

CONSULTATION RESPONSE FORM

Call for evidence on housing delivery through the planning system

This 'Call for Evidence' is seeking your views on how to improve the delivery of Local Development Plan (LDP) housing requirements, including looking at the interrelationship with the measuring of the housing land supply needed to meet these requirements.

If you have any queries on this consultation, please email:
planconsultations-j@gov.wales or telephone 03000 253882 or 03000 256802.

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data holds about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail: Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or
0303 123 1113
Website: <https://ico.org.uk/>

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Date:		
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Organisation	WLGA	
Preferred contact details (Email address, phone number or address)	craig.mitchell@wlga.gov.uk	
Type <i>(please select one from the following)</i>	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Local Planning Authority Councillor responding in a personal capacity	<input type="checkbox"/>
	Government Agency / Other Public Sector (including Community / Town Councils)	<input type="checkbox"/>
	Professional Body / Interest Group	<input checked="" type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other groups not listed above	<input type="checkbox"/>
	Responding in a private capacity	<input type="checkbox"/>

Housing Requirement

Q1

How should a deliverable housing requirement be calculated for inclusion in a development plan? Please provide relevant examples.

Comments

Viability remains a critical issue across many parts of Wales, especially in areas where the larger volume housebuilders do not operate. There remains a tension between providing the much needed housing and especially affordable housing, and the need to secure mitigation around the impacts of development. These requirements have increased with very necessary measures around Suds and active travel added to issues such as public open space, contributions to education, health and others such as site remediation. This is essential to ensure that the increased focus on place making envisaged in PPW and other national and local policies bear fruit.

What this makes clear is that there is no one housing market or set of relevant circumstances locally. Add to this the increased emphasis on a regional strategic response to housing need and it is apparent that a deliverable housing requirement is very dynamic and influenced by a range of local regional and national factors. The move towards SDFP's and potentially 'lite' LDP's may also mean that the assessment of housing need may change given the strategic regional context. It is important that there is a clear integration of assessments at these different spatial levels and a focus on the wider aspects of deliverability such as transport provision.

Experience suggests that the previous approach of defining a five-year supply of building land was not fit for purpose. However, the building industry needs assurance that the pipeline of developable land is there, and there is significant unmet housing need across Wales that all tiers of government wish to see addressed.

Initiatives such as the Vacant Land Tax could potentially help drive land through the development process and prevent land banking. But, as Welsh Government are fully aware there are also potentially unforeseen consequences that need to be carefully managed. Otherwise it may have the counter effect of reducing candidate sites at plan development.

The greater emphasis upon viability and phasing of sites within the inspection process for LDP's should allow a more nuanced understanding of what development should occur in which tranche of the plan and allow a better local dialogue about shortfalls. However macroeconomic and other wider trends do remain a threat that can undermine the most carefully constructed of plans.

LPA's have signalled that the JLAS process has gone from one of collaboration and attempting to understand the constraints and solve them to one that is more

adversarial. Clearly this is unhelpful and any new system must be accepted by all stakeholders as a pragmatic and positive process.

Within LPA's specific suggestions on the technical aspects will come forward. There are some clear principles that any new system must adhere to:

- Plan led and founded in local democratic processes and accountabilities
- Clear and understandable without creating perverse outcomes/incentives
- Remain focussed on delivering the necessary housing
- Sensitive to wider influences (e.g. availability of finance) and be able to consider these in the round
- Remain a positive process for all stakeholders that helps resolve some of the difficulties inherent in the development process
- Based on robust data using several aspects/sources to define the issues locally; and not one blunt measure that may be misleading.
- Be consistent with the aims of the Future Generations Act which will mean meeting current housing needs without compromising the ability of future generations to meet their needs.

LDPs and housing delivery

Q2	How can we ensure development plan housing requirements are delivered?
Comments	
<p>The development of LDP's is an evolving process as is the guidance that underpins it. It is clear that current work on LDP's will seek to front load as much of the viability process as is sensible.</p> <p>A better understanding of constraints, better informed and realistic local landowners and greater emphasis on processes/infrastructure (including transport) to unlock development potential such as in the Cardiff Capital Region city deal area will ensure that LDP's will be rooted more in delivery. However, flexibility remains critical as contexts change and new opportunities emerge. Again the review and assessment processes must allow a proper debate on the issues rather than being an opportunity to place blame.</p> <p>The role of the SDP and regional housing allocations is not fully understood yet and as such may have a critical role in determining the deliverability of housing on a local level. Of course there will always be tension between driving development into certain locations as part of wider economic and regeneration policy and the</p>	

market driven approach where demand dictates activity. There will always be a balancing role to play that is inherent to the planning function. Once again this balancing is greatly influenced by wider factors and any system needs to be more sensitive to that change in an evidenced and robust manner. The policy-led approach will be more effective if undertaken in an integrated way as opposed to trying to influence housing development in isolation. That means working with partners in education, health, transport etc to ensure new housing in identified priority areas is attractive and well-served by local facilities

Q3

What evidence is necessary to demonstrate the deliverability of sites which make up the housing requirement?

Comments

LPA's will again have a range of comments on the technical aspects of this. It is important that some of these factors should be understood at plan development but there also has to be a recognition that only with the detailed work through the planning application process do the real detail and issues become apparent.

Given the dynamic nature of the housing market and wider economic trends it would be a wasted resource to spend too much effort in compiling this information at the outset when much of the detail may change before the site comes forward for development. As above, the evidence should not relate solely to housing and land supply and demand factors. These (and therefore deliverability) will depend, in turn, on other variable such as plans for development of transport and other facilities.

Monitoring development plans and housing land supply

Q4

How should housing land supply be monitored in relation to delivering the housing requirement set out in an adopted development plan?

Comments

The LDP process will place a greater emphasis upon trajectories and understanding the flow of housing development rather than a focus on land supply. If the plan is robust and properly and realistically drafted, then this should factor in deliverability at a high level.

This is tested publicly at inspection.

Welsh Government collect a significant amount of data from LPA's as part of the annual motoring process. This data could be better used to identify key trends and issues that allow a Wales wide and regional context to be given to local reports. Work should be commissioned to assess how this wealth of data could be used to provide a range of indicators to allow a more nuanced debate about progress locally. LPA's should still be clearly accountable for any lack of commitment to enabling necessary development; as should all the relevant stakeholders.

This work would allow a better understanding of which areas were deviating from the broad trends and determine what support and advice may be needed. The threat of planning by exception that a lack of five-year land supply produces was an ineffective and blunt instrument, however, it did focus the debate locally. Perhaps thought needs to be given to how a more supportive intervention could help unblock local issues.

Q5

What action should follow if a planning authority does not have an up-to-date development plan and/or a housing land supply?

Comments

The plan led system should be sacrosanct. Welsh Government should review the position where plans have a drop dead date if they are confident that good progress is being made on a replacement plan and that any delays are reasonable.

Any system which disenfranchises local people from a voice in their environment is counterproductive and clearly at odds with the Well Being Act.

Is there any other related evidence that you think we should consider?

Q6

If you would like to submit any other information related to the issues raised in this consultation, please do so here.

Comments

How to respond

Please submit your comments by **10 October 2018**, in any of the following ways:

Email	Post
<p>Please complete the consultation form and send it to:</p> <p>planconsultations-j@gov.wales</p> <p>[Please include Call for Evidence on Housing Delivery in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Call for Evidence on Housing Delivery Planning Directorate Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information

If you have any queries about this consultation, please:

Email: planconsultations-j@gov.wales

Telephone: 03000 253882 or 03000 256802