Broadland DC App.No.	Applicant	Location
2016/0373	Mrs M Davies as location	129 Wilks Farm Drive, Sprowston, NR7 8RQ

Classification: Minor dwellings
Type: Full Permission

Description: First Floor Side Extension & Conversion of Garage

Broadland DC App.No.	Applicant	Location
2016/0391	Royal London Mutual Insurance Society as location	Sprowston Retail Park, Salhouse Road, NR7 9AZ

Classification: Minor dwellings
Type: Full Permission

Description: Erection of Mezzanine Floor

Broadland DC App.No.	Applicant	Location
2016/0392	Royal London Mutual Insurance Society as location	Unit 3 Sprowston Retail Park, Salhouse Road NR7 9AZ

Classification: Minor dwellings
Type: Full Permission

Description: External Alterations to Facilitate Sub-division of the Unit

Broadland DC App.No.	Applicant	Location
2016/0408	Mr Mark Daynes as location	102 Windsor Park Gardens, Sprowston, NR6 7PT

Classification: Minor dwellings
Type: Full Permission

Description: Single Storey Rear Extension

Broadland DC App.No.	Applicant	Location
2016/0435	Mrs Karen Hales as location	3 Thornham Close, Sprowston, NR7 8HT

Classification: Minor dwellings
Type: Full Permission

Description: Single Storey Rear Extension

Norfolk County Council App.No.	Applicant	Location
Y/5/2016/5005	Norfolk County Council as location	Sparhawk Infant and Nursery School, Sparhawk NR7 8BU

Classification: Minor dwellings
Type: Full Permission

Description: Provision of a permanent stand-alone 2no. classbase building and removal of two existing modular buildings. External works include new hardplay area and associated works.

Broadland DC App.No.	Applicant	Location
2016/0502	Mrs Diane Proctor as location	22 Gage Road, Sprowston, NR7 8BN

Classification: Minor dwellings
Type: Full Permission

Description: Single Storey Granny Annexe with Connecting Hall to Rear of Existing Dwelling

Broadland DC App.No.	Applicant	Location
2016/0457	Mr Fulcher as location	Land Adj 19 Church Lane, Sprowston, NR7 8AY

Classification: Minor dwellings
Type: Full Permission

Description: Application for Variation of Condition 2 of Planning Permission 20150370

Broadland DC App.No.
2016/0517

Applicant
Saffron Housing Trust
as location

Location
Woodland Place, Pinetrees Road, Sprowston
NR7 9BB

Classification: Minor dwellings
Type: Full Permission

Description: Erection of 11 No Lighting Columns

Planning Changes

What is in this for local councils?

This is an important consultation for all local councils. The Housing and Planning Bill reached the Committee Stage in the House of Lords in March 2016. Local councils will wish to be aware that Government is progressing consultations on implementing legislation while the Bill passes through Parliament. The '*Technical Consultation on Implementation of Planning Changes*' closes on 15 April 2016.

This consultation covers some major planning proposals, including:

- Creating incentivised planning fees and potentially introducing commercialisation into the planning application process.
- Introducing a two-stage planning process of permission 'in principle' and 'technical details'. The stated aim is that '*Permission in principle will help bring forward suitable sites for development more quickly, while reducing the amount of time that the planning system spends considering the detail of development that is unsuitable in principle.*' Owing to the fact that the applications process would be fundamentally changed, local councils will wish to be alert to the potential for changes to be made which also alter the consultation and engagement process. The proposal is for a fast-track 'in principle' stage, with consultation, considering only location, use and numbers of housing units and then a 'technical details' stage (based on tightly defined information and when conditions and planning obligations could be set) when consulting with the community would be optional. Not only is this planned erosion of consultation something that local councils will be interested in but also, as local councils are not mentioned, it will be important to monitor whether any remaining consultation will involve a compulsory element of notifying and consulting local councils.
- Allowing small builders to apply directly for permission in principle for minor development (potentially extended to major developments too).
- Requiring planning authorities to have a statutory register of brownfield land that is suitable for housing development.
- Creating a small sites register to achieve a doubling in the number of custom build homes by 2020.
- Speeding up and simplifying neighbourhood planning and giving more powers to neighbourhood forums.
- Creating criteria to inform decisions on intervention if local plans are not produced by early 2017.
- Extending the existing designation of under-performance for planning authorities to include applications for non-major development.
- Requiring the statement of economic benefits of development to local authority planning committees;
- Creating a Section 106 dispute resolution service.
- Changing the planning system to facilitate delivery of new state-funded school places, including free schools, through expanded Permitted Development Rights.
- Changing the relationship with all statutory consultees.

Date: 15 April 2016 deadline for responses
References to local councils: 18
Pages: 64

Details

Planning fees

The proposals explore the idea of increasing the national planning fee schedule for the first time since 2012, potentially only for those planning authorities that are 'performing well'. Although consideration is given to localising decisions about fees, there are concerns that this would undermine the ability to incentivise service improvements through the promise of obtaining an increase in the fee. Other ideas considered are a fast-track

process and introducing competition into planning authority application processing services. This latter idea is specifically provided for in the Housing and Planning Bill (the Bill).

Consultation Question 1.1: Do you agree with our proposal to adjust planning fees in line with inflation, but only in areas where the local planning authority is performing well? If not what alternative would you suggest?
Consultation Question 1.2: Do you agree that national fee changes should not apply where a local planning authority is designated as under-performing, or would you propose an alternative means of linking fees to performance? And should there be a delay before any change of this type is applied?
Consultation Question 1.3: Do you agree that additional flexibility over planning application fees should be allowed through deals, in return for higher standards of service or radical proposals for reform?
Consultation Question 1.4: Do you have a view on how any fast-track services could best operate, or on other options for radical service improvement?
Consultation Question 1.5: Do you have any other comments on these proposals, including the impact on business and other users of the system?
LAIS note: As aforementioned the Bill provides for private providers to run application processing services. Councils will be concerned about the scope of this change, including whether it will affect pre-application processes, and the need to build in and improve on existing pre-and post-application consultation with local councils. Many councils already find the timescales tight for considering planning application processes and will be concerned about any 'fast-tracking' process. It is notable that Question 1.5 does not refer to the impact on communities. Please see pg.15 onwards for further information.

Permission in principle
The Bill divides planning application decisions. It introduces a new 'permission in principle' route for obtaining planning permission which would deal with such matters as land use, location and amount of development. The permission in principle would be granted on sites in local plans and brownfield registers, and for minor sites (and potentially major ones too) on application to the local planning authority. Suitable sites would be deemed appropriate for development. Separately and at a later stage, 'technical detail' would be agreed, after which full approval could be secured. This means that the upfront production of information related to a wide variety of technical matters, such as detailed design, would not be necessary at the 'in principle' stage. Currently, even where only outline planning permission is sought with all matters reserved, Government considers that an applicant often needs to invest heavily in illustrative detail and that there is duplication where local councils and planning authorities have identified suitable land and yet it is reassessed for suitability during the planning application process.

Importantly, this means that local councils would only see the detailed proposals subsequent to permission in principle being obtained and will have a view on whether this is a positive concept.

How is a permission in principle secured?
Government acknowledges the 'need to ensure an appropriate assessment of the development proposed against local and national policy, and the opportunity for involvement of communities and other interested parties.' However, there is negligible discussion within the proposal about how this would be ensured and no description of the consultation process for the new fast-track 'in principle' stage. The Bill sets the overarching framework for permission in principle to be granted in two ways:

- **On allocation in a locally supported qualifying document that identifies sites as having permission in principle**
  The three key requirements that must be met for permission in principle to be granted by this route are:
  a) The site must be allocated in locally produced and supported documents that have followed an effective process of preparation, public engagement, and have regard to local and national policy

Qualifying documents are likely to be future local plans, future neighbourhood plans and brownfield registers. Local councils will note that their role as consultees will be more important than ever as site allocations will have a greater significance.

b) The document must indicate that a particular site is allocated with permission in principle.

c) The site allocation must contain 'prescribed particulars' which are the 'core in principle' matters which form the basis of the permission in principle. The proposal is that the only 'in principle matters' that should be determined are:

- **Location** (a red line plan drawn to a scale clearly identifying site location and parameters)
- **Uses** - proposals should be housing led. Retail, community, and commercial uses that are compatible with a residential use can also be granted permission in principle where they form part of a housing led development.
- **Amount of residential development** – the minimum and maximum level of residential development that is acceptable would be specified. The amount of non-residential development will not have to be specified.

Any other matters will be considered technical detail. No conditions can be applied to a permission in principle and, once granted, the question of the acceptability of the 'prescribed particulars' cannot be re-opened when an application for technical details consent is considered by the local planning authority. This is a concern, potentially, for local councils which will wish to be sure that the decision-making is sufficiently robust to ensure that needed conditions can be applied at a later stage. It is also essential that the scope of the 'in principle' permission and the parameters within which subsequent application for technical details consent must come forward are absolutely clear.

- **On application to the local planning authority.**
  For small sites, an application with the 'minimum amount of information' can be used to establish the acceptability of the 'core in principle' matters for a particular site. Less information would be required upfront than for an outline application but applications would be considered having regard to the development plan and any other material considerations, in the same way an application for planning permission is considered. Where it is justified a local planning authority can refuse permission in principle and in those circumstances the applicants will have a right to appeal. Government is also thinking about extending this option to major developments.

How is technical details consent secured?

The parameters of the technical details that need to be agreed will have been described at the permission in principle stage and, as aforementioned, this description will need to be clear, not least owing to the bar on duplication of 'in principle' matters, the need to be able to apply conditions where necessary and the need for due and full consultation and engagement on aspects which affect communities.

Full planning permission will only be secured once technical details consent has been obtained by applying to the local planning authority. Examples of technical details include the provision of infrastructure, fuller details of open space, affordable housing, design, access, layout and landscaping. If the technical details are not acceptable for relevant reasons, the local planning authority could justify a refusal at the technical details stage, and the applicant would have the right of appeal. An application for technical details consent must:

a) Relate to a site where permission in principle is in place;
b) Propose development in accordance with the permission in principle; and
c) Be contained in a single application (i.e. not broken down into a series of applications).

Conditions can be applied at this stage, unlike at the 'in principle' stage, but the scope will be confined to technical details as the principle of the development has already been agreed. Planning obligations will be negotiated and the Community Infrastructure Levy will apply at this stage.

Consultation Question 2.1: Do you agree that the following should be qualifying documents capable of granting permission in principle? a) future local plans; b) future neighbourhood plans; c) brownfield registers.
Consultation Question 2.2: Do you agree that permission in principle on application should be available to minor development?
Consultation Question 2.3: Do you agree that location, uses and amount of residential development should constitute 'in principle matters' that must be included in a permission in principle? Do you think any other matter should be included? LAIS note: These matters already cover considerable issues, albeit that much of this detail may in many cases have already been covered during the development of the Local Plan documents. Concerns include that the issues covered in the permission cannot be reopened at the technical stage and that conditions cannot be applied at this stage. In order to avoid bureaucracy and cost, the 'in principle' stage ought to be tightly limited as each and every extension would increase the amount of scrutiny needed to determine that part of the permission.
Consultation Question 2.4: Do you have views on how best to ensure that the parameters of the technical details that need to be agreed are described at the permission in principle stage? LAIS note: This is difficult given that the purpose of the new 'in principle' permission is to avoid developers having to do too much work at an early stage. The other side of this for developers ought to be that safeguards are in place for the community by maximising the scope of the technical details, subject to the limits of normal expectations for planning permissions.

Sensitive sites

There is recognition of the sensitivity of certain sites, owing to proximity to heritage assets, contamination, and flood risk and the proposals note the application of certain controls (such as the Habitats and other EU Directives and local and national planning policy). Reassurance is offered that 'Permission in principle will not remove the need to assess the impact of development properly before full planning permission is granted. We are clear that the assessment of all sites against local and national planning policy is at the heart of both the decision to grant permission in principle and the subsequent agreement of technical details.'

In some cases, the site will be allocated but it would not be possible to grant permission in principle. The technical details stage could include the imposition of conditions and planning obligations but it is not entirely clear whether Government intends to allow a route direct to technical details or whether applications not suitable for this new two-stage route would go through the current planning application process.

The Habitats Directive provides protection for Special Areas of Conservation and Special Protection Areas. A plan or project may only proceed if an assessment shows that it will not adversely affect the integrity of the site concerned. The proposal in relation to the requirements of the Environmental Impact Assessment Directive, is that relevant sites may only be granted permission in principle on allocation or application where:

- The planning authority has sufficient information about the proposed development on that site to be able to screen it and thereby determines that an environmental impact assessment is not required; or
- As a result of the screening deciding that there is an EIA development, the planning authority carries out an Environmental Impact Assessment, including consultation, of all its significant effects, and ensures that permission in principle is only granted if any measures needed to address the significant effects of the proposal are in place.

Consultation Question 2.5: Do you have views on our suggested approach to a) Environmental Impact Assessment, b) Habitats Directive or c) other sensitive sites?

Involvement of the community and others

Only four paragraphs cover this issue. Government recognises that communities should:

- Be able 'to comment' 'on the principle of whether a site should be developed for housing and the appropriate scale of development on the site' in cases where permission in principle is granted 'on allocation or application' and
- Have 'an appropriate opportunity for further engagement when the technical details are considered, while minimising any unnecessary duplication.'

This is the proposed consultation framework:

- Permission in principle proposed on allocations in local and neighbourhood plans: existing consultation arrangements are deemed to provide an appropriate framework for involving communities and appropriate specialist bodies such as the Environment Agency and Natural England.
- Permission in principle proposed on allocations relating to the brownfield register: (see pg.5 onwards).
- Permission in principle applications: it is proposed to set consultation arrangements for involvement of communities and statutory consultees that are in line with requirements for planning applications.
- Technical details: no requirement to consult with the community and others before making a decision but instead gives the local planning authorities '*the option*' to carry out further consultation with '*such interested persons as they consider appropriate*'. Once more we see the Government considering that 'local' stops at district, borough or unitary level with the statement that decisions on whether they would consult others would be '*based on their judgement and would be informed by the engagement that took place when permission in principle was granted.*' The justification Government give for this is '*While we think that it is important for appropriate further engagement to take place at the technical details consent stage, we consider that centrally mandating what should be done risks unnecessarily repeating engagement and takes away an important local flexibility. We do propose that it should be mandatory for applicants to notify landowners and agricultural tenants of the application (as is currently the case with a planning application).*'

Consultation Question 2.6: Do you agree with our proposals for community and other involvement? LAIS note: Councils will have views on whether this fundamental change will benefit communities. This appears to be an attempt to allow communities and their local councils no genuine opportunity for engagement and consultation. Given the pressures on planning authorities to pass planning applications and their reducing resources, the likelihood of them opting to engage with councils and communities in any meaningful way appears limited. If one considers the limited information that will be available at the 'in principle' stage, and the reliance on local plans and registers as the basis for permissions, it can be readily seen that many of the matters of major concern to councils, including when conditions should be applied, will potentially proceed without any community consultation.

Information requirements

The assumption made is that the information provided for neighbourhood and local plans would be sufficient to make decisions about the 'in principle matters' on allocation and whether permission 'in principle' can be granted to a site, subject to further information being produced to agree the technical details later.

An application for permission in principle to the local planning authority for minor development, should be decided 'in principle' based on '*minimal information*' which would include:

- A nationally prescribed application form;
- A plan which identifies the land to which the application relates (drawn to an identified scale and showing the direction of north); and
- A fee which would be expected to be set at a level that is consistent with similar types of applications in the planning system.

An application for technical details consent, would include:

- A nationally prescribed application form (including an ownership certificate);
- Plans and drawings necessary to describe the technical details of the development. Technical details to be agreed vary but Government categorise requirements according to design or impact and accordingly limit additional information to a design statement (design matters including layout, access and architectural detail) and an impact statement (required further assessments e.g. contamination study and flood risk assessment, mitigation e.g. remediation, and drainage schemes);
- A fee (expected to be at a level consistent with similar types of applications in the planning system).

Consultation Question 2.7: Do you agree with our proposals for information requirements?
Consultation Question 2.8: Do you have any views about the fee that should be set for a) a permission in principle application and b) a technical details consent application?

Duration of permission in principle and technical details consent

The date a permission in principle is granted and the duration of the permission will be:

- The date that a plan that allocates land with permission in principle is adopted or approved - maximum duration of 5 years;
- The date that land allocated as having permission in principle granted to it is formally placed on the brownfield register - maximum duration of 5 years; or
- The date that an application for permission in principle is granted - Two alternative options for this are: Option A – to set the expiry of a permission in principle granted on application at three years (consistent with outline planning permissions) or Option B – to set the expiry at one year (encouraging applicants to apply for technical details consent quickly)

A grant of technical details consent is a form of planning permission and therefore has a duration of three years as for other planning permissions (unless the local planning authority provides otherwise).

Consultation Question 2.9: Do you agree with our proposals for the expiry of on permission in principle on allocation and application? Do you have any views about whether we should allow for local variation to the duration of permission in principle?

Maximum determination periods for permission in principle on application and technical details consent

Government sets the timescales for the local planning authority to decide applications. Appeals can be made owing to non-determination and the performance of local planning authorities is assessed in relation to these timescales. Outline planning permission has a determination period of 8 weeks for minor applications, and a further 8 weeks for subsequent applications for reserved matters. The proposal is that permission in principle applications and applications for technical details consent should be subject to the following maximum determination periods:

- Permission in principle minor application - 5 weeks
- Technical details consent for minor sites - 5 weeks
- Technical details consent for major sites - 10 weeks

Consultation Question 2.10: Do you agree with our proposals for the maximum determination periods for a) permission in principle minor applications, and b) technical details consent for minor and major sites? LAIS Note: Councils will be considering the potential impact on the consultation with them and will note that the tight determination timescales will make it less likely that any discretionary consultation, at technical details stage, will take place.

Brownfield registers

Government is using the Bill to introduce a statutory brownfield register and deliver its commitment that 90% of suitable brownfield sites have planning permission for housing by 2020. The proposal in this consultation is that brownfield registers would be a qualifying document to grant permission in principle and Government would '*expect authorities to take a positive, proactive approach when including sites in their registers, rejecting potential sites only if they can demonstrate that there is no realistic prospect of sites being suitable for new housing. We also expect that the large majority of sites on registers that do not already have an extant planning permission will be granted permission in principle, and technical details consent subsequently, for housing.*' Planning Practice Guidance will be published covering how brownfield registers should be drawn up and kept under review. The sites would be drawn from sources such as the Strategic Housing Land Availability Assessment and other relevant sources. This could include sites with extant planning permission and sites known to the authority that have not previously been considered, such as public sector land, land volunteered by members of the public and other interested parties in a short targeted exercise to enable windfall sites to be put forward by developers and others for consideration by the authority.

> can request inclusion. A key issue in enabling proper planning of the country is that sites should, when developed, be supported by infrastructure, with good access by public transport and to a range of places of employment. This is so critical that the RTPI believes it should be specified as a criterion. Many brownfield sites are so poorly located that their development would generate high volumes of car traffic and long commutes.
>
> Extract: Royal Town and Planning Institute: Housing and Planning Bill Briefing http://www.rtpi.org.uk/briefing-room/news-releases/2015/december/housing-and-planning-bill-briefing/

Consultation Question 3.1: Do you agree with our proposals for identifying potential sites? Are there other sources of information that we should highlight? LAIS note: The Royal Town and Planning Institute has identified the importance of such sites having appropriate infrastructure and being sustainable and it is not clear how Government's proposals would safeguard these issues.

Identifying brownfield land that is suitable for housing

Sites on brownfield registers will be required to meet the definition of 'previously developed land'. This is a very broad definition and, apart from the exclusions, covers land where there are or have been buildings or other development. In deciding whether to include a site on the register, authorities must have regard to the National Planning Policy Framework and Planning Practice Guidance and should also have regard to their local plan. Where a brownfield site is subject to an allocation for a use other than housing in an up to date local plan and there is compelling evidence supporting that allocation, it is unlikely that the site would be regarded as being suitable for housing. However, planning authorities are told they '*should only reject potential sites if they can demonstrate that there is no realistic prospect of sites being suitable for new housing.*'

To be regarded as suitable for housing the proposed criteria are that sites must be:

- Available (deliverable - with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable – or developable - likely to come forward later on e.g. between six and ten years). The site should be viable. Sites that are not allocated in the local plan should be included in local registers where they meet the relevant criteria and local planning authorities conclude that they will come forward over a reasonable period of time.
- Capable of supporting five or more dwellings or more than 0.25 hectares.
- Capable of development. Local authorities should ensure that sites are suitable for residential use and free from constraints that cannot be mitigated.

Consultation Question 3.2: Do you agree with our proposed criteria for assessing suitable sites? Are there other factors which you think should be considered?

Development raising environmental impacts or habitats issues

Environmental Impact Assessment and Habitats Directives have to be taken into account when compiling registers. The proposal is that where a screening indicates no requirement for an environmental impact

assessment or an assessment is needed but there are mitigating measures that can be taken, a site can be included in the register with any measures noted. The Habitats Directive will be relevant as it covers protection for Special Areas of Conservation and Special Protection Areas. Where such areas are affected, an appropriate assessment must be made of the implications for the site. Sites should not be placed on the register if their development would be prohibited by the Habitats Directive.

Consultation Question 3.3: Do you have any views on our suggested approach for addressing the requirements of Environmental Impact Assessment and Habitats Directives?

Strategic Environmental Assessment

An environmental assessment must be carried out for certain plans and programmes which are likely to have significant environmental effects. However, for small areas at local level, and minor modifications to plans and programmes, an environmental assessment is only required where they are likely to have significant environmental effects.

Consultation Question 3.4: Do you agree with our views on the application of the Strategic Environment Assessment Directive? Could the Department provide assistance in order to make any applicable requirements easier to meet?

Publicity and consultation requirements

Brownfield registers should provide transparent information about suitable sites to local communities, developers and others and the proposal is that they should be made available at local authority offices and online. Local planning authorities will be 'encouraged' to publicise their decisions with reasons.

Local councils should note the promise of regulations, to require local planning authorities to carry out consultation and other procedures on their registers. It is emphasised that engagement should be proportionate and follow the approach set out in the proposals for permissions in principle. However, Government then goes on to emphasise discretionary consultation, this time in relation to sites included in a register but not suitable for a grant of permission in principle. The Bill will enable planning authorities to have *'the discretion to consult their local communities and other interested parties, such as those who can offer specialist advice, about those sites. This recognises that local planning authorities are best placed to determine whether consultation with local communities and others would be helpful, and it provides authorities with flexibility to adapt their approach to particular circumstances. If planning permission for housing on suitable sites is to be granted through a planning application or local development order, separate consultation arrangements will apply.'*

Consultation Question 3.5: Do you agree with our proposals on publicity and consultation requirements? Given that permission in principle might follow inclusion on the register and that there might be concerns, for example, about sustainability and infrastructure, local councils will wish to be reassured that there will be full and compulsory consultation on inclusion of sites in such registers.

Content of brownfield registers

Once local planning authorities are satisfied that sites are suitable for housing, they will be required to include them in their brownfield registers, irrespective of their planning status. Registers should include sites that:

- Have extant outline or full planning permission or permission granted by local development order where sites have not yet been developed, and sites where planning permissions are under consideration and local development orders are being prepared.
- Have permission in principle for housing.
- Are suitable for housing but have no form of existing permission.

The brownfield registers will be populated with the following information by local planning authorities:

- Site reference - Unique Property Reference Number (UPRN).
- Site name and address.
- Grid reference.
- Size (in hectares).
- An estimate of the number of homes that the site would be likely to support, preferably a range of provision.
- Planning status (including link to details held elsewhere of planning permissions, permission in principle/associated technical details consents, and local development orders).
- Ownership (if known and in public ownership).
- Any other information that is considered useful, such as information on site constraints and site history.

Consultation Question 3.6: Do you agree with the specific information we are proposing to require for each site?

Published data requirements

The proposal is to require local planning authorities to meet 'Open Data' standards by publishing their brownfield registers online on their own local websites, in an agreed standard form.

Consultation Question 3.7: Do you have any suggestions about how the data could be standardised and published in a transparent manner?

Updating brownfield registers

Planning authorities will be expected to review their stock of brownfield land and its permission status at least once a year.

Consultation Question 3.8: Do you agree with our proposed approach for keeping data up-to-date?

Assessing progress

There will be an expectation on planning authorities to *'drive progress'* in getting permission for housing in place on suitable brownfield land, in particular through entering sites on registers in order for those sites to gain a grant of permission in principle and by timely consideration of the subsequent stage of technical details consent. Interestingly, the proposals state that *'Permission in principle will be treated as a planning permission when assessing progress given the degree of certainty that it provides'*.

Government intends to introduce a policy based incentive which would mean that local planning authorities that had failed to make sufficient progress against the brownfield objective would be unable to claim the existence of an up-to-date five year housing land supply when considering applications for brownfield development, and therefore the presumption in favour of sustainable development would apply. The proposal is that this would apply from 2020 to any local planning authority that had not met the 90% commitment by that date and they are considering including intermediate objectives and actions that might apply.

Consultation Question 3.9: Do our proposals to drive progress provide a strong enough incentive to ensure the most effective use of local brownfield registers and permission in principle?

Consultation Question 3.10: Are there further specific measures we should consider where local authorities fail to make sufficient progress, both in advance of 2020 and thereafter?

Small sites register

Government suggests that small sites of between one and four plot size play an important role in helping meet local housing need and are often ideally suited to self-build and custom housebuilding. They are less likely to be part of the local plan process but more likely to be earmarked within neighbourhood plans. As part of their drive to encourage '*sustainable development on small sites of less than 10 units*', they propose to require planning authorities to publish a small sites register. Government emphasises that a small sites register has particular utility in areas of high demand for self-build and custom housebuilding, as planning authorities will be required to provide sufficient serviced land to match demand. Sites on the register will not necessarily have been subject to an assessment of their suitability for development and planning permission would have to be sought in the usual way. The proposal is that 'small sites' for the purpose of the register will be between one and four plots in size.

There will be no guarantee that the sites can be developed as there is no requirement for any suitability assessment associated with placing a site on the register. The stated objective is simply to increase awareness of the location of small sites. However, Government is considering whether they should permit local authorities to exclude sites from the register which they deem completely unsuitable for development through screening in a way which imposes minimal expectations on the planning authorities. The proposal is that the minimum information which the register should contain is:

- The location of the site (such as a six figure grid reference);
- The approximate size of the site (number of square metres); and
- The contact details for the owner.

Consultation Question 4.1: Do you agree that for the small sites register, small sites should be between one and four plots in size?
Consultation Question 4.2: Do you agree that sites should just be entered on the small sites register when a local authority is aware of them without any need for a suitability assessment?
Consultation Question 4.3: Are there any categories of land which we should automatically exclude from the register? If so what are they?
Consultation Question 4.4: Do you agree that location, size and contact details will be sufficient to make the small sites register useful? If not what additional information should be required?

Neighbourhood planning

The period of time within which local authorities must decide applications to designate a neighbourhood area has already been reduced and the Bill gives new powers for Government to set time periods for various local planning authority decisions and to intervene to send a plan or Order to referendum.

Designation of neighbourhood areas

Currently when a parish or town council apply for designation of the whole of their parish area, the authority generally has 8 weeks to decide the application, and they have discretion to amend the boundary. They have 20 weeks where the boundary crosses two authorities and in all other cases they have 13 weeks. The proposal is to require a planning authority to designate all of the neighbourhood area applied for, with no discretion to amend the boundary when:

- A parish council applies for the whole of the parish area to be designated as a neighbourhood area, or applies to enlarge an existing designation of part of the parish to include the whole of the parish area; or
- In other cases, a planning authority has not determined an application for designation of a neighbourhood area within the current time periods described above.

There would be an exception if any of the area had already been designated (other than where a parish want to enlarge an existing designated area), or if there were an outstanding application for designation. This is to avoid boundary changes that could impact on neighbourhood plans or Orders in preparation or already made.

It is interesting to note that 90% of all applications to designate a neighbourhood area are from parish councils and 90% of those applications are for the whole parish area. Nearly all such applications are successful. The changes would mean that a local planning authority's current requirement to consider parish applications and make a decision within eight weeks (with four weeks of publicity) will no longer apply. Instead, the designation should be made as soon as possible, once the authority is satisfied that the application is valid and complete.

Consultation Question 5.1: Do you support our proposals for the circumstances in which a local planning authority must designate all of the neighbourhood area applied for?
LAIS Note: Many councils will welcome this support to local councils in ensuring that in most cases, planning authorities will be expected to respect the will of the local council.

Designation of neighbourhood forums
In communities where there is no parish council, a 'neighbourhood forum' must be designated by the local planning authority to lead a neighbourhood plan. Government wants to limit the amount of time that a planning authority generally can take to designate a neighbourhood forum to within 13 weeks (the same as for designating neighbourhood areas). The time period would run from the date immediately following that on which the application is first publicised by a local planning authority (which must be as soon as possible after receiving the application).

Consultation Question 5.2: Do you agree with the proposed time periods for a local planning authority to designate a neighbourhood forum?

Consideration by a local planning authority of the recommendations made by an independent examiner
An independent examiner of a neighbourhood plan or Order must send their report to the local planning authority. If the local planning authority is satisfied that a draft neighbourhood plan or Order meets the basic conditions and other legal tests (or would with modifications), then a referendum must be held. The proposal is to set a limit (in line with the average time taken and to remove more extreme delays) of 5 weeks from the date of the examiner's report being received to the decision being made by the planning authority on whether to call a referendum. The exceptions to this would be when:

- A planning authority proposes to make a decision which differs from that recommended by the examiner.
- A planning authority and a neighbourhood group agree that more time than the proposed five week period will be required to reach a decision.

Consultation Question 5.3: Do you agree with the proposed time period for the local planning authority to decide whether to send a plan or Order to referendum?

When an authority's proposed decision differs from that recommended by the examiner the Secretary of State may prescribe people who must be notified and consulted. It is proposed that these should be the neighbourhood planning group and anyone who made representations during the period the plan was publicised by the local planning authority. This would also apply when the Secretary of State has intervened following a request from a neighbourhood planning group as set out below. It is also proposed that the period during which further representations can be made should be limited to six weeks; and that the local planning authority should issue its final decision within five weeks of the end of that period (unless the authority considers it appropriate to refer the issue to independent examination).

Consultation Question 5.4: Do you agree with the suggested persons to be notified and invited to make representations when a local planning authority's proposed decision differs from the recommendation of the examiner?

Consultation Question 5.5: Do you agree with the proposed time periods where a local planning authority seeks further representations and makes a final decision?

Setting the referendum date and bringing plans into force

Local planning authorities should hold a referendum within 10 weeks of the decision that a referendum should be held (or 14 weeks where there is also a business referendum). Three exceptions are proposed:

1) Where a neighbourhood planning referendum can be combined with another poll that is due to be held within three months of the end of the 10 or 14 week period described above.
2) Where there are unresolved legal challenges to the decision to hold a referendum.
3) Where a local planning authority and the neighbourhood group agree an alternative time period.

A local planning authority is required to make a neighbourhood plan or Order as soon as reasonably practicable after a successful referendum/s. This brings the plan or Order into legal force as part of the development plan for an area, with the same legal status as the local plan. It is proposed that this should occur within 8 weeks from the date of the referendum/s, unless there are unresolved legal challenges to the decision to hold either referendum or around the conduct of either referendum.

Consultation Question 5.6: Do you agree with the proposed time period within which a referendum must be held?
Consultation Question 5.7: Do you agree with the time period by which a neighbourhood plan or Order should be made following a successful referendum?
Consultation Question 5.8: What other measures could speed up or simplify the neighbourhood planning process? LAIS note: Generally, a tightening up of the framework for neighbourhood planning is likely to be welcomed by local councils. One of the concerns for councils is the unintended consequence that increased timescale pressures on planning authorities might make them less receptive to neighbourhood plans. Government needs to be sure that this pressure is offset with an emphasis on the duty of planning authorities to assist councils to progress plans and that there are adequate resources for them to be able to perform this function in a timely fashion.

Requests for the Secretary of State to intervene

The proposal is that the Secretary of State would have a new power, under the Bill, to intervene in this process, at the request of a neighbourhood planning group, in three circumstances:

- Where the local planning authority has failed to take a decision within the period prescribed following receipt of the examiner's report;
- Where the local planning authority do not accept all of the examiner's recommendations; or
- Where the local planning authority propose to modify the plan or Order proposal in a way that was not recommended by the examiner.

Under the proposals, the Secretary of State could:

- Direct the local planning authority to send a neighbourhood plan or Order to referendum with any modifications made by the Secretary of State, or to refuse the proposal.
- Extend the referendum area.
- Require the local planning authority to notify relevant persons of any decision the Secretary of State proposes to make that is not in accordance with the examiner's recommendations.
- Require the local planning authority to refer the issue to a further examination.
- Prescribe the form, content and time limit for a request for intervention. A six week limit is proposed where the neighbourhood group is making the request because the local planning authority decides not to follow a recommendation of the examiner; or makes modifications not recommended.
- Prevent a local planning authority from taking their final decision on whether a neighbourhood plan or Order should proceed to a referendum until the Secretary of State has decided whether to intervene.
- Appoint a planning inspector to take the decision on the Secretary of State's behalf.
- Require information such as the examiner's report and any representations made to the examiner.

- Notify certain persons and publish the decision made on sending the plan or Order to referendum, as well as the reasons for making those decisions, and other matters relating to those decisions. It is proposed that they would have to notify the neighbourhood planning group and the local planning authority of the decision with reasons; publish the decision with reasons; and send, to any person who had asked to be notified of the decision in relation to the neighbourhood plan or Order, a notice explaining that the decision has been made, and where details can be found.

Consultation Question 5.9: Do you agree with the proposed procedure to be followed where the Secretary of State may intervene to decide whether a neighbourhood plan or Order should be put to a referendum?

Engagement in local planning

The proposal is to amend existing regulations to include designated neighbourhood forums as consultation bodies that local planning authorities must notify and invite representations from where they consider the forum may have an interest in the preparation of a local plan. This proposal complements the measure in the Bill which would enable neighbourhood forums to request notification of planning applications in their area.

Consultation Question 5.10: Do you agree that local planning authorities must notify and invite representations from designated neighbourhood forums where they consider they may have an interest in the preparation of a local plan? LAIS note: This is a welcome change as neighbourhood forums cover areas where parish councils do not exist. Government needs to be clear about the status of neighbourhood forums in areas which later become parished and about the obligations on planning authorities regarding consultation in such circumstances. Although neighbourhood forums do not have the broad public service remit and democratic, accountable and transparent arrangements as local councils, they might provide for the foundation for interest in forming a future parish council.

Local plans

The consultation makes strong statements about the need for planning authorities to develop local plans but this remains a concern in some areas, despite them having had more than a decade since the introduction of the Planning and Compulsory Purchase Act 2004 to prepare a local plan. At the end of January 2016, 84% had published a local plan and 68% had adopted a local plan. The proposal refers to the controversial five-year land supply issue. The National Planning Policy Framework states that housing policies should not be considered up-to-date if the planning authority cannot demonstrate a five-year supply of deliverable housing sites. Most local plans are likely to require updating in whole or in part at least every five years. At the end of Jan 2016, 45% of authorities had a local plan which had been adopted in the last 5 years. According to Government figures, local plans adopted since the National Planning Policy Framework was published in March 2012 allocate substantially more housing than those adopted before the Framework was published.

Government states that its commitment to ensure plans with up-to-date policies are in place is demonstrated by its commitment to publish league tables of progress; intervene where no local plan has been produced by early 2017, to arrange for the plan to be written, in consultation with local people, to accelerate production of a local plan; and establish a new delivery test on local authorities, against the number of homes set out in local plans. Government is now consulting on criteria on intervention to progress local plans which would be under revised powers created in the Bill. Local councils will wish to monitor that the commitment to maintain community engagement even where the local plan is developed through intervention measures, is implemented.

The criteria for intervention proposed include:

- The date when a local plan was adopted or last reviewed.
- The progress of the plan, using Planning Inspectorate or planning authority website information.
- The date when an authority expects to publish, submit and adopt its new or reviewed local plan.
- The slippage against the timetable authorities have set for themselves.

- The extent of housing pressure.
- The performance on housing delivery.
- The wider planning context: collaborative and strategic plan-making, such as through the duty to cooperate and putting forward proposals to work strategically through devolution deals and the extent of neighbourhood planning activity.
- 'Exceptional circumstances' which might include matters which significantly affect the reasonableness of the conclusions that can be drawn from the data and criteria used to inform decisions on intervention and matters having a significant impact on the authority's ability to produce a local plan, for reasons that were entirely beyond its control.

Consultation Question 6.1: Do you agree with our proposed criteria for prioritising intervention in local plans?
Consultation Question 6.2: Do you agree that decisions on prioritising intervention to arrange for a local plan to be written should take into consideration a) collaborative and strategic plan-making and b) neighbourhood planning?
Consultation Question 6.3: Are there any other factors that you think the government should take into consideration?
Consultation Question 6.4: Do you agree that the Secretary of State should take exceptional circumstances submitted by local planning authorities into account when considering intervention?

Publishing local planning authorities' progress in plan-making

The commitment to publish information about progress with plans on a six-monthly basis includes:

- The date that the local plan was adopted or last reviewed.
- The date of the publication and submission stages.
- The forecast for publication, submission and adoption where these have not been achieved, including the forecast at a baseline date (likely to be April 2016), the most recent forecast dates and any slippage or acceleration.

Consultation Question 6.5: Is there any other information you think we should publish alongside what is stated above?
Consultation Question 6.6: Do you agree that the proposed information should be published on a six monthly basis?

Expanding the approach to planning performance

The Growth and Infrastructure Act 2013 introduced the existing performance approach for applications for major development. Failure to meet the speed and quality of decisions criteria might cause a planning authority to be designated underperforming and applicants for major development in that area then have the choice of submitting their application direct to the Secretary of State instead of to that authority. One interesting aspect of this is that it has achieved what Government would have wished and has speeded up decisions on applications for major developments. The proposal now is to extend this approach to include applications for non-major developments. For a Government with a localism agenda, it is interesting to see an extension to central planning control. Now Government is consulting on:

- Revised thresholds for assessing the quality of performance on applications for major development and new thresholds for non-major development for both speed and quality;
- The approach to designation and de-designation for non-major development; and,
- Which applications may be submitted to the Secretary of State in areas that are designated for their handling of non-major development.

'Non-major development' will be applications for minor developments, changes of use (where the site area is less than one hectare) and householder developments. However, Government is proposing that the ability to apply direct to the Secretary of State would be limited to applications involving minor development and

changes of use, and not include householder development. This is stated as being due to the small size and high volume of householder applications which makes them best dealt with at the local level. Government intervention would be limited to a detailed improvement plan for householder developments where this is an area of under-performance.

The thresholds at which authorities would become liable for designation in relation to non-major development should fall within the following ranges:

- Speed of decisions: where authorities fail to determine at least 60-70 per cent of applications for non-major development on time, over the two year assessment period, they would be at risk of designation.
- Quality of decisions: where authorities have had more than 10-20 per cent of their decisions on applications for non-major development overturned at appeal, they would be at risk of designation.

For applications for major development, the designation threshold for the speed of decisions is 50 per cent made on time, and will remain under review. The threshold for the quality of decisions on applications for major development has remained at 20 per cent since 2013 but will be reducing to 10 per cent of decisions on applications overturned at appeal.

The proposal is that the general approach to designating and de-designating authorities for non-major development should mirror that which exists already for major development, as set out in the current criteria document. The data for major and non-major applications will not be aggregated. Major and non-major development would be considered separately (so that an authority could be designated on the basis of handling applications for major development, or non-major development, or both). However, for both types of application, in future when considering exceptional circumstances, it is proposed that any situations where appeals have been allowed despite the authority considering that its initial decision was in line with an up-to-date plan, will be taken into account. This is to avoid inadvertently discouraging any authorities from making decisions that they believe to be in line with an up-to-date local plan or neighbourhood plan.

Consultation Question 7.1: Do you agree that the threshold for designations involving applications for non-major development should be set initially at between 60-70% of decisions made on time, and between 10-20% of decisions overturned at appeal? If so what specific thresholds would you suggest?
Consultation Question 7.2: Do you agree that the threshold for designations based on the quality of decisions on applications for major development should be reduced to 10% of decisions overturned at appeal?
Consultation Question 7.3: Do you agree with our proposed approach to designation and dedesignation, and in particular (a) that the general approach should be the same for applications involving major and non-major development? (b) performance in handling applications for major and non-major development should be assessed separately? (c) in considering exceptional circumstances, we should take into account the extent to which any appeals involve decisions which authorities considered to be in line with an up-to-date plan, prior to confirming any designations based on the quality of decisions?
Consultation Question 7.4: Do you agree that the option to apply directly to the Secretary of State should not apply to applications for householder developments?

Testing competition in the processing of planning applications

This part explores the potential for competition in the processing of planning applications. This will not include any changes to decision-making on planning applications which will remain with the local authority. Government states that this will not prevent planning local authorities from processing planning applications or force them to outsource their processing function. However, it does mean that other approved providers will be able to compete to process planning applications in their area. Government points to existing alternative arrangements e.g. in Building Control, applicants can choose to have their building work checked by the local authority or an approved inspector. The Bill contains powers to enable the testing of competition in the processing of planning applications. Government is proposing that in a number of specific geographic areas across the country, for a limited period of time, a planning applicant would be able to apply to either the

local planning authority for the area or an 'approved provider' (a person who is considered to have the expertise to manage the processing of a planning application) to have their planning application processed. Planning authorities would also be able to apply to process planning applications in other local authorities' areas. Where there is an approved provider, they would be able to process the application, having regard to the relevant statutory requirements for notification, consultation and decision making, and make a recommendation to the local planning authority on how the application should be decided. The planning authority makes the final decision.

This will be an important matter for local councils to consider as the scope of this proposal could be extended and is currently expressed fairly vaguely: '*More innovation may be possible and better use of resources, efficiency and performance, with full competition involving both approved private providers and local authorities competing for the processing of all planning applications in test areas. However, competition could be limited to just local authorities or specific types of planning application.*'

Consultation Question 8.1: Who should be able to compete for the processing of planning applications and which applications could they compete for? LAIS note: The question does not cover whether this is an acceptable concept but local councils should feel free to provide their views and not be restricted to the question posed. Councils will be considering the extent to which they are likely to be consulted at the pre-application stage. Despite the fact that pre-application consultation with communities is encouraged, many councils will already be concerned that this is not happening in many instances. Those councils will be wondering whether this situation is likely to improve with profit-motivated businesses as opposed to planning authorities.

Fees

Government is considering two alternative approaches to fees when testing out competition:

1) Allowing approved providers and the planning authority to set their own fee levels, with Government intervening if excessive fees were charged or to return fees where acceptable standards are not met; or
2) Restricting approved providers and local planning authorities to setting fee levels within a range. Local authorities could be limited to charging no more than cost recovery for processing planning applications. It is acknowledged that where an approved provider processes an application the local planning authority will incur small costs, e.g. for example reviewing the provider's report and recommendation to be able to take a decision. Government notes the need for a balance to be struck between ensuring costs can be recovered fairly without introducing duplication and additional applicant costs.

The role of applicants, approved providers and local planning authorities in competition test areas

In test areas, applicants would select who they want to process their planning application and pass it direct to the provider with the appropriate fee. The approved provider will undertake all the tasks a local planning authority would ordinarily undertake including checking and validating the application, posting site and neighbour notices, undertaking site visits, undertaking statutory consultation, carrying out informal engagement with the community, seeking more information from the applicant, negotiating section 106 agreements and undertaking Environmental Impact Assessment screening. Assurances are made that '*local people and councillors will need to be able to comment on planning applications as they can at the moment.*' When the planning authority receives a report and recommendation from an approved provider for a decision, it would be required to take the decision within a short specified period (perhaps a week or two). Authorities would continue to process in the normal way any planning applications they received directly from applicants.

Standards and performance

Approved providers would not be able to process applications in which they and the member(s) of staff dealing with the application have an interest. They would also need to demonstrate the professional skills and capabilities to process planning applications on behalf of applicants. Government states that it would expect high levels of performance both from approved providers and local planning authorities involved in the test,

but may need to relax the current designation approach for local planning authorities participating in the testing of competition, given the different circumstances in which they would be operating.

Competition could benefit both communities and applicants
The claimed benefits of competition are that it would create a better system more able to secure the development of the homes and other facilities that communities need and that a choice of services would mean that applicants would be able to shop around for the services which best met their needs.

Information
Information would have to be shared between the planning authority and approved provider e.g. so that the latter had background information to the application. This would be subject to a requirement to only use the information for processing planning applications and without disclosure to any other persons.

Consultation Question 8.2: How should fee setting in competition test areas operate?
Consultation Question 8.3: What should applicants, approved providers and local planning authorities in test areas be able to do?
Consultation Question 8.4: Do you have a view on how we could maintain appropriate high standards and performance during the testing of competition?
Consultation Question 8.5: What information would need to be shared between approved providers and local planning authorities, and what safeguards are needed to protect information?
Consultation Question 8.6: Do you have any other comments on these proposals, including the impact on business and other users of the system?

Information about financial benefits
The Bill proposes to place a duty (currently there is only guidance) on local planning authorities to ensure that planning reports, setting out a recommendation on how an application should be decided, record details of financial benefits that are likely to accrue to the area as a result of the proposed development. It also explicitly requires that planning reports list those benefits that are "local finance considerations" (sums payable under Community Infrastructure Levy and grants from central government, such as the New Homes Bonus). The Bill also provides for the Secretary of State to prescribe, through regulations other financial benefits that must be listed in planning reports. Alongside "local finance considerations" as defined in section 70 of the Town and Country Planning Act, the following benefits are likely to be required to be listed in planning reports where they are likely to accrue: Council tax revenue; Business rate revenue; and Section 106 payments.

In practice a report to a planning committee will include an estimate of what appears to the person making the report to be the likely value of the benefit to be obtained (i.e. the best estimate at the time the report is produced). This is likely to mean: Community Infrastructure Levy; government grant; council tax revenue (e.g. the likely council tax band for new properties); business rates revenue (e.g. the potential rateable value for the property following development); and section 106. A financial benefit might accrue to a local authority or body other than the one making the planning decision and those benefits would also be listed. Government recognises that in a few circumstances, developers may make financial payments to a local community where they propose to develop a site as for example, shale gas companies are committed to doing or for wind development. Clearly, it would be beneficial if the community benefits were also listed.

Consultation Question 9.1: Do you agree with these proposals for the range of benefits to be listed in planning reports?
Consultation Question 9.2: Do you agree with these proposals for the information to be recorded, and are there any other matters that we should consider when preparing regulations to implement this measure?

Section 106 dispute resolution

A new dispute resolution mechanism for section 106 agreements, is being introduced in order to speed up negotiations and allow housing starts to proceed more quickly. The dispute resolution process would be provided by a body on behalf of the Secretary of State, concluded within prescribed timescales, to provide a binding report (probably expected within 4 weeks) setting out appropriate terms where these had not previously been agreed. The dispute resolution process will potentially apply to any planning application (although Government reserves the right to limit this) where the local planning authority would be likely to grant planning permission.

The dispute resolution process can be initiated at the request of the applicant, the local planning authority or another person as set out in regulations (as yet undefined), by making a request to the Secretary of State. The existing statutory timeframes (8 weeks for a minor application, 13 weeks for a major application and 16 weeks for an application accompanied by an Environmental Impact Assessment) would apply, with extensions possible where agreed. Requests should be made in writing, provide full details of the planning application in question (including plans and supporting documents), a draft section 106 agreement and a statement clearly setting out the dispute issues. This will not deal with matters being considered by the courts or where the application has been called in by the Secretary of State already. Where a request is made to initiate the dispute resolution process, a two week 'cooling off' period applies prior to a person being appointed.

The Secretary of State will set the level of fees payable and the appointed person will award costs where, for example, either side does not engage in the resolution process or acts unreasonably. However, normally fees would be shared evenly between the planning authority and the applicant. It is proposed that:

- The matters to be considered by the appointed person should be limited to those in dispute between the parties.
- The report should be published on the local planning authority's website as soon as reasonably practical.
- There should be a mechanism for correcting reports errors. There is acceptance that such a process, 'framed too broadly, could act like an informal appeal process, delaying the outcome of dispute resolution' but it is not clear how this perceived problem is addressed by the suggestion that either party would be able to request the correction of errors.

Post-dispute resolution

After the report is received, it is proposed that within two and four weeks, the entering into section 106 obligations and determining the planning application will be required. Regulations could allow for different periods to be set to take account of circumstances. The parties can still enter into an agreement during the prescribed period with terms that differ from the report as long as the parties agree. The range of decisions that the authority can take after the report is received will be limited e.g. the right to refuse of the application on a ground that relates to the appropriateness of the terms of the section 106, will be limited. If no section 106 obligation is completed within the prescribed period, permission would have to be refused. Where the application is subsequently appealed following dispute resolution, the Inspector (or Secretary of State) must have regard to the report issued by the appointed person. There may be circumstances where the local planning authority seeks to grant the application and make the grant conditional on the other party undertaking other obligations not specified in the section 106 agreement, for example through use of section 278 (Highways Agreements). We are considering whether to restrict this through regulations.

Consultation Question 10.1: Do you agree that the dispute resolution procedure should be able to apply to any planning application?
Consultation Question 10.2: Do you agree with the proposals about when a request for dispute resolution can be made?
Consultation Question 10.3: Do you agree with the proposals about what should be contained in a request?
Consultation Question 10.4: Do you consider that another party to the section 106 agreement should be able to refer the matter for dispute resolution? If yes, should this be with the agreement of both the main parties?
Consultation Question 10.5: Do you agree that two weeks would be sufficient for the cooling off period?

Consultation Question 10.6: What qualifications and experience do you consider the appointed person should have to enable them to be credible?
Consultation Question 10.7: Do you agree with the proposals for sharing fees? If not, what alternative arrangement would you support?
Consultation Question 10.8: Do you have any comments on how long the appointed person should have to produce their report?
Consultation Question 10.9: What matters do you think should and should not be taken into account by the appointed person?
Consultation Question 10.10: Do you agree that the appointed person's report should be published on the local authority's website? Do you agree that there should be a mechanism for errors in the appointed person's report to be corrected by request?
Consultation Question 10.11: Do you have any comments about how long there should be following the dispute resolution process for a) completing any section 106 obligations and b) determining the planning application?
Consultation Question 10.12: Are there any cases or circumstances where the consequences of the report, as set out in the Bill, should not apply?
Consultation Question 10.13: What limitations do you consider appropriate, following the publication of the appointed person's report, to restrict the use of other obligations?
Consultation Question 10.14: Are there any other steps that you consider that parties should be required to take in connection with the appointed person's report and are there any other matters that we should consider when preparing regulations to implement the dispute resolution process?

Permitted development rights for state-funded schools

These proposals further the Government's aim of opening 'at least 500 new state-funded free schools during this Parliament'. The proposal is to increase current permitted development rights that support delivery of new state-funded schools and the expansion of current schools, ensure schools can open quickly on temporary sites and in temporary buildings while permanent sites are secured and developed and allow larger extensions to be made to school buildings in certain cases without the need for a planning application.

This will be achieved through:

- Extending from one to two academic years the existing temporary right to use any property within the use classes for a state-funded school;
- Increasing from 100 m2 to 250 m2 the threshold for extensions to existing school buildings (but not exceeding 25% of the gross floorspace of the original building); and
- Allowing temporary buildings to be erected for up to three years on cleared sites where, had a building not been demolished, the existing permitted development right for permanent change of use of a building to a state funded school would have applied.
- Considering other changed e.g. to thresholds within which school buildings could be extended, such as reducing the limit on building extensions within 5 metres of a boundary of the curtilage of the premises.

Consultation Question 11.1: Do you have any views on our proposals to extend permitted development rights for state-funded schools, or whether other changes should be made? For example, should changes be made to the thresholds within which school buildings can be extended?
Consultation Question 11.2: Do you consider that the existing prior approval provisions are adequate? Do you consider that other local impacts arise which should be considered in designing the right?

Changes to statutory consultation on planning applications

Where there is an obligation on statutory consultees to respond to the local planning authorities within 21 days (or a longer period if agreed with the local authority) and to provide a substantive response to the application in question, Government proposes to limit the maximum period which can be requested as an extension to 14 days. The statutory consultees referred to are required to report their performance in terms of responding to consultation requests about planning applications each year and Government claims that this will affect between 5 and 12% of cases approximately.

Consultation Question 12.1: What are the benefits and/or risks of setting a maximum period that a statutory consultee can request when seeking an extension of time to respond with comments to a planning application? LAIS note: Statutory consultees have a specific status owing to the specialist knowledge they provide. The fact that 5 -12% are having to request extensions is potentially indicative of the difficulty they are having meeting tight deadlines already. With cuts affecting many of these organisations, their ability to decrease their own timeframes for responses might be restricted. It is not clear what significant advantage is to be gained by saving a few days in a few cases compared to the danger that important advice and views might not be provided owing to excessive time pressure at a time of resource restraint. Councils should also note that while this proposal, ostensibly relates to statutory consultees who are obliged to report their performance to Government, it would not be without precedent for proposals to develop and expand after a consultation closes. Councils will wish to monitor the progress of this legislation in relation to whether it further impacts on the role of local councils.
Consultation Question 12.2: Where an extension of time to respond is requested by a statutory consultee, what do you consider should be the maximum additional time allowed? Please provide details. LAIS note: On average Government indicates that the time requested was between 7 and 14 days. It is not clear what advantage would be gained by restricting local planning authorities' ability to respond to the exceptional cases that they consider legitimately require greater time given the importance of their specialist advice.

Public Sector Equality Duty

Government concludes 'None of the proposals are specifically aimed at persons with a protected characteristic and we have not identified any adverse cumulative impact of these proposals.' They also note that there is limited data available about the involvement of protected groups in the planning process or as developers and invite evidenced views and suggested mitigations.

Consultation Question 13.1: Do you have any views about the implications of our proposed changes on people with protected characteristics as defined in the Equalities Act 2010? What evidence do you have on this matter? Is there anything that could be done to mitigate any impact identified?
Consultation Question 13.2: Do you have any other suggestions or comments on the proposals set out in this consultation document?

References

Technical consultation on Implementation of Planning Changes can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/501239/Planning_consultation.pdf
The *Housing and Planning Bill* can be found at http://services.parliament.uk/bills/2015-16/housingandplanning.html

Sprowston Town Council **Payments** **Meeting Date: 6 April 2016**

Invoice Date	Invoice No.	Invoice Detail	Net £	VAT £	Total £	BACS Ref
		Supplier : The Alarm Company				
15.03.2016	38549	*SDC annual alarm maintenance*	450.00	90.00	540.00	
					540.00	1159
		Supplier : Bidwells				
25.02.2016	SI16-02226	*SDC Nursery phase 3a prof. fees*	2,284.77	456.96	2,741.73	
29.03.2016	SI16-03219	*SDC Phase 3 Sports Hall prof. fees*	2,000.00	400.00	2,400.00	
	SI16-03221	*SDC Phase 3a Nursery prof. fees*	1,940.99	388.20	2,329.19	
					7,470.92	1160
		Supplier: Dazzle Cleaning				
15.03.2016	March 2016	*Bus shelter cleaning x 9 March*	99.00	0.00	99.00	
					99.00	1161
		Supplier : Eastern Shires Purchasing Organisation				
11.03.2016	3941546	*Cleaning products*	35.52	7.11	42.63	
					42.63	1162
		Supplier : Mrs Evelyn Elliot				
31.03.2016	Claim 35	*EE travel claim to 31 March*	19.58	0.00	19.58	
					19.58	1163
		Supplier: Mrs June Hunt				
31.03.2016	Claim 33	*JH travel claim to 31 March*	54.00	0.00	54.00	
					54.00	1164
		Supplier : InTouch Systems				
18.03.2016	605516/640	*Office keyboard/Internet charge March*	52.00	10.40	62.40	
					62.40	1165
		Supplier : Just Regional Publishing				
14.03.2016	6131	*SDC room hire advertising*	20.00	4.00	24.00	
					24.00	1166
		Supplier : A C Leigh (Norwich) Ltd				
16.03.2016	I1204863	*Rec. Grd Ladies wc lock repair*	5.64	1.13	6.77	
					6.77	1167
		Supplier: Moviola Ltd				
19.03.2016	Brooklyn	*SDC film hire March*	141.33	26.37	167.70	
					167.70	1168
		Supplier : Norfolk Association of Local Councils				
31.03.2016	Subscription	*Subscription renewal 2016.17*	1,215.54	0.00	1,215.54	
					1,215.54	1169
		Carried Forward	8,318.37	1,384.17	**9,702.54**	

Sprowston Town Council **Payments** **Meeting Date: 6 April 2016**

Invoice Date	Invoice No.		Invoice Detail	Net £	VAT £	Total £	BACS Ref
			Brought Forward	8,318.37	1,384.17	9,702.54	
		Supplier:	**Rigby Taylor**				
15.03.2016	RSIN0169244		*Rec.Grd sports line glider and paint*	846.00	169.20	1,015.20	
						1,015.20	1170
		Supplier :	**N. D. Willan Building Contractors Ltd**				
23.03.2016	1182		*SDC Nursery Ext. Interim payment 1*	27,120.69	5,424.14	32,544.83	
						32,544.83	1171
		Supplier :	**Zurich Insurance Company**				
05.03.2016	21285610		*Insurance renewal 2016.17*	6,335.02	0.00	6,335.02	
						6,335.02	1172
			TOTAL OF INVOICES	**42,620.08**	**6,977.51**	**49,597.59**	
		Transfer:	STC Drawings a/c to Salaries a/c	20,000.00	0.00	20,000.00	Trfr 235
				£62,620.08	**£6,977.51**	**£69,597.59**	
		Transfer:	STC General a/c to STC Drawings a/c			**£69,597.59**	Trfr 236

.....
Councillor

.....
Councillor

.....
Town Clerk

Invoice Date	Ref No			Invoice Detail	Net	Vat	Amount paid
					£	£	£
			Supplier:	Home Parts Ltd			
16.03.2016	BCP	369		*Cleaning*	3.99	-	3.99
			Supplier:	Cantiees Blinds			
16.03.2016	BCP	370		*SDC roller blind part*	1.20	-	1.20
			Supplier:	B & Q			
16.03.2016	BCP	371		*Rec. Grd gents wc repair*	3.63	0.73	4.36
				To be paid by direct debit 27 April 2016	**8.82**	**0.73**	**9.55**

Invoice Date	Ref No		Invoice Detail	Net	Vat	Amount paid
				£	£	£
			Supplier: Around The Clock Cleaning Services Ltd			
04.03.2016	BCP	368	*Cleaning products*	25.12	5.02	30.14
			To be paid by direct debit 27 April 2016	**£25.12**	**£5.02**	**£30.14**

Sprowston Town Council | **Supplementary Payments** | **Meeting Date: 6 April 2016**

Invoice Date	Invoice No.	Invoice Detail	Net £	VAT £	Total £	BACS Ref
		Supplier : Bartam Mowers Ltd				
29.03.2016	170570	*Machinery repairs-2 Dennis cutting cassettes*	378.26	75.65	453.91	
					453.91	1173
		Supplier : Cozens (UK) Ltd				
04.04.2016	INV-1867	*St. lighting maintenance March*	600.00	120.00	720.00	
					720.00	1174
		Supplier: Eastern Shires Purchasing Organisation				
23.03.2016	3954596	*Stationery*	15.95	3.19	19.14	
					19.14	1175
		Supplier : Martin Lilley Associates				
30.03.2016	167	*Cem. Extension prof. fees No 6*	724.50	144.90	869.40	
					869.40	1176
		Supplier: Taurus Monitoring Limited				
28.03.2016	1129	*Legionella monitoring December-February*	2,175.25	435.05	2,610.30	
					2,610.30	1177
		TOTAL OF INVOICES	**3,893.96**	**778.79**	**4,672.75**	
		Transfer: STC General a/c to STC Drawings a/c			**£4,672.75**	Trfr 237

..... Councillor

..... Councillor

..... Town Clerk