



Historic England

DCLG Consultation on Planning for the Right Homes in the Right Places Historic England Submission

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Historic England supports the need to address current issues of housing supply, but has some concerns regarding matters of detail in the consultation document, and we welcome the opportunity to comment on the following.

Proposed Approach to Calculating the Local Housing Need

Question 1:

a) Do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?

A standard approach to assessing local housing need is certainly to be welcomed. The particular method proposed raises some concerns, however, as do some of the mechanisms for its implementation.

The method itself conflates need and demand, which will have a pronounced impact upon the final figures, and thus on the environment and communities (particularly as the proposed formula would mean that local housing need figures would rise by an average of 35 per cent in more than 150 local authority areas). Some elements of the method proposed, such as the adjustment factor (an affordability ratio based on local median house prices to median work-place earnings) and cap, would benefit from further justification in the interests of transparency, and the cap, particularly, seems overly inflated at 40 per cent over the number of homes currently being planned for. The inclusion of unregistered publicly held land in the definition of 'areas of greatest housing need' is also unexplained, and there is no reference to empty properties or second homes. Overall, the approach places a much greater emphasis on an increase the number of houses to be planned for than on other methods to ensure delivery (as per the Housing White Paper proposals).

Of particular concern is the general lack of reference to environmental protection as a function of statutory plans (e.g. in paragraph 8 of the consultation document), and the specific lack of reference to heritage throughout the document (and the associated illustrative spreadsheet). The caveat in paragraph 9 that the constraints which may prevent local planning authorities from meeting defined needs are 'not limited to' Ancient Woodland, Green Belt, Areas of Outstanding Natural Beauty and Sites of Special Scientific

Interest is noted, but the omission from this list – and the rest of the document – of heritage and the other constraints noted in Footnote 9 of the National Planning Policy Framework (NPPF) is unhelpful.

The reference elsewhere in paragraph 9 to local planning authorities needing to ‘determine whether there are any environmental designations or other physical or policy constraints which prevent them from meeting this housing need’ is welcomed, but this is not then reflected consistently in the remainder of the document. The recognition of the impact of environmental constraints on capacity will need to be clearly reflected in the proposed revisions to the NPPF.

Growth can help to sustain the historic environment and heritage assets, but it needs to be appropriately managed and planned. Areas which are particularly rich in historic environment designations, and also have high house prices (such as Oxford), will be particularly affected if appropriate discounting is not undertaken for heritage and other designations, as the land to meet the increased housing numbers will not necessarily be available without harm to heritage. A further example of the potential impact which increased housing numbers – not yet offset against environmental capacity – could have is Greenwich, which would have an 850% increase under the proposed methodology (3,317 dwellings as opposed to 350 at present) with obvious implications for heritage, including the World Heritage Site.

With regard to environmental capacity, the implications of the statutory duties in relation to listed buildings and conservation areas should not be overlooked, i.e., the duty to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, and the desirability of preserving or enhancing the character or appearance of the conservation area.

A related concern is the lack of clarity around the suggestion at paragraph 46 that, where a plan is based on an assessment of local housing need in excess of that which the standard method would provide, ‘Planning Inspectors will be advised to work on the assumption that the approach adopted is sound unless there are compelling reasons to indicate otherwise’: more information is needed on the nature of these compelling reasons, and how they would be reflected in the revised NPPF and taken into account.

A further concern is the proposal that the new method for calculating the local housing need would apply as a baseline for assessing five year housing land supply after 31 March 2018, and that local planning authorities without an up-to-date local plan or spatial development strategy would not be able to factor land constraints into the baseline for establishing their five year land supply. The on-going requirement for decision makers to take account of all policies in the NPPF is noted (as is the fact the status of these policies may be affected by the review of the NPPF), but it remains essential that housing targets are determined with direct reference to environmental capacity, and that a reduction in environmental protection is not used as a punitive measure for authorities without up to date plans.

The relationship between housing need and the wider needs of communities and local economies is unclear in the proposals: the method does not take account of anticipated employment growth (paragraph 28), but local planning authorities are invited to plan for higher levels of growth as a result of infrastructure proposals, or increased employment

ambitions emerging through Local Economic Partnership strategies, bespoke housing deals or the Industrial Strategy (paragraph 46).

Question 2:

Do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?

Yes.

Question 3:

Do you agree that we should amend national planning policy so that a sound plan should identify local housing need using a clear and justified method?

Yes, in principle, although the method currently proposed is not supported. This question does not address the other part of the proposal articulated in paragraph 42, however, namely that a sound plan should identify development needs using a clear and justified method, 'as well as meeting objectively assessed development needs insofar as it is reasonable to do so'. This issue was also touched on in the Housing White Paper proposal to amend the presumption in favour of sustainable development, and further detail is needed on that and the intended workings of this methodology before their collective potential impact can be fully understood and assessed. As it stands, environmental capacity is not adequately addressed, and a definition of 'reasonable' is needed.

Question 4:

Do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from Planning Inspectors?

As noted in response to Question 1a, Historic England is concerned at the lack of clarity around the suggestion at paragraph 46 that, where a plan is based on an assessment of local housing need in excess of that which the standard method would provide, 'Planning Inspectors will be advised to work on the assumption that the approach adopted is sound unless there are compelling reasons to indicate otherwise': more information is needed on the nature of these compelling reasons, and how they would be reflected in the revised NPPF and taken into account.

Statement of Common Ground

Question 7:

a) Do you agree with the proposed administrative arrangements for preparing the statement of common ground?

Yes, not least as this will largely just formalise existing good practice with regard to timely and meaningful engagement in plan-making by Historic England. Clarification is needed, though, on how statutory consultees can ensure they are party to all relevant matters of the statement, particularly in light of the proposals to amend the tests of soundness to reflect the importance of statements of common ground. Early engagement on all pertinent matters – including housing numbers, where relevant – helps to ensure that growth can be

appropriately supported and positive outcomes for the historic and wider environment delivered.

Neighbourhood Planning

Question 11:

b) Do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied on as a basis for calculating housing need?

The consideration of constraints (as discussed in paragraph 100) would be very important in the implementation of such an approach, which otherwise fails to reflect matters of environmental capacity. Paragraph 100 is also rather contradictory in describing the handling of constraints as more appropriately dealt with at the neighbourhood and strategic levels.

Proposed Approach to Viability Assessment

Question 14:

Do you agree that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage?

Such frontloading brings many benefits, but appropriate consideration of emerging issues that may affect viability should still be supported at the decision-making stage, e.g. the identification of previously undiscovered archaeology.

Question 17:

c) How can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?

Greater transparency in the use of developer contributions is certainly to be welcomed. Publicity on the local authority website is preferred, though, rather than the suggestion of on-site signage, which is likely to contribute unnecessarily to street clutter, and compromise the quality of the environments which have been funded.

Planning Fees

Question 18:

a) Do you agree that a further 20 per cent fee increase should be applied to those local planning authorities who are delivering the homes their communities need?

Yes, though much depends on the definition of delivery. The actual delivery of housing depends more on developers than on local planning authorities, in terms of both making the planning applications and then implementing them. Eligibility for the fee increase should be informed by plan-making performance as well as planning consent-related metrics, and thereby reflect the importance of plans in the ultimate quality and quantum of development.

d) Are there any other issues we should consider in developing a framework for this additional fee increase?

It may also be worth considering the wider context for applications in developing such a fee increase framework. This could include the areas in which it can be spent (some of the historic environment expertise on which LPAs rely may not be located within the local authority and therefore benefit from an increase in fees). It could also include the services for which a fee is charged: consideration could also be given to charging for Listed Building Consent applications, for instance.

Other Issues

Question 19:

Having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?

Targeted initiatives such as the Housing Infrastructure Fund support the implementation of sites with allocations and/or consents which are otherwise not being delivered. The Housing White Paper started to recognise the role of developers – and not just local planning authorities – in ensuring delivery, and more is needed in that vein.

Opportunity to review other housing White Paper responses

Historic England remains concerned at the proposal to implement the ‘Housing Delivery Test’, particularly in relation to the higher housing numbers which will be generated by the standard methodology now proposed, and the lack of scope (in some circumstances) for constraints to be properly taken into account in amending those numbers (our previous response to Question 29 of the Housing White Paper consultation refers).

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