

Response to the NPPF Impact Assessment

Response to Consultation Questions on draft National Planning Policy Framework Impact Assessment

Consultation Question

17a Impact Assessment

The Framework is also accompanied by an impact assessment. There are more detailed questions on the assessment that you may wish to answer to help us collect further evidence to inform our final assessment. If you do not wish to answer the detailed questions, you may provide general comments on the assessment in response to the following question:

Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?

See responses below.

B: Impact assessment questions

QA1 We welcome views on this Impact Assessment and the assumptions/ estimates contained within it about the impact of the National Planning Policy Framework on economic, environmental and social outcomes. More detailed questions follow throughout the document.

See responses below.

QA2 Are there any broad categories of costs or benefits that have not been included here and which may arise from the consolidation brought about by the National Planning Policy Framework?

The time taken for policy development/writing has not been considered. There will be additional costs for local planning authorities which do not have an adopted DPD in place, but which have already spent considerable time/money in preparing their DPD. E.g draft Core Strategies will need to be amended to ensure they are in conformity with new National Planning Policy Framework, possibly resulting in need for additional consultation and additional new supporting evidence to be commissioned.

Planning Authorities which do have an adopted DPD may need to produce a new DPD to be in conformity with the NPPF, again at considerable expense in terms of officer time and for study updates.

QA3 Are the assumptions and estimates regarding wage rates and time spent familiarising with the National Planning Policy Framework reasonable? Can you provide evidence of the number of agents affected?

Assumption on wage rates for Town Planner seems reasonable. Equivalent to gross actual annual income of £31,188.

Unable to comment on wage rates for developers.

Appendix 2 Part A

Estimate for time taken to read and understand the NPPF does not appear reasonable and has been under-estimated. Does not take into account full understanding which can only be achieved through additional reading of Practice Guidance (and Case Law).

QA4 Can you provide further evidence to inform our assumptions regarding wage rates and likely time savings from consolidated national policy?

Wage rates: given the current financial circumstances, it seems unlikely that wage rates for town planners will increase by 2% per year over next 10 years.

Time savings: 40 hours does not seem an accurate estimate of time taken to assess a major planning application. This time has been under-estimated.

QA5 What behavioral impact do you expect on the number of applications and appeals?

Both the consolidation of policy and the presumption in favour of sustainable development will result in an increase in appeals. The consolidation because there will be different interpretations of such brief policies. This may only be temporary until up-to-date Local Plans and Neighbourhood Plans are in place but it will be years before there is comprehensive local policy in place. The presumption in favour is likely to lead to more appeals because a developer's interpretation of what is sustainable development will not necessarily be the LPA's view or indeed the local community's view.

QA6 What do you think the impact will be on the above costs to applicants?

Costs to small householder developments may reduce, possibly due to reduced need to employ experts to complete planning applications. However, householders are still likely to need to pay for items such as architectural/technical drawings of the build even if not using a planning agent to submit the application.

Unlikely that the NPPF will reduce the costs of submitting a planning application for minor or major applicants as they will still need to provide the range of supporting documentation required, which will involve the time/hiring of professionals. The information and plans required for a planning application would also be required by a developer in order to assess viability and for the build.

QA7 Do you have views on any other risks or wider benefits of the proposal to consolidate national policy?

There is a risk that the consolidation in national policy could delay adoption of DPDs for authorities which have already carried out considerable work on developing their DPD, due to need to change policy in order to be in conformity with national policy. There is a risk the brevity fails to provide sufficient clarity which could result in delay and undermines effective planning and the plan led system.

Other risks outlined in response to questions below.

QB1.1 What impact do you think the presumption will have on:

- i. the number of planning applications;
- ii. the approval rate; and
- iii. the speed of decision-making?

i) The presumption may result in an increase in applications – e.g. in the case where there is no adopted local plan or an out of date local plan, the more opportunist developers may see this as an opportunity to gain planning permission more easily or gain planning permission on appeal.

ii) It may result in an increase in the approval rate, e.g. if applications accord with the statutory plan then it should be approved, however may also lead to an increase in appeals, as discussed below.

iii) Applications will still need to be processed and go through the relevant approval processes. The presumption in favour is likely to lead to more appeals because a developer's interpretation of what is sustainable development will not necessarily be the LPA's view or indeed the local community's view. This will reduce the speed of decision making.

QB1.2 What impact, if any, do you think the presumption will have on:

- i. the overall costs of plan production incurred by local planning authorities?
- ii. engagement by business?
- iii. the number and type of neighbourhood plans produced?

i) Local planning authorities still need to produce a plan. Costs may be increased through changes that need to be made to existing plans, or plans which are currently being drafted.

ii) Unsure what impact on engagement by business will be.

iii) Don't believe that the opportunity/ability to create a neighbourhood plan will actually result in local neighbourhoods wanting to create one.

QB1.3 What impact do you think the presumption in favour of sustainable development will have on the balance between economic, environmental and social outcomes?

Although the definition of sustainable development has not changed and still encompasses economic, social and environmental components which the NPPF states should be pursued in an integrated way, the presumption does seem to focus on supporting sustainable economic growth and that significant weight should be placed on the need to support economic growth.

If significant weight is placed on economic growth, it seems likely that more importance will be placed on ensuring positive economic outcomes are achieved, and may be achieved regardless of the social or environmental impact. Social and environmental outcomes may become secondary importance. If a proposal will provide significantly positive economic development gains, but would be at significant environmental and social cost, would this really be sustainable development?

QB1.4 What impact, if any, do you think the presumption will have on the number of planning appeals?

Likely to be an increase as the balance to be given to the economic, social and environmental roles of sustainable development could be tested through appeals until case law is established.

QB2.1 Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change? (Policy change referred to is removing office development from “town centre first” policy)

In addition to the environmental/transportation risks outlined in the impact assessment, there is also the risk that the role of the town centre could be undermined by this policy change. Location of office development in out of town locations may impact on vitality and viability of town centres, e.g. the number of office workers that use the various functions of the town centre, shopping etc, would be reduced, potentially having an adverse impact on the local economy as well as local communities.

There is a risk that provision of office space out of town centres will be competing for sites with other (lower land value) employment uses. Thus pushing up land values and making other employment developments such as B2 uses including light industry and waste management, potentially less deliverable. This is particularly likely to be a problem in urban areas such as Brighton & Hove where there are relatively few locations suitable for industry.

Agree that the change would provide greater flexibility and choice for developers seeking to build new office space and may result in an increase in applications.

QB2.2 Is 10 years the right time horizon for assessing impacts?

Agree with the approach of increasing the time horizon to assess impacts of out of town or edge of centre developments on vitality and viability of town centres to 10 years. This would provide a longer period of time to fully assess the impacts. Costs and benefits outlined in the assessment appear reasonable.

QB2.3 How much resource would it cost to develop an evidence base and adopt a local parking standards policy?

Insufficient data to comment at this stage

QB2.4 As a local council, at what level will you set your local parking standards, compared with the current national standards?

Insufficient data to comment at this stage

Do you think the impact assessment presents a fair representation of the costs and benefits of this policy change?

Appendix 2 Part A

Agree that developers would benefit from increased flexibility regarding the amount of parking they wish to provide and also agree that developers are only likely to pursue greater parking provision if it is profitable to them.

Agree that an increase in non-residential parking provision is unlikely to have any impact on levels of private car ownership, however strongly disagree with the conclusion of the environmental impact assessment of this change in policy that states “there should be no overall increase in car traffic”. If the change in policy results in an increase in parking availability, then travelling by car to that location will be more easy/desirable and therefore will result in an increase in car traffic.

In addition, the impact assessment states that “the adverse impacts of this policy will not be significant at a national level”, however they may be significant at a local level, e.g. through increased noise, reduced air quality and the associated impacts on the health of communities.

QB2.5 Do you think the impact assessment presents a fair representation of the costs and benefits of the policy changes on minerals?

Brighton & Hove is an urban authority so there is no mineral extraction within the city boundary. However the council has an adopted Minerals Local Plan jointly with East Sussex County Council and is preparing a Waste and Minerals Core Strategy jointly with East Sussex County Council and the South Downs National Park Authority. There is no peat extraction within the area covered by the joint Core Strategy but there are minerals that could be affected by the proposed change in policy about landbanks – mostly clay sites. The amount of land allocated by the councils is unlikely to change significantly as a result of the change in policy however the change is likely to cause concern to the minerals industry because reducing it to ten years gives them less certainty for investment.

QB3.1 What impact do you think removing the national target for brownfield development will have on the housing land supply in your area? Are you minded to change your approach?

The majority of development has been on previously developed land within the existing built up area of the City. The removal of the national target is unlikely to have a significant impact. However, the policy requirement to meet development needs in full could mean that the development of Greenfield sites may see an increase.

Disagree with the theory under the heading ‘risks’ that derelict sites could be left undeveloped for greenfield sites with lower remedial costs and could be developed for other uses instead. If site remediation is not viable for residential uses then it is unlikely to be viable for lower value uses such as industry and community uses.

QB3.2 Will the requirement to identify 20% additional land for housing be

achievable? And what additional resources will be incurred to identify it? Will this requirement help the delivery of homes?

The requirement to identify 20% additional land for housing may prove problematic in Brighton and Hove given the significant development constraints and competition between land uses for scarce sites. Identifying additional sites does not necessarily mean housing delivery will be increased; this will depend upon market factors bringing identified sites forward. Brighton & Hove has experienced a significant drop in housing delivery over the last two years despite sufficient sites being identified through a SHLAA.

QB3.3 Will you change your local affordable housing threshold in the light of the changes proposed? How?

The adopted Local Plan (2005) policy for affordable housing had a site size threshold below that in PPS3. This was justified through the Local Plan adoption process.

QB3.4 Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?

Brighton & Hove is an urban authority.

QB3.5 How much resource would it cost local councils to develop an evidence base and adopt a community facilities policy?

Insufficient data to comment at this stage

QB3.6 How much resource would it cost developers to develop an evidence base to justify loss of the building or development previously used by community facilities?

Insufficient data to comment at this stage

QB3.7 Do you think the impact assessment presents a fair representation of the costs and benefits of the Green Belt policies set out in the Framework?

Yes, the impact assessment presents a fair representation of the costs and benefits of the Green Belt policies.

QB4.1 What are the resource implications of the new approach to green infrastructure?

This Authority is working towards a green infrastructure network however the establishment of this is largely reliant on developer contributions. It is likely it will no longer be fully established due to the onus within the NPPF on ensuring obligations and policy burdens do not threaten development viability. The proposed move towards CIL and related issues over the impact of such a blanket levy/tax on the viability of some schemes is unlikely to provide contributions of a scale to meet commensurate infrastructure delivery costs.

Appendix 2 Part A

In addition to this the public sector austerity measures is resulting in an inability for a LA to make up the shortfall and deliver the necessary infrastructure. The provision of open space and a green infrastructure is not a statutory requirement. It is likely the element of the CIL potentially for green infrastructure will be redirected to other areas such as transport (new bus stops, drop kerbs and on-street disabled parking bays etc) to ensure at least some infrastructure requirements can be met.

QB4.2 What impact will the Local Green Space designation policy have, and is the policy's intention sufficiently clearly defined?

Clarification of what distinguishes statutory Local Nature Reserves from the proposed local green space designation would be helpful

QB4.3 Are there resource implications from the clarification that wildlife sites should be given the same protection as European sites?

None.

QB4.4 How will your approach to decentralised energy change as a result of this policy change? And QB4.5 Will your approach to renewable energy change as a result of this policy?

Our approach to decentralised energy and renewable energy will not change as a result of this policy change, as this is the city council's approach. However, the proposed approach has identified a need to carry out an energy study to identify opportunities, and this will inform future site allocations documents.

QB4.6 Will your approach to monitoring the impact of planning and development on the historic environment change as a result of the removal of this policy?

No. We are likely to continue to monitor the impacts of planning and development on the historic environment in any case, in order to ensure that our own resources are being used most effectively and in response to the expectations of local communities and national and local interest groups.