



· INSTITUTE · OF · HISTORIC ·  
BUILDING · CONSERVATION

*Making Heritage Work*

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Dear Sirs

## **CONSULTATION ON PROPOSED CHANGES TO NATIONAL PLANNING POLICY**

The Institute of Historic Building Conservation (IHBC) is the professional body for building conservation practitioners and historic environment experts working in England, Northern Ireland, Scotland and Wales, with connections to the Republic of Ireland. The Institute exists to establish, develop and maintain the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

Thank you for inviting us to participate in this consultation. Our responses to the questions posed in the consultation are as follows:

### **a) Affordable Housing**

**Q1. Do you have any comments or suggestions about the proposal to amend the definition of affordable housing in national planning policy to include a wider range of low cost home ownership options?**

No comment.

**Q2. Do you have any views on the implications of the proposed change to the definition of affordable housing on people with protected characteristics as defined in the Equalities Act 2010? What evidence do you have on this matter?**

No comment.

Continues/

## **b) Increasing residential density around commuter hubs**

### **Q3. Do you agree with the Government's definition of commuter hub? If not, what changes do you consider are required?**

The definition seems reasonable. However there should be further qualification in respect of onward travel by public transport. The proposal would be counter-productive if it involved higher housing densities and increased demand for commuter car parking because of the withdrawal of bus services that had formed a justification for the proposal. Arrangements for developments to support public transport provision are needed where appropriate and should be specified in the Policy.

### **Q4. Do you have any further suggestions for proposals to support higher density development around commuter hubs through the planning system?**

No further suggestions.

### **Q5. Do you agree that the Government should not introduce a minimum level of residential densities in national policy for areas around commuter hubs? If not, why not?**

We strongly support the view that minimum densities should not be prescribed. Railway stations that are potential commuter hubs may be located in historic urban environments. In accordance with NPPF policy, the significance of historic areas need to be taken into account in determining planning applications and such considerations can affect the density of proposals as acknowledged in paragraph 17 of the Consultation document.

## **c) Supporting new settlements, development on brownfield land and small sites, and delivery of housing agrees in Local Plans**

### **Q6. Do you consider that national planning policy should provide greater policy support for new settlements in meeting development needs? If not, why not?**

We support this in principle. However there is potentially a significant gap between the rhetoric of the proposal in the Consultation and current planning practice. We support the view that such proposals should be plan-led and should have community support. It is also desirable that proposals are realistic in terms of viability and that, therefore, there should be developer involvement in their planning. But there is a danger that the main driver of new settlement proposals may be substantially developer led and be driven more by the availability of the land and the minimization of infrastructure costs rather than paying proper attention to landscape, heritage and other environmental concerns.

### **Q7. Do you consider that it would be beneficial to strengthen policy on development of brownfield land for housing? If not, why not and are there any unintended impacts that we should take into account?**

We support the thrust of this policy but have to point out the shortcoming that it is not the absolute supply of brownfield land with planning permission for housing that is the critical issue. More important is the impact of housing built cheaply on greenfield land on marketability of housing on brownfield sites and the frequently higher development costs including site remediation and taking into account heritage issues etc. Thus this objective is substantially undermined by the main thrust of the developer-led response to the Government's over-arching strategy to substantially increase housing completions across the board.

A further potential problem occurs in rural areas with brownfield land associated with former agricultural enterprises acquiring a presumption in favour of development despite major disadvantages in locational or landscape terms.

A third area of concern is sites with possible archaeological remains. No presumption in favour of the development of brownfield sites should pre-empt proper archaeological evaluation and, if necessary, investigation.

**Q8. Do you consider that it would be beneficial to strengthen policy on development of small sites for housing? If not, why not? How could the change impact on the calculation of the local planning authorities' five-year land supply?**

Yes. The Consultation document makes a strong case for this. Subject to the protection of heritage and other environmental considerations we think it is justified. We do not see any adverse effects on the 5-year housing land supply if such sites are subject to the normal local plan methods of assessing windfall potential and, once permitted, the 5-year land supply.

**Q9. Do you agree with the Government proposal to define a small site as a site of less than 10 units? If not, what other definition do you consider is appropriate, and why?**

We have no reason to disagree with this as it conforms to other thresholds already existing in planning policy.

**Q10. Do you consider that national planning policy should set out that local planning authorities should put in place a specific positive local policy for assessing applications for development on small sites not allocated in the Local Plan?**

Our concern is that new policy might undermine the the existing assessment process for small sites either permanently or in transition. For many small sites environmental (including heritage) issues are to the fore. Small developers do not always have the acumen or resources to tackle development issues in the way envisaged by the local plan. A national requirement for a specific approach should be avoided. We support the Consultation's view that it should be requirement for LPAs to enable the development of small sites by small developers but urge that this should be through the requirement to co-operate rather than through the application of crude top-down national policy.

**Q11. We would welcome your views on how best to implement the housing delivery test, and in particular: • What do you consider should be the baseline against which to monitor delivery of new housing? • What should constitute significant under-delivery, and over what time period? • What steps do you think should be taken in response to significant under-delivery? • How do you see this approach working when the housing policies in the Local Plan are not up-to-date?**

We have no real expertise in this area but would like to make some observations. This policy would probably work in areas of very high housing demand and development value. However, in many parts of England the housing market, as perceived by developers' interests, does not support the build-rate indicated by need and/or general affordability. The length of time a site takes to build can significantly affect the cost of the development through fixed costs such as borrowing against up-front infrastructure and site management and sales costs over protracted time periods. Where sites of more limited viability (including brownfield sites) are slow to produce development their viability is even further undermined by the added competition of additions to the

development land supply particularly where this is cheaper to develop. We think any new policy should be nuanced to take account of local circumstances in the housing market that are not driven merely by developer enthusiasm to develop them. Otherwise the interests of the development of brownfield land and the use of housing development to build upon heritage interests and other components of urban renewal will be lost.

**Q12. What would be the impact of a housing delivery test on development activity?**

In absolute terms probably not much. In relation to the use of planning to steer developments to the most suitable sites in the public interest probably significantly. See our answer to Q11.

**d) Supporting delivery of starter homes**

**Q13. What evidence would you suggest could be used to justify retention of land for commercial or similar use? Should there be a fixed time limit on land retention for commercial use?**

We don't believe that there is much mileage in this policy. What is important is that the planning system should be delivering coherent places. We believe that most LPAs are realistic in their assessment for the need for commercial land and that an additional layer of policy will not deliver much.

**Q14. Do you consider that the starter homes exception site policy should be extended to unviable or underused retail, leisure and non-residential institutional brownfield land?**

For the most part we agree with this, but with one exception. The policy must avoid the suggestion that it should be used to undermine the viability of town centres particularly in historic towns and other places of heritage significance. There is a danger that it could lead to the erosion of retail viability through piecemeal and arbitrary reductions in the numbers of premises available for town centre uses, purely because residential use is of higher value. The policy should make clear the need for coherent retail assessments in local plans and, crucially, not introduce any presumption of non-viability on a property by property basis. For the sake of making sure that historic town centres continue to serve their communities, we think that presumptions of change of use should only come into effect when non-viability is affecting a significant proportion of properties in any part of the town centre and that there should be a coherent assessment process before any change is envisaged.

**Q15. Do you support the proposal to strengthen the starter homes exception site policy? If not, why not?**

We object to this proposal as the word "strengthen" clearly means "weaken" in respect of many legitimate planning interests, particularly heritage and landscape ones. We think the policy should be clear that starter homes developments should be subject to all NPPF policy in the normal way with the exception of land allocations and the five-year land supply, albeit with a policy nudge in the direction acceptance wherever possible.

**Q16. Should starter homes form a significant element of any housing component within mixed use developments and converted unlet commercial units?**

We have no view on this.

**Q17. Should rural exception sites be used to deliver starter homes in rural areas? If so, should local planning authorities have the flexibility to require local connection tests?**

Yes to both parts of the question.

**Q18. Are there any other policy approaches to delivering starter homes in rural areas that you would support?**

We strongly support the involvement of communities through neighbourhood planning. Any new policy emphasis should recognize the benefits of this where it can be productive.

**Q19. Should local communities have the opportunity to allocate sites for small scale starter home developments in their Green Belt through neighbourhood plans?**

We are not against this in principle, but think that any such cases be carefully assessed against any relevant landscape policy and, specifically, be subject to assessment for cumulative impacts.

**Q20. Should planning policy be amended to allow redevelopment of brownfield sites for starter homes through a more flexible approach to assessing the impact on openness?**

We support this in cases where there are derelict buildings and landscape improvements might accrue. However we would not wish to see any presumption of redevelopment of any heritage asset (whether nationally or locally designated) as starter homes, nor areas of derelict open land such as former mineral workings which may provide a better community asset in their landscape as opposed to development value. We would also wish to see this apply to farms as a maximum of one per farm, after which normal planning presumptions should apply.

**e) Transitional arrangements**

**Q21. We would welcome your views on our proposed transitional arrangements.**

We think transitional arrangements with realistic timescales are essential. The introduction of new, untested and potentially controversial national policy as a sudden substitute for carefully considered local policy (particularly where this concerns cherished heritage, landscape and other environmental issues) can significantly undermine public confidence in the planning system. As a minimum we think there should be a 2-tier approach to this. We think LPAs should have to determine (say within 4 months) whether there are any changes to local policy they might wish to make in the light of the new NPPF provisions. They should be required to set these out clearly and effect the changes using the fast-track process with a further 12 months.

**f) General questions**

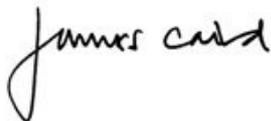
**Q22. What are your views on the assumptions and data sources set out in this document to estimate the impact of the proposed changes? Is there any other evidence which you think we need to consider?**

We have no view on this.

**Q23. Have you any other views on the implications of our proposed changes to national planning policy on people with protected characteristics as defined in the Equalities Act 2010? What evidence do you have on this matter?**

We have no view on this.

Yours faithfully

A handwritten signature in black ink that reads "James Caird". The signature is written in a cursive style with a large initial 'J'.

James Caird  
Consultant Consultations Co-ordinator