



MHCLG Consultation: Planning for the Future White Paper

Consultation response from Teignbridge District Council – 20 October 2020

Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX

forwardplanning@teignbridge.gov.uk

<p>3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]</p>	<p>Whilst we welcome efforts to streamline the plan making process, this should not be at the expense of meaningful engagement with local communities. The importance of local views and keeping public confidence in plan making should not be underestimated or undervalued. We are concerned that the proposals as currently set out reduce local scrutiny and democracy, taking the power to make changes away from the people who are most affected by the plans.</p> <p>We fully support the move towards more digital based engagement which has the potential to widen reach and reduce consultation costs. We have had success in a digital-led consultation which was carried out during social distancing restrictions with the levels of engagement we monitored showing a significant increase the amount of people seeing Local Plan-related content as a result of social media advertising and through interaction with online videos. Formal consultation responses were three times that of our previous paper-based consultation.</p> <p>However, a greater focus on digital consultation should not ignore individuals or groups who cannot, or choose not to, access planning proposals online.</p> <p>We need to consider the application process too as whilst much of the consultation will be done at plan stage, for protect and renewal areas we would still receive planning applications where publicity and engagement will be important via a range of methods.</p>
<p>4. What are your top three priorities for planning in your local area? [Building homes</p>	<ol style="list-style-type: none"> 1. To become a leader in tackling climate change; 2. Providing more homes which are truly affordable for local people and can meet the needs of each generation; 3. Encouraging a buoyant local economy that is supported by physical and digital infrastructure

<p>for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]</p>	
<p>5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure. We agree that the plan making system has become overly lengthy in process and in many cases is inflexible in being able to swiftly respond to changing circumstances. However, it does enable significant potential for community, business and stakeholder input as well as confidence in ensuring environmental protection through the legal frameworks that are in place. The proposals as currently set out provide little comfort on either account: the single stage of formal consultation proposed at the submission stage falls significantly short of what we as a Council would expect in ensuring that local interests are able to be fully reflected in Local Plans, and the proposed streamlining of environmental assessments suggests a weakening of the environmental importance attached to the preparation of plans.</p>

	<p>At this stage, the categories seem vague and do not provide sufficient assurance that places and spaces of particular value will be protected within the growth or renewal areas. For example, large areas which may be earmarked for 'growth' will inevitably include sub-areas within them which will need to be protected for purposes such as recreation, ecology, flood risk management, heritage impact etc. How will this be managed as part of the zoning?</p> <p>There is a need for significantly better understanding of what “outline consent” means before proper opinions can be expressed. If “consent” is granted by the plan but assessments are to be undertaken later then the consent may not be deliverable, conversely, the burden of producing the material necessary to deliver a fully implementable and assessed masterplan (EIA and HRA) is not possible with current resource levels for the vast majority of LPAs.</p>
<p>6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>No</p> <p>This depends on how much discretion will be left to local authorities to set policies or rules for issues which have not been covered in the NPPF. For example, there are specific local issues to Teignbridge which are extremely unlikely to be covered in detail in blanket nationwide policies. This removal of local discretion and democracy will erode trust in in the plan making system and reduce certainty for applicants in what is likely to be permitted. In addition, policies cannot be written from an urban-centric focus and expected to apply to rural settings.</p> <p>We are disappointed and concerned by lack of attention in the White Paper to climate change mitigation and adaptation and the inference that such issues will be addressed on a national basis only. We have significantly more ambitious targets in place to address the climate emergency and would not wish to see these watered down by less ambitious national policy.</p>
<p>7(a). Do you agree with our proposals to replace existing legal and policy</p>	<p>No</p> <p>The current tests of positively prepared, justified, effective and consistent with national policy ensure that the plan making process is carried out within a framework that requires and allows for significant evidence and</p>

<p>tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>community engagement to support proposals. The potential for a consolidated 'sustainable development' test is that it favours the development industry and not the communities that live in the locality, the assumption being that as long as something is 'sustainable' the proposal is acceptable. There can be many options for what might constitute 'sustainable development' but the current process allows us to identify all of them and then engage with the people living and working in the area to find out which proposals are most acceptable.</p>
<p>7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?</p>	<p>The current Duty to Cooperate requirement is effective in holding individual authorities to account over their proposals for growth which could have an impact on the communities, infrastructure, environment or economy of an adjoining authority. It ensures that cross boundary issues are given full consideration in the examination process and encourages stronger partnership working in placemaking, which is essential given that people, places and environments do not stop at political boundaries.</p> <p>As a minimum, any replacement of the DtC must ensure that there is a legal requirement on LPAs to engage in cross boundary issues and deliver strategic infrastructure which is needed across more than one authority area.</p>
<p>8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure.</p> <p>Whilst we are generally in support of a standard method for calculating housing need which significantly reduces unnecessary plan making time and expenses, we fundamentally disagree with the formula on which the standard method is based.</p> <p>Our objections are based on the following:</p> <ol style="list-style-type: none"> 1. A reliance on housing projections for calculating housing targets will result in disproportionate increases for areas where recent housing delivery has been strongest. This is particularly the case in parts of the South

West where much (not all) of the housing demand is characterised by lifestyle choices and inward migration rather than economic and social need. You can see this in the resulting figures for Devon, whereby districts with high delivery rates over the last 3 years have seen increases in their housing numbers (e.g. Teignbridge, South Hams, North Devon) whereas districts with low delivery rates have seen decreases in their housing numbers (e.g. Torrington, West Devon).

2. The ONS 2018 population projections feed into the proposed method. They are informed by two-year internal migration data that relies solely on the years 2017 and 2018. The methodology that supports the 2018 population projections notes that, *'There is a chance that using only two years of data will create unusual averages for local authorities experiencing abnormal migration patterns over this short period'*. This is indeed the case in Teignbridge, where in the same period, new property sales, as a proportion of the area's total housing stock, were 33% higher than those of the South West region in 2017. For 2018, it was 26% more. Such population projections based on short term migration data therefore reflect a pattern of inward migration that has been the house buying driver in recent years, fuelled by a building programme that has created life style opportunities which have attracted people to the area. It does not reflect the much more modest locally arising economic and social need for new homes. As such, we strongly disagree with using such short term migration data which skews the extrapolation of trends going forward.

Under the new proposed housing need methodology, our area would see one of the greatest housing target increases across the country. Whilst the national method that was introduced in 2018 currently requires 760 dwellings per annum (23% more than our 2014 Local Plan target), the latest approach would see that figure double again to 1,532 units. We should not be planning for a twofold increase in our housing target on the strength of very short term internal migration data. Areas like Teignbridge that have already embraced the need to build more homes should not be penalised for their swift and proactive approach to delivery. We recognise the challenges of housing affordability and the need to build more homes but would strongly advocate a method that is derived from stable long term data.

3. We have consistently delivered on our Local Plan housing target for the last 5 years and affordability has continued to get worse, disproving the notion that the more housing you have, the more affordability will

	<p>improve. If the affordability uplift was coupled with investment for affordable housing, or a state-backed not for profit, housebuilding scheme, then this may go some way to address the issue.</p> <p>Should the standard method in its current form be implemented, then we welcome the proposal to take land constraints into account. However, there are 2 key issues with this:</p> <p>Firstly, we are deeply concerned by the White Paper's reference only to constraints such as flood risk and environmental designations. In Teignbridge, we have a huge amount of constraints that are not nearly so obvious. This includes a very challenging topography, Mineral Safeguarding Areas, sub-terrain mineral rights, a complex Greater Horseshoe Bat ecological network, Ancient Woodland, strategic overhead power lines, high pressure gas pipe networks, not to mention that a third of the district lies within the Dartmoor National Park. Our detailed site capacity assessments show that we would be unable to even meet the proposed annual target without having to develop sites which have been identified as having moderate to significant constraints. This includes potentially unresolvable infrastructure issues (e.g. primary school capacity in many of our smaller settlements unless significant school building funds are made available) and extensive land constraints (including minerals, internationally protected ecological sites and networks, flood risk, topography and the Dartmoor National Park). See Figures 1 and 2 (attached).</p> <p>Secondly, the White Paper's approach to taking land constraints into consideration is hugely subjective and will result in protracted discussions and lengthy Local Plan examinations, contrary to the whole objective of applying a standard formula to speed up plan making by removing any potential for the housing number debate.</p> <p>Instead, our preference is to retain a standard method approach to ensure faster plan making but use a formula which is rooted in local context and understanding</p>
<p>8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity</p>	<p>Not sure.</p> <p>We agree with applying the extent of the urban area as the baseline:</p>

<p>of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>See Q8(a) re. objection to using household projections as a baseline for determining housing numbers. On this basis, it would be more robust to just use existing housing stock counts to inform the housing method baseline. This would not prevent housing affordability factors from being taken into account but would ensure a consistent approach across all areas of the country, regardless of recent patterns of housing delivery.</p> <p>We do not agree with applying the affordability uplift as proposed, unless done in conjunction with using the existing urban areas as the baseline only.</p> <p>Applying the affordability uplift to the household projections baseline results in an unacceptable and undeliverable housing requirement, significantly impacting on our communities, infrastructure and environment.</p> <p>In any case, we have several concerns about using the affordability ratio which is based on a comparison between average household earnings and median house prices.</p> <ul style="list-style-type: none">• Firstly, we do not agree with the component parts of the dataset. The use of workplace earnings rather than household earnings obscures the actual affordability of properties as many residents who live within the district do not work in the district and access higher earnings elsewhere.• In addition, the use of median house prices does two things:<ul style="list-style-type: none">○ It compares wages to higher value properties than people entering the market would typically aspire to. Given our district is largely rural with very high value housing market areas, the median house price is significantly higher than lower quartile house prices (currently £245k compared to LQ prices of £185k). The latter is still unachievable for many local households but nevertheless more accurately reflects the property banding that first time buyers would typically look to purchase.○ The formula enables the development industry to 'work the system' by supplying larger houses to the market which inflate median house prices and in turn create higher affordability adjustments and higher housing numbers. This means that we continue to get houses built which does nothing but compound the affordability issue.
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	<ul style="list-style-type: none"> Secondly, any upwards adjustment in housing numbers as a result of affordability is not going to change the districts economic base or potential; we remain a peripheral district which loses out to the city of Exeter and its immediate surroundings and have seen unemployment rise as a result of major employers making efficiencies or closing altogether. Without accompanying jobs, the high housing numbers would inevitably see an increase in out-commuting to the cities of Exeter and Plymouth, running contrary to the need to be reduce travel and transport-based carbon emissions. Simply providing more houses is not going to bridge the gap between low wages and high house prices. It is local economics which underpin our affordability issue, not a lack of availability. <p>Collectively, these measures should combine to ensure that the affordability ratio is based on a more accurate reflection of local affordability by comparing average household earnings to lower quartile house prices.</p>
<p>9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure</p> <p>Subject to sufficient stakeholder engagement being enabled during the plan making stage (see Q. 5) then we agree that once the principle has been agreed through the Local Plan, there should not be a requirement for the principle to be established again. This will significantly reduce the potential for delays to delivery and risk of legal challenge on the principle of development.</p> <p>However, there are some fundamental unanswered questions which we seek clarity on:</p> <ul style="list-style-type: none"> Through what mechanism, and at which stage, will infrastructure requirements be packaged, legally agreed and timing for delivery secured? How will places and spaces with protected (or protectable) characteristics within growth areas be safeguarded for purposes such as recreation, ecology, flood risk management, heritage impact etc? Who is responsible for financing the inevitably significant amount of work that will be required at Local Plan stage (or accompanying masterplan LDO) to ensure that a growth area can be delivered? A lot of this work would normally be picked up by the developer at the outline planning application stage but under these proposals the responsibility would shift to the LPA who are under resourced to enable this. This will either

	<p>result in huge delays to plan preparation, poorly conceived and evidenced development proposals, a lack of environmental impact understanding, and legal challenges.</p>
<p>9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes. As above, subject to there being clarity on the key questions outline, (see Q. 9a) then we agree that once the principle has been agreed through the Local Plan, there should not be a requirement for the principle to be established again. This will significantly reduce the potential for delays to delivery and risk of legal challenge on the principle of development.</p>
<p>9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure We acknowledge that very large and complex sites require an integrated approach to delivery and in our experience we have benefited significantly from the support of Homes England in bringing some of our largest sites forward. However, we would be very concerned about the loss of control around agreeing detailed matters such as layout and design and would therefore only support an outline or PIP being agreed by the NCIS regime and not reserved matters applications.</p>
<p>10. Do you agree with our proposals to make decision-making faster and more certain? Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure Whilst we support opportunities for more people to be able to engage in the decision making process through a digital shift, there is a need to ensure that digital availability must be simple to navigate for local communities and members of the public. Otherwise, the system will just be smoother for applicants/developers but not local community groups/ reps where public participation opportunities will be fewer.</p>

<p>11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes Currently plans are long, technical, take many months to prepare, and are not easily accessible by the majority of people that need to use them - either to submit an application for development or comment on a plan or proposal. There will still, however, be a need to consider how those without access to the internet or who are not able to use it, still have access to the planning system and the opportunity to engage.</p>
<p>12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>No. Whilst we welcome the ambition to get plans prepared and approved much more efficiently and with particular certainty around the length of examination, we are very concerned that a 30 month timeframe will be to the detriment of our residents who will find themselves disenfranchised from the plan making process. With such a short amount of time to get a plan ready for submission (with the extensive amount of work that this involves), there can be no meaningful engagement undertaken in such a short timeframe.</p> <p>We welcome the reintroduction of binding Inspectors Reports which, whilst having the potential to remove some local control, would enable shorter overall timescales to be achieved and less scope for protracted debates on issues which would have been rehearsed at the public examination.</p> <p>We would also query the practicality of so many plans being submitted to the SoS within 18 months or 30 months (for authorities with plans less than 5 years old) of the legislation being brought into force and the Planning Inspectorate’s ability to process so many examinations at the same time. We would like some reassurance that if we are to meet our requirements of the statutory timetable then the Government should be equally held to account if they do not process them within the prescribed timescales.</p>
<p>13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes. However, we would welcome more information about the scope of Neighbourhood Plans, particularly whether they would have the ability to amend zoning adopted in district Local Plans, and whether they will be able to continue to write policies which address local land use issues beyond just design and site specific requirements, as suggested by the White Paper. If not, then we believe that the incentive for communities to prepare their own plans will be significantly reduced.</p>

<p>sure. Please provide supporting statement.]</p>	<p>We believe there is value in Neighbourhood Plan design guidance and policies in helping to improve design of new build in longer term. Neighbourhood plans provide a strong means for reflecting local settings and enforcing appropriate design values.</p>
<p>13(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?</p>	<p>Neighbourhood Planning Groups should have free access to whatever Government systems are going to be introduced for Local Plans. It is not realistic to expect individual communities to fine/resource/develop their own digital tools for such purposes.</p>
<p>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 / No / Not sure. Please provide supporting statement.]</p>	<p>Yes. The planning system is largely effective at ensuring an ongoing supply of housing but the delivery of housing is significantly slower, and if 5YLS is going to be removed with HDT being the test, then developers need to be held to account rather than the LPA. In Teignbridge, we have a supply of 4834 dwellings with only 558 units started on site. Whatever tools are implemented to address this must focus on the developer supply chain rather than the planning system. There could be a requirement to market half of the remaining plots to SME/self-build if development rates fall short of a regionally adjusted national average.</p>
<p>15. What do you think about the design of new development that has happened recently in your area? Not sure or indifferent / Beautiful</p>	<p>Other The layouts of development are largely successful. However facades and materials need more attention and require local design guides and codes, as well as weight in national policy, to enforce better design standards.</p>

<p>and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]</p>	<p>We feel it is important to note that although vernacular architecture and materials are important to observe, we must also embrace good modern design which makes the most of new technologies and climate friendly elements.</p>
<p>16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]</p>	<p>We are recognising a Climate and Ecological Emergency, so the whole package of sustainability features is considered as a priority for our district. In particular, we are focusing on projects which enable:</p> <ul style="list-style-type: none"> • Good quality, well connected green space networks that can provide for wildlife and communities without notable conflict; • Reduced CO2 emissions via a range of means, including net zero carbon development and reduced transport emissions.
<p>17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes However, locally distinctive design codes take time to prepare, may require specialist input and are resource intensive. In addition, if these are to be prepared as Supplementary Planning Documents then the legislation needs to be amended to ensure that LPAs are lawful in their use of SPDs. TDC has been threatened with legal challenge from the development industry in relation to two separate SPDs we have tried to prepare, including our draft Design Guide. We have not been able to implement our guidance as a result of this risk.</p>
<p>18. Do you agree that we should establish a new body to support design coding and building better places, and that</p>	<p>Not sure. A specialist body would be helpful in assisting with relevant issues, particularly if they were able to provide best practice guidance and local support down to neighbourhood level where the planned level of growth or level of regeneration generated this need. This is particularly because, as stated in Q.17, the preparation of design guides and codes is time consuming and requires specialist skills which not all authorities have.</p>

<p>each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>We do not agree that it is necessary to have a specific chief officer for design and place-making but should be able to use existing resources to identify a 'design and placemaking' champion.</p>
<p>19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes Successful development growth will often need to be supported by upgrades to quality of life in a way that benefits a whole community (e.g. a new leisure centre or countryside park). It will be important that future Homes England programmes recognise the levers for securing community buy-in to development growth through an area-wide approach to design and facilities, rather than just the site-specific investments that will <i>unlock</i> a development site.</p> <p>We need to be confident that once we have secured good design through planning permission, there would be no further 'hoops' to jump through in receiving Homes England infrastructure support for relevant proposals.</p>
<p>20. Do you agree with our proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes. Subject to this being introduced once local design guides and codes are adopted so that the notion of 'beauty' is established through local consultation and approval.</p>
<p>21. When new development happens in your area, what is your priority for what comes with it? [More affordable</p>	<p>More affordable housing (specifically socially rented affordable housing to meet our local needs) Carbon reduction Physical and digital infrastructure</p>

<p>housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]</p>	
<p>22(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? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure A standardised approach to deriving the value of an infrastructure levy would be more equitable and reduce costs and delays associated with setting the levy locally. However, a more ambitious approach to determining the value that is available from development is required. BCIS data is inadequate and based on a very small sample size. Its use is one of the reasons that housebuilders achieve 27 – 30% profit margins even when their viability appraisals show 20%. All of this is at the expense of affordable housing and community infrastructure.</p> <p>It is also important to recognise that S106 obligations are required for more than just funding infrastructure and this needs to be understood in the context of proposing that it is replaced. S106 is important for outlining delivery, management, biodiversity aspects, perpetuity of delivery happening on site, and not just off-site infrastructure. Some could perhaps be managed through planning conditions but the persistence of Obligations as an option is important.</p>
<p>22(b). Should the Infrastructure Levy rates</p>	<p>Locally Our preference is for Infrastructure Levy rates to be set locally.</p>

<p>be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]</p>	<p>We are deeply concerned that nationally set rates would not take account of the huge disparities in values, affordability, infrastructure needs and demographics not only across the country, but within individual districts as well. We currently have a differential rate within the district to reflect different values.</p> <p>We would like to see nationally set guidelines to reduce potential for protracted viability debates when setting Infrastructure Levy rates but maintain that a national rate, or formula, would not enable us to seek proportional gain from the Infrastructure Levy and therefore realise the best outcomes for our developments and communities.</p>
<p>22(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? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]</p>	<p>Same amount overall/more value We should be aiming to get at least as much value as the combined S016 and CIL are achieving now as that is what has been tested to be viable.</p> <p>The only guarantee in the whole process is that developers will make an acceptable profit. Land prices are squeezed, local services are squeezed, while developers decide whether or not to proceed based on their expected return. The Infrastructure Levy should be enough to mitigate all local impacts of development – as S106 and CIL in combination endeavour to do now, but do not always achieve.</p>
<p>22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure</p>	<p>Yes. We can borrow against S106. If we can't borrow against Infrastructure Levy, no infrastructure will ever be delivered up front and this is so important to the acceptability of development to existing and new communities.</p>

<p>delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]</p>	
<p>23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes. This kind of development has an impact on infrastructure needs as well. We don't have many of these larger schemes that would be caught but incremental contributions add up and in rural areas Part Q (or other) such schemes should deliver a contribution.</p>
<p>24(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 / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure. The provision of affordable housing is one of the most important objectives of the Council. On site delivery of affordable housing is critical to creating balanced places and communities and ensuring / maximising the delivery of affordable housing.</p> <p>However, this is not solely based on numbers of housing, but tenure as well, and we have recognised the need to sometimes lower overall levels of affordable housing in order to provide a greater proportion of social rented housing which is most affordable to the majority of households on our register.</p> <p>Local authorities should therefore be given the flexibility to determine the amount and tenure of affordable housing delivered through the Levy, as well as the relative priority of funding other infrastructure. Local discretion is required and whilst a national approach to deriving the value of the Levy would be useful, local areas should be empowered to make choices about how best to use the levy without the imposition of artificial <i>floors</i> and <i>ceilings</i>.</p>

<p>24(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? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure. As long as the net effect is the same (and obviously we don't necessarily want the stock so the right to purchase needs to be broader), this would be ok.</p>
<p>24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes</p>
<p>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 / No / Not sure. Please provide supporting statement.]</p>	<p>Yes.</p> <ul style="list-style-type: none"> • Allowing RPs to have/instigate their own minimum standards • And/or HE defined standards as per previous HCA guidance

<p>25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Yes</p> <p>If Infrastructure Levy is absorbing S106 contributions then the ability to spend as required should be embedded within it.</p> <p>If parish councils remain eligible for a 15 or 25% portion of the Infrastructure Levy rate then there will need to be a mechanism for joint agreements between parishes and districts about how the Levy is used to fund strategic infrastructure and affordable housing. Otherwise critical infrastructure may not be able to be secured, given the large percentage share they will receive. In addition, the parish proportion should not take into account the value of Levy that is dedicated to affordable housing, unless parishes will be delivering affordable housing with those funds themselves.</p> <p>It is important that any restrictions reflect the need for “softer” infrastructure, such as Suitable Areas of Natural Greenspace, play areas etc. and not just “hard” infrastructure such as roads.</p>
<p>25(a). If yes, should an affordable housing ‘ring-fence’ be developed? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Not sure</p> <p>Affordable housing is critically important in most parts of the UK, including Teignbridge. There may, however, be some parts of the UK where development viability and existing levels of affordable housing are such that there is no particular need so some tailoring to specific circumstances will be needed.</p> <p>There are also some sites where it would be preferable to spend Infrastructure Levy on (for example) transport infrastructure rather than affordable housing delivery so whilst a ring fence is a good idea, in order to ensure and underpin delivery of affordable house in all circumstances and remove the possibility of developers pushing for affordable housing free sites, perhaps the ring fence should be on a floor level which can then be adjusted locally to reflect circumstances. For example, in Teignbridge, a floor level of say 10%, with expected level in growth areas 30% for outline consent to be granted.</p> <p>We should have the discretion and authority to make these choices locally, based on the circumstances before us.</p>

<p>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?</p>	<p>The shift to digitalised plan making services must ensure that all ages and abilities are able to access consultation material and not discriminate against those who are not able to.</p>
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