

PLANNING FOR THE FUTURE CONSULTATION RESPONSE OF MENDIP DISTRICT COUNCIL

Mendip District Council welcomes the opportunity to make comments on the Government's Planning for the Future consultation. The letter sets out the Council's summary response to proposals and as agreed at its Cabinet on 12th October. The Council have also submitted supporting statements to the proposals and technical questions as agreed by the Portfolio Holder for Planning and Deputy CEO.

Question 5 - The Need for Reform

Timing of Consultation and the government approach to Planning

Mendip District Council agree that there is a need for reform of the local plan process and support the emphasis placed on engagement, place making and driving up development quality. However, this consultation is taking place in wider context of continuing de-regulation measures and centralisation of planning including revisions to the standard method, use classes order and use of permitted development rights. The impacts of these run counter to the aspiration of increasing public trust in planning and promoting local engagement.

An exclusive focus on housing

The White Paper focuses almost exclusively on housing delivery and design with very limited coverage on other critical matters. Planning for employment and economic growth appears secondary in the document. This is a missed opportunity to take an integrated approach, particularly 'smarter' growth and sustainable travel, climate change and biodiversity.

A focus on local detail and design cannot substitute for the lack of sub-regional co-ordination of growth and infrastructure.

Centralisation of policy

The preferred options set out in the paper would involve many key aspects of planning being determined by central government rather than local policy making. This particularly applies to the determination of housing numbers, setting levy rates and use of national policies. It is not clear how LPAs will be engaged in these critical tasks and how they will be able to influence national decisions. Local planning policies will still be required in new style plans to address specific issues and circumstances, particularly in rural areas such as Mendip.

Housebuilding Industry

The Council is disappointed to see little reference in the white paper on the role of housebuilders and the development industry in speeding delivery. Reforms to the planning system alone cannot deliver solutions to the housing crisis without wider consideration of delivery mechanisms.

Provision for Gypsies and Travellers

Many aspects of current plans which rely on site specific allocations are not addressed in the proposals. Provision for Gypsies and Travellers is a significant issue for Mendip but completely absent from the white paper.

Question 24 - Social Housing Provision

Whilst affordable housing is referred to throughout the White Paper with an overarching objective to increase its supply, no mention is made of social housing, which is rented out by local councils or housing associations to those on low incomes. There are nearly 1700 applicants currently on housing register seeking affordable accommodation in Mendip. Addressing local housing need through the provision of housing for social rent remains an essential priority. The White Paper claims delivery under s106 is too slow and uncertain for developers. However, it remains an essential and effective route to deliver homes to meet local need. Under the reforms, affordable housing provision would be provided from the revised infrastructure levy. There is genuine uncertainty around the setting of levy rates and the extent to which rented homes (affordable or social rent) will be delivered or squeezed out by other infrastructure demands.

Question 8 - Housing Requirements and Targets

The consultation on short term changes to the planning system includes a revised formula for distributing housing need. The district has consistently delivered above its housing targets in its adopted local plans. The latest 'interim' revisions would result in unjustified and unsustainable uplift on the headline housing requirement for Mendip to 1,060 dwellings a year or 150% above the current local plan figure.

Mendip has already expressed its concerns in its response to the 'changes to the planning system' consultation and that the standard method represents a flawed approach. Shifting the burden of housebuilding to rural areas through the method is not considered sustainable. There is no doubt this approach will increase the pressure on LPAs to accept inappropriate development, will adversely affect local infrastructure and impact on valued landscape.

Early consultation on a more locally sensitive and sophisticated approach to national housing requirements is needed fully recognising environmental constraints and infrastructure capacity. The Council note that government proposes to replace the standard method with a national binding target for each LPA which could be a way forward. It recommends these proposals are progressed rather than the dual approach of revising the standard method which simply drives uncertainty for plan making and undermines the public credibility which reforms set out to achieve.

Proposal 18 - Lack of Commitment on Climate Change

It is acknowledged that the White Paper makes positive commitments in relation to climate change and that all new homes should be 'zero carbon ready'. The Council is concerned that the lack of detail may result in ambitious commitments being watered down. It is disappointing the opportunity has not been taken to integrate this document with other government strategies on de-carbonising transport and accelerating building standards.

Proposal 3 - Sustainability and Environment

The future means to assess sustainability impacts remains unclear. Any 'simplified' tests or processes which replace SA/SEA must allow for continued and proper local scrutiny of the environmental impacts of development. There remains a concern that 'sustainability' should not be redefined through simplification to give greater weight to 'economic' and 'social' considerations over the environment. The Council has been notified that all dwelling approvals for a large area in Mendip will need to be subject to Habitat Regulations Assessment and a mitigation strategy for phosphates will need to be put in place. The White Paper proposals greatly over-simplify how constraints might be assessed.

Question 22a - Developer Contributions

A streamlined, fair and transparent system for developer contributions remains a long-held ambition for planning reform. The current proposals to merge s106 and CIL has potential in seeking to be based on development value. The success of any proposal is critically dependent on how the levy rates are set and there must be local flexibility in how local viability and development values are taken into account. However, it remains the case that developer contributions will never fully cover the costs of local infrastructure to support housing growth.

Proposal 8 Better Local Engagement?

In order to support public engagement in plan-making, the paper says the government will take a "radical, digital-first approach" in order to reach more people and make planning documents more interactive and accessible. This is based on the prominent role for design codes and guidance, which would be "prepared locally with community involvement" and then be "more binding" on planning decisions. If community input is to be effective, engagement will need to be a key test in examining plans. However, only one statutory consultation period is envisaged in the reformed plan process.

However, many individuals and communities will find it challenging to adapt to a new system where scope to respond to planning applications could be limited, as would the role of the representatives at Planning Board in considering and assessing their concerns.

Proposal 5 – ‘Zoning’ without the detail

The Council support the principle that Local Plans are retained but note they will be radically different in content and format. It notes that these proposals were not tested with the planning profession or the development industry prior to publication. Many aspects of the proposals - such as the definition of new areas or zones cannot be critically assessed as there is no detail as to how they might be defined in practice. It is not clear how the wide range of local needs and considerations which are spelt out in the current NPPF (National Planning Policy Framework) can be reduced to a set of ‘rules’ and masterplans for the proposed areas.

Question 13a - Neighbourhood Plans

These are to be retained as a positive element of community engagement in planning but there is an urgent need for clarity in terms of their future role. Without this certainty it may be difficult for any local group to take forward a neighbourhood plan at this time

Proposal 17 Heritage

Local heritage is important in Mendip The Council would could encourage the potential review and updating of the planning framework for listed buildings and conservation areas to continue to allow the significance of the district’s heritage assets to be appropriately preserved for future generations.

Proposal 23 Resources and Skills

The rapid transition and implementation of the white paper proposals relies extensively on LPA’s. The proposals will be challenging to resource and will require significant investment in training, skills and software as well as time to develop new processes. In addition, measures to front load and shift outcomes to plan making and away from determination of fee-paying planning applications will require review of how services are to be funded. There will also need to be consideration of resources and time to support communities in engaging with the new system.

Detailed Response from Mendip District Council to White Paper Questions

Q1: What three words do you associate most with the planning system in England”

A – provided by the portfolio holder for planning.

Cumbersome and slow - it appears too many applicants to be a byzantine set of hoops to go through and makes the process far too long and drawn out.

Unimaginative – since we often have only a marginal input into the quality and appearance of build in many cases, Many bland and unexciting infill dwellings and developments get through our present system such that the housing stock in England is of unremarkable quality and character, and often not at all well related to the environment it is placed in.

Q2. Do you get involved with planning decisions in your local area?

Yes, the Council acts as the statutory decision-taker on planning applications and prepares and engages with its communities on the statutory development plan for the district. The Council facilitates the making of Neighbourhood Plans with Plan Groups. The Council is also a statutory consultee on minerals and waste applications determined by Somerset County Council.

Q4. What are your top three priorities for planning in your local area?

The Council’s objective is to bring about sustainable growth that delivers better places for people to live, work, and enjoy their lives; and to do so in a way that protects and enhances the natural environment and achieves a long-term positive future for all. The Council is a custodian for the valued natural and built environments in Mendip. In a simple sense, the priorities for planning should be to create places that are better than they were before, and which provide a long-term future for everyone.

It is s too simplistic to identify three components of planning that are the most important. At the heart of the concept of planning is the challenge to balance *all* the various topics that have been set out in the question,

and to find an appropriate way to reconcile the range of issues that they generate, and to do so in a manner that delivers optimal solutions for all concerned.

Identifying (and possibly elevating) certain topics over and above others runs the risk that the planning system becomes overly focused on specific issues, to the detriment of others. It is suggested that the values people ascribe to certain topics will be different depending upon their perspective. Some will value the delivery of additional homes over the protection of green spaces; others will wish to protect the natural environment at the expense of economic growth or the delivery of new residential development. This is perfectly logical. And, it is not the role of the planning system to promote certain topics over-and-above others, potentially resulting in negative impacts on aspects that others will deem sacrosanct.

Q5. Do you agree that Local Plans should be simplified in line with our proposals?

The Council agrees that local plans can be much shorter in length, more focused on local issues, and more specific in terms of defining local solutions to localised problems. The Council agrees that preparing local plans to a standard national template could help to improve transparency with the public, allowing people to become more familiar with the planning system by consistently accessing and engaging with a similar looking document across the country.

However, care must be taken to ensure that the standardisation and move towards digitisation of local plans does not restrict the local plan's ability to respond to specific local needs and circumstances. A move towards standard plans, with standard categories for land, underpinned by standard national development management policies, could lead to a level of uniformity and rigidity which is the antithesis of the White Paper's objectives for raising the quality of development and building beautiful places.

Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

Again, it is accepted that duplicating generic development management policies at a local level is unnecessary. Enshrining the truly generic development management policies at a national level is logical – and could represent a part-return to the way that Planning Policy Guidance / Statement documents were used prior to the introduction of the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

Specific, national-level development management policies could be set out under separate thematic headings (accompanied by supporting explanation and justification) and accessible online under the same banner as the NPPF / PPG.

The Council is concerned that national development management policies, in combination with the reforms to how local plans are formulated and written, alongside the creation of fixed processes for determining development proposals, could restrict community engagement in the future of what happens to their area. Whilst it is accepted that the White Paper's objective is to introduce a system which 'speeds-up' the decision-making process and creates greater certainty, there is a risk that this could come at the expense of community involvement. The removal of opportunities for stakeholders to provide inputs at the decision-making stage (by shifting the emphasis to the plan-making stage) is a radical shift in emphasis and is likely to be perceived as creating a democratic deficit, where decisions are considered a *fait accompli*.

The Council considers that there will be more locally specific matters where the unique characteristics of a place / location mean that the use of national, generic DM-policies is unlikely to be adequate. Proposal 2 sets out an alternative option where locally specific matters can be included in local plans. This seems the more logical approach, and it may be that the local issues could be specified in the details that sit alongside the categories of land defined in the new-style local plan.

The Council gently suggests that this alternative option is very similar to the existing approach taken to writing local plans, and therefore it is unclear why reforms would be required. It is not the Council's experience that national-level DM policies are repeated verbatim at the local level, but that the subtle nuance of local issues (or indeed wholly local issues that are unlikely to be reflected anywhere else) are added to local plans to cater to the types of issues that Councils face, and the types of development proposals that occur in their area.

Q7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

Simplifying the process is broadly supported. The Council has concerns that the achievement of sustainable development is not well-understood; and has been subject to significant disagreement at both a technical level, through the preparation of evidence to support a local plan; and at a legal level in terms of whether the balance of impacts and benefits results in a local plan proposing sustainable development.

At present, notions of ‘sustainability’ and ‘sustainable development’ are considered as part of individual technical evidence base documents, when the local plan is subject to SA / SEA, and when the local plan is subject to further legal and policy tests to determine whether the local plan is ‘sound’.

This current process has become unwieldy, overly complex, and therefore capable of being challenged from differing points of view. The current process, which allows for a variety of different definitions of what constitutes sustainability and sustainable development, and therefore a variety of challenges as to whether the local plan has proposed sustainable development, has become hazardous. Any challenge to the range of different legal and policy requirements can scupper the overall process and result in an ‘unravelling’ of the whole process for preparing the local plan – rather than considering whether the perceived error fundamentally results in unsustainable development.

In addition, the SA-process has also become extremely complex, and instead of focusing on helping to improve outcomes it has become a mechanistic procedural process that stores up the potential for legal challenges. Often the SA documentation is overly complicated, incapable of being understood by the public, and does not translate into real on-the-ground changes in development or behaviour that will lead to more sustainable development.

A consolidated test of sustainable development is supported but needs to be clearly defined, capable of being applied consistently and easily, and rigorous in terms of generating positive sustainable outcomes. It will need to be clearly defined in legislation. The Government should carefully consider the likely legal ramifications of any new test, and recognise that in the initial phase of implementing a new planning system that the new definition and test will be subject to scrutiny through the Courts.

Q7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

It is suggested that in order to avoid the current pitfalls associated with the DtC, any new strategic, cross-boundary working should be based on functional geographies which are defined and agreed at both a national-level and at a sub-regional level. It is suggested that the geographical extent of strategic and cross-boundary planning is at the sub-regional level, rather than the regional or pan-regional level.

For context, and by way of example, the geographical area for the Heart of the South West Local Enterprise Partnership represents a scale of geography that is unworkable for the types of cross-boundary issues that need to be resolved. The local LEP area is too large, does not adequately reflect joint and common issues, and does not marry-up with where the cross-boundary strategic issues manifest themselves. It suffers from a lack of granularity and is not tailored to the geographies where issues are most keenly felt. So, it is suggested that planning for cross-boundary issues, in the absence of the DtC, should not be delivered via the LEP geographies, nor the existing LEP-bodies.

More particular, sub-regional areas should be defined, based on functional catchment areas for travelling to work, economic activity, infrastructure provision / operation, housing market activity, environmental corridors and networks, and long-standing policy considerations (e.g. Green Belt). Once defined, the bodies within these sub-regional areas should be required to liaise and agree on list of cross-boundary and strategic matters. The list of matters should be drafted and agreed as part of an overall ‘terms of reference’ or ‘memorandum of

understanding'. The list of matters, and the bodies' progress to resolve these matters, should then feature within the overall assessment of whether the new local plans are fit for purpose.

Given the proposals for establishing housing requirements, the new cross-boundary working will have a 'fixed point' around which the discussions can pivot, and will allow discussions to focus on the effect and response to managing the delivery of the housing requirements, rather than seek to move the housing requirement around the sub-region, and/or reduce the housing requirement in certain areas, and/or simply avoid the delivery of the housing requirements.

Q8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

The Council has significant concerns over the standard method for establishing housing requirements. The Council's main concerns include: It is unclear how the alterations to the Standard Method (SM), as defined in the technical changes to the current planning system consultation, will (or will not) be rolled forward into the White Paper proposals.

Setting out different changes to the SM in two different consultation documents, is unhelpful. It would be preferable to define the SM once, get it right, and to roll that out once, uniformly across the country. Changing the SM formula twice, in a short period of time, does not help in terms of credibility, consistency, and in terms of relaying this information to stakeholders.

Looking specifically at the proposals in the White Paper, it is unclear what analysis will go into the setting of the housing requirement figure. The proposal references the use of criteria including: the size of existing urban settlements; relative affordability; historic under-supply; land constraints; better use of brownfield land; an allowance for land required for other (non-residential) development; and an appropriate buffer to ensure enough land is provided. But, the actual process and methodology for how these factors will be considered is not explained.

The lack of detail relating to the formula, the adjustments for constraints, and the process for carrying out a comparative analysis of different constraints undermines the credibility of the proposal. Basic information about who will carry out the calculations; how, how often, when, and ultimately what the calculations will mean for places, is absent from the consultation and therefore frustrates meaningful engagement.

For probity reasons, and to gain collective buy-in, the process for calculating the final housing requirement figure (accounting for the described criteria) will need to be transparently explained, and the methodology will need to be shown to be consistently applied across each local authority area. Without this transparency, the process will be open to technical and legal challenge, stymieing any notion of creating a simpler, quicker, more consistent and more streamlined system.

It is unclear how the housing requirement figure will help to address matters such as housing mix, type, tenure, and size – and the degree to which the housing requirement figure will truly respond to, and help meet, local housing needs.

The proposed SM does not appear to account for economic activity / economic growth, which could run the risk that there is a disconnect between housing growth and jobs growth – and also risk a disconnect between the location for delivering homes and jobs, resulting in sub-optimal outcomes for sustainable patterns of development.

8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

The approach to the SM appears to undermine the Government's strategy for focusing residential development in urban areas and facilitating sustainable development. The proposed approach will actually result in a dispersed pattern of housing growth. This stems from the application of the stock-based increase and is also a product of the affordability adjustment which focuses most of the need on high value areas.

As such, rural places, like Mendip, are disproportionately affected by the pushing out of urban requirements to more rural areas. This is compounded when the urban areas are particularly constrained by environmental and

policy factors, as is the case in Mendip where the Green Belt results in growth 'jumping beyond' the Green Belt and into the nearest rural areas. It is suggested that by taking a more definite approach, based on a stock-based annual increase would restore the correct balance between growth in towns/cities and growth in rural areas.

A 0.75% stock base annual increase for each LPA area which will focus growth on town and cities where most people live. The Government's proposed change (which relies heavily on the suppressed household projections heavily supplemented a double affordability uplift), much of the housing need is located in the rural areas of Southern England, especially in the South East, where house prices are very high. And to some extent that has the very real potential to squander a large amount of the total national need figure of 337,000 dpa because these areas suffer from multiple layers of constraints which will be used to significantly reduce that 337,000 downwards.

Taking a more stock-based approach would generate a stronger relationship with the reality of what is happening on the ground, and allows a smoother, more consistent application of future housing requirements. This is opposed to being overly reliant on sub-national population and sub-national household projections that are often volatile, subject to their own changes in methodology, and can be heavily influenced by short-term changes.

Q9(a). Do you agree that there should be automatic outline permission for areas for substantial development (areas) with faster routes for detailed consent?

- Yes but will depend on a clear definition of substantial development and how the permission relates to detailed planning permission?
- How detailed and in-depth will the requirements be for the growth areas in new style local plans? How much will be left for detailed planning permission?
- The Council is concerned that the design codes and prior-approval requirements necessary to make the new system work would need to be very carefully evidenced and extremely detailed in order to make sure they delivered a consistent high-quality standard of development. The work required to prepare codes and patterns books, and to agree the prior-approval process is expected to be resource-intensive and time consuming. It is unclear how compatible this workload is with the overall requirements to start and finish the local plan-making process inside 30 months.
- A reformed reserved matters process would appear to be the most straightforward method to pick up more detailed matters once outline permission is conferred through designation in the local plan. However, the process and protocols for discharging reserved matters would need to be clear, consistent, and fair.
- The reference to the use of LDOs is confusing. Given the work that will be necessary to define and confirm the growth areas, and given the accompanying desire to set out design requirements, it would appear as though there is no need for LDOs. Furthermore, LDOs normally confer both outline and detailed consent within an overall framework, which does not appear to sit well with the proposals for new-style local plans.

Q9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protection areas?

A9(b). Not sure - The consenting arrangements for Renewal areas appears problematic. It is suggested that the proposed changes run the risk that proposals in renewal areas suffer from being neither one thing, nor the other. They do not benefit from outline permission, as per Growth areas, and do not benefit from a particularly streamlined consenting process.

Even if the proposal in a Renewal area is for a pre-specified form of development, it still needs to go through a new permission route which gives an automatic consent if the scheme meets design and other prior approval requirements. It would appear that the work to define the design parameters and other requirements would have already been drafted by the LPA. As such, if these parameters can be laid down, it would appear that there is then little to be determined via an application. In this sense, it would be better to confer outline planning permission to those development proposals that meet the pre-described parameters. In this regard,

it would be much the same as the process that will be followed in Growth areas, with the detail forthcoming as part of a revised reserved matters process. Where development does not meet the pre-specified forms of development, then again, the process can follow the same procedures as for Growth areas, where a planning application is submitted for consideration, and determined in the context of the Local Plan, and with reference to the NPPF and national DM policies.

Protected Areas

For Protected areas, as noted above, the local specific issues would need to be reflected and considered as part of any decision-making. Whilst the national level DM policies will address the majority of matters, it is expected that there will be local issues that need to be assessed. It is unclear how these local particulars would be set out, and it is unclear how these local particulars would be considered in any decision-making on schemes proposed in Protection areas. As a suggestion, it would seem appropriate that the local particulars which are relevant to Protected areas are written into the new-style local plans and specifically form part of the new-style local plan. These can be suitably short and precise, they can build upon the expected national level DM policies, but would clearly identify the local matters that need to be held in regard. Any mapping of the Protected areas could clearly and simply draw attention to the additional local matters, and planning applications would be expected to specifically address them.

The definition of protected areas / sub areas will need to include a much wider range of considerations than just the boundaries of designated wildlife/ woodland sites and AONBs.

Plan making guidance

Will need to have regard to

- Wildlife corridors - both for wildlife and for humans, and both within large developments and leading out of them so we are able to access the countryside /wild spaces
- All areas that contain endangered species regardless of their current status
- Woodland copses, orchards and larger areas of existing tree cover.
- Tree planting areas, especially in the areas higher up in our water catchments
- Best soil areas for food production
 - Rewilding areas to reverse species decline
 - Carbon sequestration areas. e.g. peat areas on the levels should be protected for this reason alone

Q9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

Yes – although the inter-relationships between the total housing requirement figure for an LPA, the requirement for new settlements, viability, and deliverability will need to be examined in further detail in order to make sure that the NSIP regime sits harmoniously alongside the proposed new local plan-making / planning system.

10. Do you agree with our proposals to make decision-making faster and more certain?

The Council supports the ideal of a system that provides consistency and certainty. Although, it is argued that the current system has an excellent track record in providing certainty and consistency for the vast majority of those involved in the system. It is cautioned that faster decision-making does not necessarily translate into better decision-making. And, the proposal to fix the eight-week and 13-week firm deadlines may result in unintended consequences, and lead to poorer quality development.

The proposals to 'speed-up' decision-making relies heavily on digital and data-led improvements. Whilst these changes are likely to result in overall improvements in the system, the time taken to reach a decision is not solely linked to data availability or the use of non-digital systems. There are other complications to the process

that can result in a longer timeframe for decision-making; and the planning system is designed to attempt to achieve the best outcomes for all, as opposed to being an automated process that just requires improvements in data handling and a more comprehensive use of software. The proposals include little detail as to 'what' the proposals will tangibly achieve in terms of faster decision making.

As noted in answer to Q6, there is a genuine concern that the proposed approach to decision-making will result in a democratic deficit, where local stakeholders who are affected by development proposals will be unable to influence the proposal at the decision-making stage because the overarching decision has already been determined through the local plan-making stage. This could (in opposition to what the White Paper is seeking to achieve) disenfranchise stakeholders from engaging with the

11. Do you agree with our proposals for accessible, web-based Local Plans?

Yes - the principal of making Local Plans more accessible using technological solutions is supported, as is the principal of improving accessibility to information garnered through the evidence base through loading this to map based public engagement platforms.

Any shift to a fully digital, web-based system must be inclusive. The demographic and age profile of residents and communities in Mendip means that there is a substantial percentage that are digitally excluded, without access to superfast broadband capabilities, and without access to the requisite IT equipment to allow for access to a web-based local plan.

The standardisation of formats is also welcomed. However, there remains a question around quality of engagement. Developing specifications for information is challenging and details of the exact requirements for digital planning and web-based local plans must be developed. The work on the brownfield register specification is a good example of how complex this is. The move to a fully digital, web-based system would require the Council to commit a significant amount of resources (both financial and personnel) to bring about the shift. The Council would expect the cost to be part-funded by Government and third party providers.

Many different digital engagement platforms have been developed. Many of them have been purchased by local authorities at great cost, and many of them replicate paper form filling processes necessitating lengthy interrogation after the close of consultation. The newer interactive digital formats lend themselves very well to commenting on specific proposals and the ideas generation stages of planning (site allocation and issue gathering stages and planning application stages) but are generally less useful at distilling directions for growth and areas of development opportunity where there are not obvious brownfield development options. These systems tend to offer the digital equivalent of "post it" notes. The consultation software examples linked through the document at footnote 12 at <https://www.commonplace.is/> are of this type. Plan making is not just about renewal of urban areas and brownfield development but also green field development, and often Green Belt review.

Placing digital post-it notes on digital maps does not help policy makers come to conclusions about where development could be located. The type of decision making required to build consensus regarding areas for growth require dialogue with consultees which is at present, built up through the consultation process and through democratic processes as elected members agree development plans for consultation. The removal of the many current opportunities for consultation is a cause for concern, as is the much faster time period for development of the proposed zones. The proposed new style local plans will need to define areas for renewal and protection but also areas for growth. It is the proposed growth areas that will be the most difficult to delineate, particularly where sensitive and/or valued landscapes would be affected. Where only two opportunities to comment are offered, it is questionable whether even the most dedicated parties will be able to engage effectively.

Not everyone has access to a smart phone or personal computer, internet access is not free, nor is there universal coverage across England. That rural areas and blackspots in urban areas have poor internet connectivity needs to be considered in a move to predominantly digital engagement, as does the cost associated with procuring and learning how to use any new engagement software effectively.

As a likely 'early adopter' of a plan under the reforms in the white paper, Mendip would wish to be considered for any pilot projects for digital engagement

Q12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

In principle, the Council agrees that local plans should be drafted, examined, and adopted in a much shorter timeframe than currently exists. The 30-month timescale is much shorter than the average time taken to produce and adopt a plan under the current system. The Council is concerned about the level of skills, capability, and resources across the system that could manifest a step-change in the timescales. This issue is not only one that applies to LPAs, but also to all other actors and stakeholders involved in the planning system, including MHCLG, PINS, Inspectors, statutory authorities, landowners, developers, community groups, and the general public. One reason for the current length of time required to produce and adopt a local plan is the procedural steps that need to be followed, and how these steps have evolved and become bloated by iterations to legislation, policy, guidance, and case law.

In order to 'speed-up' the process, each aspect of the procedural requirements will need to be carefully and concisely drafted so as to reduce ambiguity and to allow all actors to be able to follow the agreed steps. Unfortunately, the reality is that when a new system is enacted, there is inevitably a period of time where mistakes are made, where certain approaches become the accepted norm, whilst others are shown to be incorrect. Over time best practice emerges and a consensus is reached on how to proceed. It is suggested that in the initial period, once a new system is enacted, that the timescales involved will not be 30-months. The inability to meet the timetable will not be due to transitional arrangements, but will instead be as a result of the industry 'feeling its way' through the process, learning and adapting to the mistakes of some, and building upon the successes of others.

- It is unclear from the five-stage process whether 'Stage 2' includes a period of consultation. It is suggested that the engagement at Stage 1 and Stage 3 is insufficient to garner comprehensive stakeholder views on the local plan. Consultation at Stage 1 will have to consider brand new evidence on sites and is too early in the process to allow for full and comprehensive views to be fed back. Consultation at Stage 3 is as part of submission to PINS, and therefore risks being seen as a *fait accompli*, and where there will be limited ability to challenge and change proposals. Providing the opportunity for further public engagement and consultation at Stage 2 would allow for proper consideration of a 'draft' local plan – where sites have been received, zones have been drafted, and the evidence base is complete – but is still prior to submission to the formal process of examination by PINS.
- The Council is concerned that the stages (and timescales) associated with the production of new-style local plans will create a democratic deficit. Once adopted, the local plan will categorise areas of land, and these tracts of land will gain a certain status and an accompanying set of prior approvals and permissions. This process means that the public's role in the decision-making part of the planning process will be greatly reduced, with no requirements for further public engagement once a site has secured its status in the local plan. As such, the process of public scrutiny in the preparation, drafting, and examining of the local plan (prior to its adoption) becomes even more important.
- However, the proposals set out will actually reduce the public's ability to engage and scrutinise the local plan-making process, removing democratic accountability. In fact, the proposals will result in communities and stakeholders having fewer opportunities for input than in the current system. The 'right to be heard' as currently defined in the Planning Act (2004) will be removed, yet arguably this right, and ability to engage at the plan-making stage ought to be made more important to the new style process, as once land is enshrined in an adopted local plan the process for further engagement is reduced. The Council suggests that further opportunities for community engagement are added to the proposals for preparing a new-style local plan.
- The ambition of a reformed system where there is less need for the Courts to determine planning matters is welcomed. However, the introduction of new legislation and guidance in the past has resulted in a 2-3 year period of clarification through the courts on key aspects. Other aspects of the planning system – such as CIL have resulted in almost annual updates being necessary to correct flaws in the legislation in practice. The government will need to consider carefully whether sufficient time has been made to engage and critically review the drafting of a new planning Act if this outcome is to be realised. A rushed timescale would suggest continued reliance on the Courts to provide interpretation.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

- Yes - The Council is working with local community groups to help draft and adopt NPs. There is real value in how NPs can engage with the community on planning issues at a local level. Neighbourhood Plans should be retained as a positive element of community engagement in planning but there is an urgent need for clarity in terms of their future role. Without this certainty it may be difficult for any local group to take forward a neighbourhood plan at this time
- The Council is concerned that there is little detail as to what role NPs will play and there needs to be early certainty of the how they will fit into new style plans. NPs take up a significant amount of effort which is largely voluntary and it is not reasonable for NP groups to start or take forward plans when there is uncertainty around the status of the policies they contain. Communities are particularly concerned around protecting and enhancing the role of their open spaces and green spaces. This should be included in clarifying the role of NPs
- The Council is concerned that NPs will only have influence on design matters. If this is the case, then the details surrounding design could be drafted and placed within new style local plans. Council will have to dedicate considerable time to identifying those design parameters that are acceptable in G/R/P areas. This could easily be done with those groups who are exploring NPs. The agreed design parameters could then be added to the overarching local plan, rather than have a two-tier approach which would appear to be a waste of time and resources.
- It is suggested that there would be little appetite to prepare NPs for individual streets. The Council believes that the level of work required to prepare and formalise a NP for an individual street would prove prohibitive to most community groups.

Q13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

As above, if the design parameters are collaboratively determined, then they can be added to the new style local plan – which can be displayed online and can be queried and interrogated by both local community and prospective developer.

14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?

Yes, but, the proposals set out in the White Paper take an overly simplistic view on why developments are not built out. Under the proposed zoning approach, there is no incentive on developers of large sites to build out where hope value may significantly increase the value of the final product. Nor are there any inherent consequences for developers who chose not to build out their sites promptly. The actions put forward in the White Paper are unlikely to lead to any increase in housing delivery.

The proposals, expanded upon in Pillar 2, appear to assume that a variety of development types, alongside a range of site sizes, and design expectations will automatically result in a range of different developers taking up the development site, and working as one to build the site out. The reality is that, currently, sites are simply not built out in this way.

With the exception of the very largest sites, where there may be two or three different building companies operating on a site, the vast majority of sites are bought by one building firm and are built out by one building firm, using their established supply chain / sub-contractors. It is suggested that the proposals, if implemented, could actually slow-down the delivery of sites. A complicated design framework, combined with a non-standard set of development sites and plot types, is unlikely to fit with the main building companies' set approach to delivering developments. As such, rather than stimulate the market, the proposals may have a

chilling effect on the market, with the majority of building firms not prepared to take on sites with such complexities, complications, potential conflicts with other building firms, etc.

The SME market represents a small proportion of the overall construction industry. The ability for the SME builders to scale-up and deliver the types of development and range of development sites that the White Paper envisages is unrealistic, especially in the short term. As such, a careful balance must be found between seeking variety and difference, that in turn promotes quicker, better, more beautiful developments; and the reality of the skills, capability and requirements of the established development industry and their modus operandi in terms of buying and building out development sites across the country. At present, the proposals in the White Paper appear incompatible.

The proposals suggest that a variety of development types, alongside a range of site sizes, and design expectations will automatically result in a range of different developers taking up the development site and working together to build the site out. This is unrealistic. The introduction of a complicated design framework, combined with a non-standard set of development sites and plot types, is unlikely to fit with the main building companies' set approach to delivering developments. However, if this approach is to be supported then the Milton Keynes model has much to recommend it as highlighted by the Letwin review. Funding for compulsory purchase of sites based on a reasonable value of the land with planning permission, allied to funding for infrastructure at the start of the development process provides ready to develop parcels/phases to individual developers, SME builders or self builders and puts local government in control of housing land supply. It would be prudent to reflect on the Letwin review and the findings of the July 2020 Commons Select Committee report, *Building More Social Housing* in order to develop a more holistic approach to ensuring the right type of housing comes forward where and when it is required. The planning system already grants permission and allocates sufficient land to meet housing targets.

Sites allocated in the new style local plans would effectively already have gained planning permission. What incentive would therefore be in place to build these at a pace suiting the housing land supply rather than the individual company's landbank? At present there are conditions requiring certain milestones to be reached attached to planning permissions. There are currently no proposals to de-allocate sites if they are not built out in a timely manner.

The 2017 White Paper "Fixing our Broken Housing Market" advocated a number of alternative measures to support delivery which seem to have been omitted in the drive to reform the planning system. These include the inclusion of deliverability as a material consideration for planning applications, reducing the standard implementation timescale for a permission to two years, and supporting a more effective use of completion notices to encourage timely development of sites. These actions are supported and should be fully investigated as alternatives to increase delivery both within the current planning system and any wholesale reform.

Q15: What do you think about the design of new development that has happened recently in your area?

A – provided by the portfolio holder for planning.

Poorly designed - subject to comments below.

We have some exceptional and imaginative dwellings (with a nod to Channel 4's "Grand Designs") that have been approved in Mendip but mainly we either have larger developers delivering cloned housing estates that have no particular relationship to our area or offer any sense of place making.

Infill dwellings in smaller developments in our market towns have often either been bland in appearance or attempt to look like an earlier style of architecture (often a cheap version of 19th Century design), with little relevance to the 21st Century in which they have been designed and constructed. This lack of design excellence is producing a bland and uniformly unimaginative fringe of clone estates surrounding our market towns or bolted onto our larger villages.

The lack of a commitment to sustainable design, both in the quality of the build and in insulation / PV panels or other carbon footprint reduction elements is of concern if we are to have any chance to meet the climate emergency targets to become carbon neutral in the foreseeable future.

Q16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

- Protection of the unique landscapes and sense of place in the towns and villages across Mendip;
- Relationship between towns/villages, valued landscapes and natural environment;
- Transitioning to a higher value economy
- Delivering the necessary housing that prioritises local housing need
- Retention of local open and green spaces;

17. Do you agree with our proposals for improving the production and use of design guides and codes?

The setting out of national and local design guides and principles represents a useful and positive step forward. In theory, this would help raise the overall standard of development and positively contribute to designing and creating higher quality developments and better places. However, the proposals do not provide the detail on how local design guides / codes should be prepared, or the level of specificity that should be included within the local guides / codes. The Council is concerned that significant upskilling would be required (both in terms of Officers, but also local stakeholders) in order to appropriately and successfully draft and implement local design codes.

Similarly, whilst the national and local design codes offer the opportunity to standardise the quality of design across the country, there is insufficient detail as to how the national and local codes can effectively respond to the breadth of design characteristics across the towns, villages, and settlements in Mendip. There is a danger that the complexity of different design requirements in each settlement could result in a vast number of local design codes being needed, to the extent that it becomes overly prescriptive, unwieldy and unworkable in practice.

The proposals appear to suggest a more automated approach to decision-making, one where design codes can be programmed as inputs, and where subsequent development proposals can then be considered via digital services in an automated manner, presumably by a computer. This objective runs the risk that the complexities of places, spaces, buildings, and local environments are reduced to predetermined set of categories that can be placed with a computer programme with decisions uniformly reached via a set logic. However, this proposal fails to recognise the unique and varied circumstances that exist across streets, villages, towns, and cities – and the risk is that the rich context, which make our places special and valued, is eroded and reduced to a bland homogeneity, with poorer outcomes for communities and businesses.

The proposals also assume that the planning system can be boiled down to computational actions based on fixed parameters. Whereas, the reality is that analysis and decision-making on matters such as how to best realise social, environmental, and economic value are complex, difficult, and must grapple with matters of plurality. Those operating within the current planning system understand that there are differing views on what represents best value, the ideal of what is 'good', and what may represent the optimal use of resources (be that land, money, people, or any other asset). The risk with the proposal for fixed design codes, set parameters, and unequivocal methodologies is that it reduces the agency of both people and place. There is also the inherent risk that the fixed approach, once established, is proven to be ineffective and indeed disadvantageous to certain people, and that the minority inputs to the process result in outputs that favour the minority and marginalise those who the system is intended to help. There needs to be a clear methodology of how to evidence 'provably popular' at examination. Support and guidance is needed from Government on commercial viability in relation to design codes. This will give the ability for LPAs to go forward in confidence when producing them and affords a degree of protection at examination to avoid them

being extensively watered down through developer pressure. Support will need to be provided to local communities to ensure that they are able to effectively partake in the production process of design codes for their areas. There should also be clarification on the future role of neighbourhood plans, especially in their relation to design.

This issue is potentially compounded by taking an overtly digital, data-drive, computational approach to planning. This is because, in turn, it centralises power and agency to those who are best equipped to influence and shape the process. This, conversely, serves to marginalise more people from the planning system, rather than democratise it as it the stated ambition in the White Paper.

The Council is also concerned as to the amount of resources and skills necessary to prepare the large amount of local design codes that are expected to be required in somewhere like Mendip. The district features a high number of conservation areas, listed buildings, heritage and conservation assets, locally listed buildings and other built environment assets. Finding the appropriate balance between preparing specific local design codes, whilst also promoting design innovation, all whilst responding to specific local issues, is expected to take considerable time and resources.

18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

Yes – although the roles and responsibilities for the national body and the chief officer for design and place-making need to be clearly defined. Their role must not affect the sovereignty of the Council’s local decision-making.

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Yes – Homes England has the potential to fulfil a much stronger role in shaping development proposals.

20. Do you agree with our proposals for implementing a fast-track for beauty?

In relation to design codes and the emphasis on ‘beauty’ as the principal consideration for emerging proposals is concerning for a multitude of reasons. First, ideas of beauty are not all the same, and are subjective in a similar sense to how ‘good’ design can be interpreted. ‘Provably popular’ design in one setting could well be disliked in another. Secondly, although beauty is a virtue of design, it is not the sole purpose of good design which should be of a high quality and meet all three tenets of sustainability (economic, social, and environmental); high-quality homes are more than their appearance and more than ‘beautiful’. Thirdly, the focus on beauty above other design considerations could give rise to a stifling of individualism and innovation. These concerns are compounded by the idea of a ‘fast-track’ process to automatically approve development which is considered ‘beautiful’.

In reference to design codes, these can be interpreted as widely as the concept of ‘beauty’, and do not always translate into ‘quality’. They would be likely to fail in this pursuit if they are not context-specific and co-designed with residents and local communities. The details on how a national design code will be prepared and implemented are keenly awaited. As the centrepiece of the new planning system which is to be led by beautiful design, it must be applicable to a wide variety of contexts. A key concern here is that once it is established as a basis for development, opposition against proposals which are designed in compliance with it will be stifled. Therefore, it is critical that all stakeholders are involved and participate in its consultation process, before the window of opportunity is closed and not reopened until such a time as the national design code is subsequently reviewed.

Proposal 18 - Lack of Commitment on Climate Change

It is acknowledged that the White Paper makes positive commitments in relation to climate change and that all new homes should be ‘zero carbon ready’. The Council is concerned that the lack of detail may result in

ambitious commitments being watered down. It is disappointing the opportunity has not been taken to integrate this document with other government strategies on de-carbonising transport and accelerating building standards.

21. When new development happens in your area, what is your priority for what comes with it?

Mendip's number one priority is to maximise the provision of affordable housing and with the majority of delivery as social housing for rent. This is the area of greatest need. Delivery of facilities or contributions towards education where there is a deficit and open space are other priorities.

Q22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

A22(a).

Yes A streamlined, fair and transparent system for developer contributions remains a long-held ambition for planning reform. The current proposals to merge s106 and CIL has potential in seeking to be based on development value. The success of any proposal is critically dependent on the how the levy rates are set and there must be local flexibility in how local viability and development values are taken into account. However, it remains the case that developer contributions will never fully cover the costs of local infrastructure to support housing growth.

The lack of detail in the White Paper and the proposals means makes it difficult to assess whether revised arrangements will deliver a greater level of planning gain in practice. Having reviewed the proposals, a series of issues / questions emerge:

- How will the consolidated Infrastructure Levy respond to marginal viability, and will a fixed proportion of development value above a certain threshold actually prevent certain schemes coming forward?
- Section 106 agreements cover more than just payment of contributions and the delivery of a specific affordable housing percentage – the removal of Section 106 obligations would therefore present problems for securing items such as: sustainable travel methods, the employment of local people in development construction jobs, retail units at an affordable rent, and on-site facilities such as open space, schools, doctors' surgeries and community facilities.
- Section 106 agreements also secure mitigation which cannot be conditioned on a planning permission, such as the payment for air quality monitoring stations and the payment for ecological off-setting land. If Section 106 agreements are replaced and planning conditions are standardised at a national level, there is a risk that on-site mitigation is not adequately secured, resulting in poorer developments, which is contrary to the Government's objectives.
- Who, between the developer and the local planning authority (LPA), will decide whether, and, if so, how much, affordable housing is to be provided on-site and offset against the levy?
- Mendip does not have a CIL in place, mainly due to the fact that values and viability in the area means that it is more prudent to utilise individually negotiated Section 106 Agreements, as these provide the flexibility to respond to the bespoke issues facing each site. It is suggested that LPAs are currently utilising

the flexibility in Section 106 Agreements, and the existing CIL regime, to help balance the impact of levy rates on development viability.

- Incorporating affordable housing, Section 106 Agreements, and CIL into one consolidated Infrastructure Levy risks removing the current flexibility, resulting in more challenging conditions for bringing development sites forward, and potentially defeating the objective to raise the overall level of value captured from development, and realise more affordable housing.

Q22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

The Council is concerned that the proposals are likely to be just as complex and complicated as the existing system, and the White Paper has not adequately explained the tangible benefits of the new arrangements. The proposals will feature a set of rate setting, liability, and payment and spending mechanisms, all of which will require substantial technical work to put in place and will require a period of time to implement effectively. It would seem highly unlikely that the rate could be a nationally-set flat rate charge of £x per square metre. The Council assumes that the proposal would create a nationally-set proportion of gross development value (GDV).

The levy rate needs to respond to local circumstances and local viability issues. Clearly, the context and circumstance for land values are different in Mendip than they are for Manchester. Land values drive the considerations of whether development is deemed viable, and ultimately progresses through the system, and is built out. Given that sales values are a function of land values, then the scale of the newly proposed levy (which will be linked to the development value) is still materially affected by land value. As such, setting one figure at the national level seems illogical, and is likely to result in unintended consequences and stymie development in certain locations.

Furthermore, if the levy rate was set 'low' based on a national average, it may be that certain locations with higher land values, and therefore higher development values would 'miss out' on the ability to maximise returns from the levy. Similarly, if the levy rate is set too 'high' then it will sterilise development. The extent of the uplift in land value (which the proposals are attempting to capture) is not proportionate to GDV, and is governed by a complex set out relationship between value, cost and the existing value of the land. This relationship varies not only from place to place, but is sensitive to each and every site, and the differences in terms of approach to site build out, development type, as well as expected timescales for delivery etc.

In addition, it would seem that the Council would lose the opportunities afforded under the current system to set differential rates for different types of floorspace / use class; and the possibility to set zero-rates / exemptions based upon a local understanding of viability, or objectives to incentivise certain development types.

Q22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

More value – if the process is to be reformed, and amended, then surely the objective must be to derive more value from development? The proposals make it unclear how this will be achieved, particularly when set against the evidence included in the "Incidence, Value and Delivery of Planning Obligations and Community Infrastructure Levy in England in 2018-19" report published alongside the White Paper. This shows that £7billion was secured through Section 106 agreements and CIL. The extent to which a greater amount can be generated, whilst not serving to dis-incentivise owners and developers from bringing forward development, remains unexplained.

Q22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

The Council notes that borrowing against future receipts, linked to infrastructure funding and delivery is akin to previously mooted proposals for tax increment finance. This proposal represents a high-risk borrowing strategy, particularly given the current state of public finances and the overall financial burdens faced by Councils. Leveraging against future levy receipts could be financially imprudent, especially given that receipts are payable on occupation rather than commencement, and as such, there is the greater possibility for a disconnect between expenditure and income, opening up greater risk in terms of cashflow, the timing of payments, and, in the extreme case, a lack of future receipt due to the development proposal not being delivered and not being completed.

That said, if the objective is to forward-fund infrastructure delivery, and bring forward infrastructure in a manner which accelerates the delivery of development, then there may need to be a requirement for LPAs to utilise greater borrowing powers

Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Yes – although it is assumed that very few permitted development schemes would be above the set development value threshold to trigger the levy.

Q24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

Yes – the new proposals should secure at least the same amount of affordable housing, and it should maximise the delivery on-site.

The over-arching thrust of the consolidated Infrastructure Levy is to derive a cost / amount, and to have this payable by the developer, rather than become involved in negotiations about delivery via a Section 106 Agreement. In simple terms, this represents a move towards providing money, not homes, and the risk is that fewer affordable homes will be delivered.

It is suggested that developers would prefer to pay a levy to the LPA whilst only delivering market housing on-site, and in turn pass the responsibility to deliver affordable housing to the LPA and RPs. This requires the LPA / RP to find another site and go through the delivery process. This may yield poorer outcomes in terms of affordable houses being delivered in sub-optimal locations and not as part of mixed development sites. It could also generate a lag between market housing being delivered and affordable houses being delivered, negatively affecting the overall housing mix within an area / district.

Q24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

In-kind payments are better understood and have been utilised by both developers and LPAs to secure the delivery of affordable housing. The mechanism has been proven to work effectively.

Q24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? Yes – this is fundamental to the LPA being willing to accept the additional risk to proceed with in-kind delivery. As an alternative, it may be that Government is willing to under-write the risk, and offset any potential overpayment, and that the developer claims the amount from Government, rather than the local planning authority. This would remove the element of risk, and execution and delivery would be accelerated.

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

Yes – a time period for the sale / transaction on the affordable homes would provide an incentive to make sure that the homes were built to standard that they would be sold.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

Yes, Flexibility could be beneficial, and it would allow levy receipts to be spent on corporate priorities and locally determined projects. However, the proposals indicate that the additional flexibility would only be forthcoming once 'core infrastructure obligations' had been met. It is unclear what would constitute core infrastructure obligations, and it remains to be seen whether the scale of the consolidated infrastructure levy receipts would amount to more than the monies required for necessary infrastructure to ensure sustainable development. In principle, regulations should not allow monies to be spent on discretionary projects, or to be used to pump-prime service delivery, or reduce Council Tax.

Proposal 23 – Resources and skills for Planning

The Council supports the recognition of a need for a comprehensive resources and skills strategy and that this will be addressed in current and future spending reviews. While it is suggested that the development levy could provide funding for plan making, this is not going to be in place for the first round of plans under the proposed reforms. There will also need to be clear rules of public confidence in the planning system is to be maintained.

25(a). If yes, should an affordable housing 'ring-fence' be developed?

Mendip would support a ring fenced approach otherwise it will be difficult to engage with existing providers.

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

There is, unfortunately, insufficient detail included within the White Paper to be able to comment effectively on the equalities impacts of the proposals. This list of considerations is by no means exhaustive but highlights the scant consideration for equalities duties under the proposed reforms.

Mendip's response to this section is posed as a series of questions.

- How will development that is in the wider strategic interest be negotiated in the absence of the duty to co-operate or any alternative strategic framework?
- What will be the balance between affordable housing and infrastructure delivery where levy payments are insufficient to meet the requirements of both?
- How will the continued emphasis on home ownership through the plethora of supported access routes impact on the achievement of affordable housing for those who cannot afford market rents?
- How will housing standards be maintained under the permission in principle regime?
- How will sites for Gypsies and Travellers be allocated?
- A hybrid system with a mixture of discretionary and codified zones will be procedurally complex. How will the public be educated to understand the changes?
- How will people who are not able to access technology be able to engage with planning proposals?
- How will communities be supported to engage with the plan making process effectively under the 30 month timescale?

How can restricted local authority financially support a move to digital plan making when there are stark choice being made with restricted social care and education budgets ?