

Question 1: What is your view on our proposal to remove ‘the presumption’ from the SPP, through the changes set out?

We support the removal of the presumption and the removal of paragraphs 32 and 33.

We agree with your statements that the removal of the presumption allows us to better achieve housing development in a sustainable way that works with, rather than against, the needs of communities.

We agree we need to actively address the lengthy technical debates we are seeing about the numbers of homes that we will need. We feel it is important that *all* aspects of sustainable development are considered when determining development sites for any development housing or otherwise.

We feel that principles of sustainable development are adequately detailed in para 29 to clarify what is meant by sustainable development. The removal of ‘the presumption’ reduces the scope for developers to bring forward housing development sites that do not form part of the Local Development Plan, and which would otherwise be rejected for being unsustainable on grounds other than insufficient land supply.

We want planning decisions to be based on what is laid out in agreed development plans (with community input). The way the policy is currently worded allows too many developers to appeal planning decisions on housing developments, thus undermining the plan led system.

We have been concerned for some time about the impact of the appeals that are centred around these policies. We are aware that communities who engage with the planning system in good faith have had their trust in the plan led system undermined by the way developers have used their unique ability to challenge decisions using these policies.

We support development that delivers the housing we *need*. The removal of this policy helps work towards our shared goal of development *in the public interest*.

Planning approval rates show that it is not the planning system or approvals that is limiting development. We share the belief that we need more housing, but we need planning policies to incentivise development on difficult sites, vacant and derelict land or nature poor brownfield sites. We feel these policies encourage development on the more profitable, easy to develop but often less sustainable sites.

Question 2: What is your view on the proposed changes set out and our aim of clarifying the definition of the 5 year effective housing land supply to reflect the currently exceptional market circumstances?

We support the clarification of the definition of effective housing land supply including the additional wording proposed for paragraph 123. We want policies to be clear about terminology so that it does not leave the term effective land supply open to dispute through arguments about programming assumptions.

In our opinion local authority officers should be able to determine what is and isn't effective in the public interest. This should not be swayed by developers, otherwise it risks a significant degree of regulatory capture where decisions are dominated by the interests the planning system is designed to regulate and not by the public interest.

We do have a concern that the terminology 'in normal economic circumstances' is possibly open to interpretation and therefore may open up further channels for disputes.

Question 3: What is your view on the proposed changes to paragraph 125, including (a) the proposed calculation to establish the scale of the 5 year effective land supply in relation to alternatives and (b) the proposed approach to assessing proposals where a shortfall emerges?

We agree that the proposed changes to paragraph 125 will provide the much needed clarification on the method of calculating the extent of the housing land supply. We feel this is likely to be helpful in all, not just current conditions.

We support the use of the Housing Supply Target rather than the Housing Land Requirement in calculating the extent of the forward 5 year effective land supply. The programmed completions that emerge from the Housing Land Audit will be based on expected demand over the period and so will not (and should not be expected to) include the element of "generosity" that forms part of the Housing Land Requirement.

We agree that using an averaged rate of delivery over the life of the plan is more appropriate than the residual/compound approach being simpler and not relying on past completion figures.

We support the removal of the second sentence of the current paragraph 125 and its replacement with the proposed text. We agree that a shortfall should be considered to be a material consideration but that it should not be the only or even the most important consideration when deciding whether or not to approve proposals designed to make good the identified shortfall.

We suggest that it may be useful to consider how best to provide time for the local planning authority, to bring forward proposals (including community purchase?). This would help enable a more considered approach and allow the planning authority a pro-active rather than a reactive role in identifying the most appropriate site(s) to meet the shortfall.

Question 4: Do you agree that the proposed amendments will not directly impact on other (non-housing) types of development? If not, please provide evidence to support your view.

Yes, we are not aware of any probable impact on types of development other than housing.

Historically there has long been an effective presumption in favour of development, unless material considerations indicate otherwise as this restored a property owners development rights following the requirement for planning permission to be granted by the state. The plan-led system introduced in the 1990s qualified created an additional presumption in favour of the plan, where it is relevant and up to date. Both of these 'presumptions' will likely remain in effective *legal* force even if the suggested removal of the presumption in favour of sustainable development is removed from the SPP.

In future it would help if SPP made a strong presumption in favour of the plan unless other material considerations suggest a development would contribute **substantially** to sustainability.

Question 5: Do you agree that fuller impact assessments are not required? If not, please provide evidence to support your view.

We agree that fuller impact assessments should not be required.