applications for commercial wind energy in the District, and from a number of these applications proceeding to public inquiry, it is clear that the selection of sites for such an energy source is a complex exercise. The impact of the proposal is greatly affected by the size and type of turbine as well as their layout in respect of their surroundings; the extent of which can stretch a considerable distance from the site. The Council considers that, in advance of the level of detail provided with the submission of a planning application, it is very difficult to determine whether or not a site is appropriate in principle to house wind turbines. As well as the difficulty of assessing the landscape impact of a proposal without knowing the appearance (height, blade

length, size of the hub etc.), there are also the issues that require much more localised scrutiny; such as the presence of protected species within the site boundary or on adjacent land and the location of and significance of historic assets and their setting in relation to the turbines. The Ministerial Statement was introduced with no consultation and no guidance on how Local Planning Authorities should assess the allocation of sites for this widely varying form of development; and it appears it is seeking to enshrine the statement in the NPPF in the same way.

APPENDIX A

EAST LINDSEY DISTRICT COUNCIL



5 YEAR HOUSING SUPPLY

POSITION UP TO THE 31ST JANUARY 2017

WITHOUT THE EMERGING LOCAL PLAN
ALLOCATIONS

BOX 1 – TARGET

How much housing the Council should be delivering over the next 5 years.

Development Plan target of 600 per annum (2006 – 10)	3000
Revised 5 year target 2011 – 21	
Target for 2011 - 2015 (481 x 5)	2405
Target for 2016 – 2021 (591 x 5)	2955
Overall target 2006 -2021	8360
Less dwellings completed Apr 2006 –31 st January 2017	5018
Sub total	3342
Plus 5% of overall target (5% of 3342)	167
Total target (Y)	3509

BOX 2 – COMMITMENTS

If everything came forward with no constraints

Windfall sites with planning permission	3192
Old Allocated sites from the 1995 Local Plan	1095
Pipeline sites	796
Total commitments	5083

BOX 3 – PIPELINE SITES

Pipeline sites for the Council are those that have been approved but are waiting for their S106 to be signed, the Council has contacted the developer and confirmed that they are going to bring the site forward.

Application No	No of units	Comments on deliverability	No of units to go in 5 year supply
N/085/00883/15	300	Developer has confirmed that they are going to bring the site forward, with a reserved matters application shortly. It is already allocated in the Local Plan. It is a large site so may only bring forward 100 houses within 5 years	100
S/086/01335/15	21	Applicant aims to move their business to a more appropriate location and develop the site	21
S/023/00259/16	6	Developer has confirmed that they are going to bring the site forward, seeking funding at the present time.	6
N/110/00509/16	1	Unknown, spoke to the agent and they do not know if it is going to come forward	Nil
N/215/01572/16	150 but with the loss of 2 existing properties = 148	Developer confirmed that they are going to bring the site forward during the determination of the application.	148
N/092/1853/16	100 but with loss of 2 properties = 98	Developer confirmed through the Local Plan consultation that they are going to bring the site forward – it is already an allocated site in the Local Plan	98
S/215/01969/16	49	Developer confirmed that they are going to bring the site forward during the determination of the application.	49
S/216/02053/16	70	Contacted the applicant they do wish to bring the site forward within 5 years and will be working toward this	70
N/085/00588/16	103	Developer confirmed that they are going to bring the site forward during the determination of the application.	103
TOTAL	796		595

DELIVERABILITY OF SITES

The box below shows the deliverable commitments in current market conditions, after the Council has assessed individual sites by speaking to developers and planning officers, checking building control records and carrying out site visits. The Council monitors this monthly through its position statement which is published twice a year on the Councils website.

BOX 4 – DELIVERABILITY OF SITES	
Allocated sites from the Old 1995 Local Plan	407
Windfall sites	2173
Pipeline sites	595
Total (X)	3175

CALCULATING THE 5 YEAR HOUSING SUPPLY

Taking the information from boxes 1 and 4 above the calculation of the supply is $(X/Y) \times 100$

After this an allowance is made for windfall sites coming forward over the next 5 years. (See notes below on how this is calculated)

BOX 5 – CALCULATING THE 5 YEAR HOUSING SUPPLY	
$(3175/3509) \times 100$	90%
90 % x 5 = 4.50 years	
FINAL 5 YEAR SUPPLY FIGURE	4.50 years

WINDFALL ALLOWANCE

The NPPF states that Local Authorities may make an allowance for windfall sites in their five year housing land supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Historically, windfall sites have contributed up to 50% of the District's total housing supply. Many of these are very small-scale, infill sites, developed by the many local building companies in the District. These small companies have provided housing 'to order' for customers, thus making them less susceptible to the wider economic fluctuations experienced by volume house builders, thus ensuring a continuous level of delivery. Having an up to date Local Plan with site allocations, phasing sites, monitoring delivery and having a clear delivery pathway for housing should see this reduce. However, because of the long historical trend of this type of delivery, the type of sites that are delivered in this way and the local nature of the delivery, the Council believe it has compelling evidence to make an allowance for windfall sites in its housing supply. This allowance it is believed should be 15% of the total housing target set out at (Y) in Box 1 above added into the deliverable commitments (X).

BOX 6 – CALCULATING THE 5 YEAR HOUSING SUPPLY INCLUDING WINDFALL SITES	
$(3175/3509) \times 100$	90%
Plus 15% windfall site allowance $3509 \times 15\% = 526$ added onto 3175	3701
$(3701/3509) \times 100$	105%
<u>FINAL 5 YEAR SUPPLY FIGURE</u>	<u>5.25</u>