



MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD REMOTELY AT 7pm ON MONDAY 3rd AUGUST 2020

PRESENT: Councillors Paul Blatchford, Steve Davies, Paul Harding, Nick Manley (Chairman), Dawn Parry (Vice Chairman).

IN ATTENDANCE: Mrs Liz Shayler (Clerk) and 2 members of the public.

The meeting was convened

46/20 To receive apologies for absence (agenda item 1)

Apologies were received from Cllr Wormald

47/20 To receive declarations of interest (agenda item 2)

No Committee Member declared an interest

48/20 To approve as a correct record the minutes of the Planning Committee Meeting held on the 6th July 2020 (agenda item 3).

Resolved – That the minutes of the Planning Committee Meeting held on the 6th July 2020 be approved as a correct record of the meeting.

The resolution was correctly proposed and seconded (unanimous).

The minutes of the meetings will be signed by Cllr Manley as a correct record.

49/20 To agree a response to the North Somerset Planning Committee in relation to their approval of application 18/P/4735/OUT Land West of Wolverhill Road, North of Wolverhill Park and Knightcott Park, Banwell.

The Committee were disappointed with North Somerset's decision not to ratify their initial decision to recommend refusal for application 18/P/4735/OUT and to then subsequently support the Officer's recommendation to approve the application. They believed that a complaint should be submitted for the following reasons;

- The unprofessional way the meeting was run
- The conduct of some of the District Councillors
- The lack of consistent Committee Membership and use of substitute Councillors.
- No new reasons were given for approval which would have overturned the decision.
- Reasons given for recommending approval were not material planning reasons
- Reasons given do not reflect circumstances on the ground or the feelings of the local community.

Resolved – That Cllr Manley draft a response to North Somerset to include the points above. This to be sent to all Councillors before being submitted to North Somerset.

The resolution was correctly proposed and seconded (unanimous).

50/20 To discuss the continuation of remote vs face to face Planning Committee Meetings.

Resolved – To continue with remote Planning Committee Meetings for the next three months when the decision will be reviewed again.

The resolution was correctly proposed and seconded (unanimous).

51/20 To note and comment upon planning applications (agenda item 6)

- (i) **20/P/1362/TPO 18 East Street Banwell BS29 6BN**
T1 - Purple leaf Plum - Reduce height and spread by 4m

The Committee were informed this had already been decided and has been approved with a reduction of 4m to 2m.

- (ii) **20/P/1453/FUH 34 Knightcott Gardens Banwell BS29 6HD**
Erection of a two-storey side extension

Resolved – To support this planning application.

The resolution was correctly proposed and seconded (unanimous)

- (iii) **20/P/1493/FUL Land Adjacent to Cornstore, Cowslip Lane/Hatches Lane, Hewish**
Erection of 3no. additional industrial units within the B1, B2 and B8 Use Classes.

Resolved – To note this planning application.

The resolution was correctly proposed and seconded (unanimous)

- (iv) **20/P/1516/FUH Hilmer, 4 Hillmer Rise Banwell BS29 6HX**
Retrospective application for the erection of a rear raised deck area.

Resolved – To note this planning application.

The resolution was correctly proposed and seconded (unanimous)

- (v) **20/P/1523/FUL The Longhouse 25 East Street Banwell BS29 6BW**
Proposed subdivision of existing dwelling to form two 2-bedroom dwellings.

Resolved – To support this planning application.

The resolution was correctly proposed and seconded (unanimous)

- (vi) **20/P/1635/MOD Mead Land South of Churchland Way, Wolvershill Road, Banwell.**
Modification of Section 106 Agreement to amend the mortgagee exemption clause to replace it with the industry standard wording to ensure that it will be possible to secure a charge against the affordable housing units.

Resolved – To note this planning application.

The resolution was correctly proposed and seconded (unanimous)

- (vii) **20/P/1638/FUH 5 Towerhead Road Banwell BS29 6PQ**
Proposed single storey rear extension

Resolved – To support this planning application.

The resolution was correctly proposed and seconded (unanimous)

- (viii) **20/P/1670/FUH Brick House Farm Waywick Lane Banwell BS24 6UZ**
Erection of a two storey and single storey front extension, annexe and cart store

Resolved – To not support this planning application as it created a new and whilst attached, separate dwelling outside of the settlement boundary.

The resolution was correctly proposed and seconded (unanimous)

52/20 To note planning decisions – (agenda item 7)

- (i) **18/P/3334/OUT Land to South Of, William Daw Close, Banwell.**
Outline planning application for a residential development of up to 26no. dwellings and associated infrastructure with access for approval; appearance, landscaping, layout and scale reserved for subsequent approval. **APPROVED**
- (ii) **20/P/0600/MMA Western Trade Centre, Knightcott Rd, Banwell. BS29 6HT**
Minor material amendment to reserved matters application 19/P/0230/RM to allow for relocation of the access road and position of the houses on plots 09 and 10 and changes to house types B and C on plots 2, 9 and 10. **APPROVED**
- (iii) **20/P/0852/FUH 7 Towerhead Road Banwell BS29 6PQ**
Hip to gable roof conversion. **APPROVED**
- (iv) **20/P/0956/FUH 88 High Street, Banwell, BS29 6AQ**
Proposed ground floor east side extension & new first floor with dormer windows. **APPROVED**
- (v) **20/P/1029/TRCA 31 West Street Banwell BS29 6DB.**
T1 -Robinia – 2m crown reduction and 1m from neighbours property. **NO OBJECTION**
- (vi) **20/P/1114/FUL Land at Silvermoor Lane Banwell**
Dismantle existing steel portal frame open storage agricultural building and re-erect in a new position approximately 60m from the existing location. Inclusion of permeable stoned vehicular access track and restore site of existing to grass. **APPROVED**
- (vii) **20/P/1362/TPO 18 East Street Banwell BS29 6BN**
T1 - Purple leaf Plum - Reduce height and spread by 4m (Reduced to 2M) **APPROVED**
- (viii) **20/P/1396/TRCA 27 Church Street, Banwell BS29 6EA**
T1 - Sycamore - Remove 4 lowest limbs overhanging the property. T2 - Sycamore - Remove 2-3 lowest limbs overhanging the property. **WITHDRAWN**

53/20 Date of the next meeting (agenda item 8)

17th August 2020, 7:30pm Parish Council Meeting remotely <https://us02web.zoom.us/j/308292669>
7th September 2020, 7pm Planning Meeting remotely <https://us04web.zoom.us/j/279564797>

The Chairman closed the meeting at 19:30

.....Chairman

.....Date

Response received in relation to Banwell Parish Council complaint regarding planning application 18/P/4735/OUT. Land at Wolversill Rd, Banwell. Case NSC906127

Dear Mr Manley

Thank you for your letter dated 11 August on behalf of Banwell Parish Council

The Council's procedure for applications of this scale is that where the Planning and Regulatory Committee comes to a decision directly contrary to the officers' recommendation, the application is held over for a month for the decision to be further considered at the next meeting. This allows any matters raised by the Committee to be addressed before the application is determined at the following meeting.

This process was explained at the Committee meeting in June after it reached its conclusion and subsequently in the report to the July meeting. Having considered the further officer report and advice again in July, the Committee concluded, on reflection, that permission should in fact be granted in accordance with the officers' recommendation. It is not uncommon for the membership of a committee to change between one meeting and the next and there is nothing untoward in this.

The Councillors were very mindful of the level of local objection to this application and took all the comments we received into account. These were summarised in the Committee report and available to view in full online on the Council's website. The statement read out at the start of the meeting on behalf of the applicant was done so under the public participation arrangements we have in place for virtual meetings. Under these arrangements, speakers register to speak in the normal way but their statements are read out by Council officers rather than the author of the statement. Nobody registered to speak against the application at the 15th July Committee which is why there was no statement read out in opposition.

Regardless of this, the level of objection to (or support for) a particular development is not in itself reason to refuse or approve planning permission. The Committee has to consider all the relevant planning matters. I note in this respect your suggestion that "irrelevant" planning considerations were raised by some Councillors. National planning guidance makes clear that the scope of what can constitute a material consideration is very wide. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker (i.e. the Committee as a whole) to decide what weight is to be given to the material considerations in each case. Commercial viability, for example, can indeed be a material consideration and matters such as design, appearance and the relationship of the site to the rest of the village are also relevant planning considerations. Councillors are not planning professionals and may use colloquial expressions from time to time when making their points but I don't believe the decision was swayed by immaterial points. I take further comfort in this respect in that Cllr Ley-Morgan abstained from the vote to refuse the application as he had

briefly lost contact with the meeting. This is because under the regulations governing virtual meetings, Councillors may only vote on a motion if they have heard the full debate. Cllr Ley-Morgan was able to vote on the motion to approve the application (which took place when the motion to refuse was not carried) as it was a separate motion and he had not missed any debate on that motion.

Unfortunately, the council does have a shortfall in its housing land supply and therefore we have to give more weight to that than we otherwise would do. The test we have to apply is whether there are any impacts arising from the development which are so adverse that they significantly and demonstrably outweigh the benefits of the new housing. This balancing exercise is explained in detail in the officers' report to the Committee at the following link <https://apps.n-somerset.gov.uk/Meetings/document/report/NSCPM-105-622> but the conclusion was that there the impacts of the development are not so great as to warrant refusal.

A number of other sites in Banwell have been refused planning permission on the basis that we considered that the adverse impacts outweighed the need. However, we did not consider that to be the case with this particular site.

I very much understand the Parish Council's point of view but hope this explains a little more about the decision-making process that was followed.

Yours sincerely

Richard Kent

Head of Planning

Development and Environment North Somerset Council

Banwell Parish Council Planning Committee

Green Measures to be Considered in All Recommendations to Support a Planning Application

Proposal

When Banwell Parish Council recommends support for planning applications, it should include wherever appropriate suggestions for green measures to be included in the project. They will be added to the recommendation for support with the words “Please consider including the following green measures”, and then a selection from the list below of those measures that might be suitable for the application in question.

Suggested Green Measures

- For any new roof or roof refurbishment that will face between south-west and south-east, consider installing photovoltaic panels or using photovoltaic tiles in construction.
- For any alteration to gutters and downpipes, consider installing a rainwater butt.
- For any construction of new walls, try to include the highest practicable grade of thermal insulation.
- For any construction try to use materials that are sustainable, made with recycled content, easily reused or recycled, and that save energy.
- For any project involving alteration or installation of a toilet, consider using a dual-flush model.
- For any project involving paving, patios and/or driveways, consider using water-permeable materials.
- For any project, consider the feasibility of installing one or more electric vehicle charging points.

Planning Committee

September 7th 2020

20/P/1690/RM Land to South of William Daw Close, Banwell.

Reserved Matters application for approval of appearance, layout, scale and landscaping for the erection of 26no. dwellings pursuant to outline permission 18/P/3334/OUT (outline planning application for a residential development of up to 26no. dwellings and associated infrastructure with access for approval; appearance, landscaping, layout and scale reserved for subsequent approval)

SOFT LANDSCAPING AND PUBLIC OPEN SPACE OPPORTUNITIES HAVE BEEN INCREASED BY RESHAPING AND RELOCATING THE SUDS BASIN WEST INTO A PARCEL OF LAND PREVIOUSLY IDENTIFIED TO HOUSE THE SUDS BASIN, OPENING UP THE REMAINING PARCEL OF LAND PREVIOUSLY UTILISED.

CONTINUATION OF HEDGE TO PROVIDE GREATER CONNECTIVITY

SUDS BASIN ACCESS FOR FUTURE MAINTENANCE

BROAD LEAVED WOODLAND AREA TO FURTHER ENHANCE WILDLIFE HABITAT

WESTERN FIELD ACCESS FOR FUTURE MAINTENANCE

ADD ADDITIONAL PLANTING IN ORDER TO FURTHER ENHANCE SITE ECOLOGICAL OPPORTUNITIES

PRIVATE GARDENS HAVE BEEN INCREASED WHERE POSSIBLE, BY RATIONALISING REAR GARDEN BOUNDARIES AND REPOSITIONING GARAGES.

HEDGE ENHANCED AND MANAGED IN ACCORDANCE WITH LANDSCAPE AND ECOLOGICAL RECOMMENDATIONS

PROPOSALS INCLUDE SINGLE STOREY (BUNGALOW) 1.5 STOREY (CHALET BUNGALOWS) AND TWO STOREY HOMES, TOGETHER WITH SINGLE STOREY GARAGES TO PROVIDE VARIETY AND INTEREST THROUGHOUT THE DEVELOPMENT AND REFLECT THE CHARACTER FOUND COMMONLY THROUGHOUT BANWELL AND SURROUNDINGS

PROPOSALS INCLUDE A BALANCED MIX OF 1, 2, 3 AND 4 BED PROPERTIES WHICH HAVE BEEN DERIVED FROM MARKET RESEARCH AND DEMAND. THESE ARE PROVIDED IN A VARIETY OF FORMS AND RANGE BETWEEN DETACHED AND SEMI-DETACHED DWELLINGS WHICH CREATE A SENSE OF HIERARCHY AMONGST BUILDINGS, REFLECTING THE LOCAL CONTEXT

CHESTERFIELD CL

WILLIAM DAW CLOSE

WAITS CLOSE

CHESTNUT CLOSE

FOCAL BUILDINGS ARE POSITIONED UPON ENTRY TO THE DEVELOPMENT IN ORDER TO CREATE A SENSE OF ARRIVAL. PROPOSALS HAVE BEEN DESIGNED WITH A CLEARLY DEFINED ROUTE THROUGH THE SITE, HOUSES ARE ARRANGED TO A PROVIDE FRONTAGE TO ROADS AND GREEN OPEN SPACE.

6M GREEN BUFFER/ BAT CORRIDOR TO THE NORTH OF PLOTS 24, 25 AND 26

INCREASED SEPARATION BETWEEN PROPOSED DWELLING AND ADJACENT EXISTING RESIDENTS

2M GREEN BUFFER/ MAINTENANCE CORRIDOR TO EASTERN BOUNDARY HEDGE

DUAL ASPECT UNIT. ALL DWELLINGS ARE POSITIONED TO ENSURE HOUSE FRONTAGES ADDRESS AND ACTIVATE THE PRIMARY ACCESS ROUTE INTO SITE, INCREASING SURVEILLANCE AND SECURITY.

THE ACCESS ROAD NOW INCORPORATES A 2M WIDE FOOTPATH THROUGH THE SITE FOR IMPROVED HIGHWAY SAFETY.

POOR QUALITY, EXISTING PLANTING HAS BEEN REPLACED WITH NEW CONSIDERED AND APPROPRIATE PLANTING AT KEY LOCATIONS TO INCREASE PRIVACY AND ENHANCE BIODIVERSITY AND ECOLOGICAL GAINS.

DWELLINGS ORIENTATED AWAY FROM FACING CENTRAL HEDGE TO REDUCE LIGHT SPILL INTO HEDGE AND SURROUNDING GREEN BUFFER

6M GREEN BUFFER PROVIDED ALONG WESTERN/ CENTRAL HEDGE

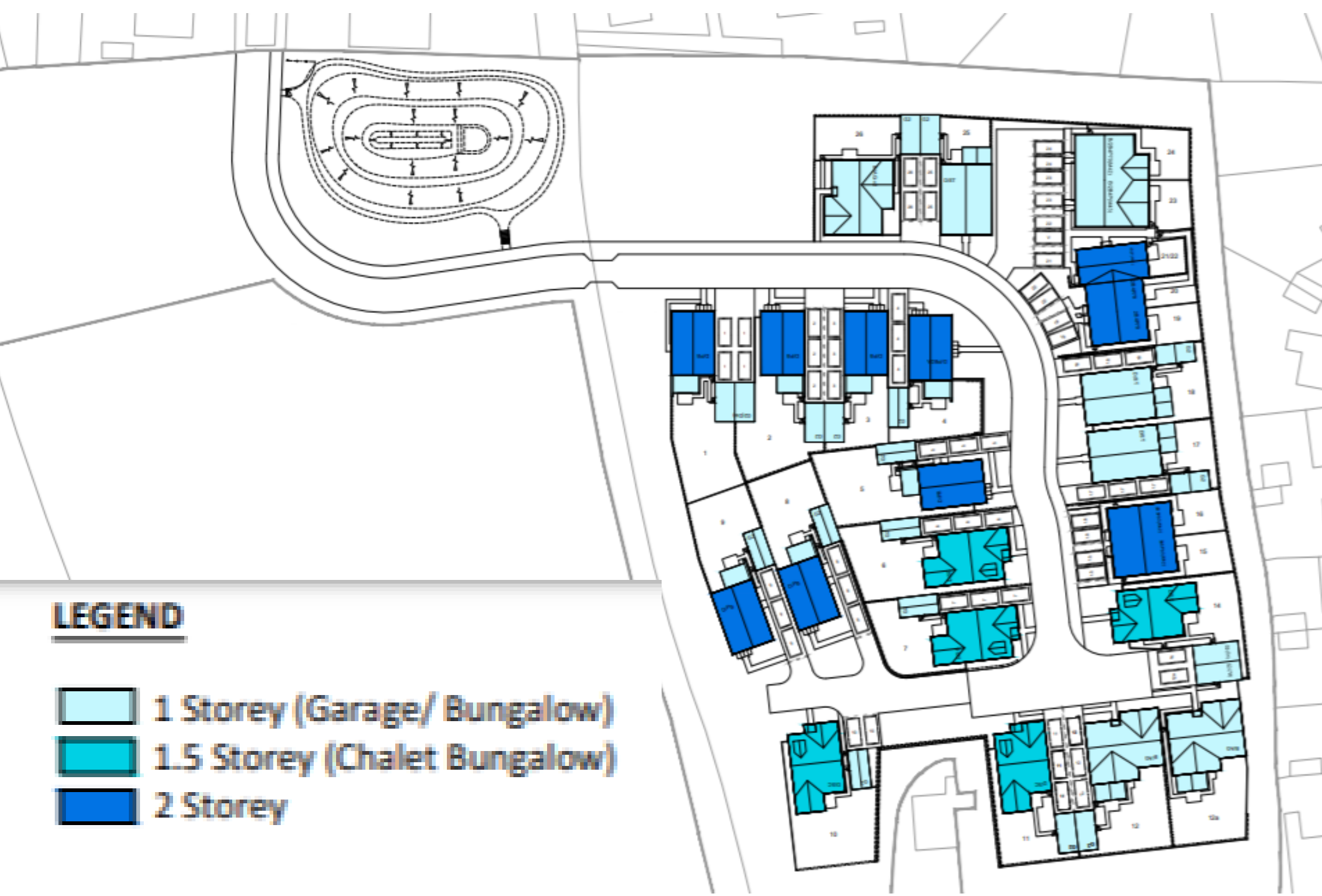
6M GREEN CORRIDOR TO REAR OF PROPERTIES 10-12A IN ORDER TO REDUCE LIGHT SPILL, ENHANCE HABITAT AND IMPROVE CONNECTIVITY FOR LOCAL WILDLIFE

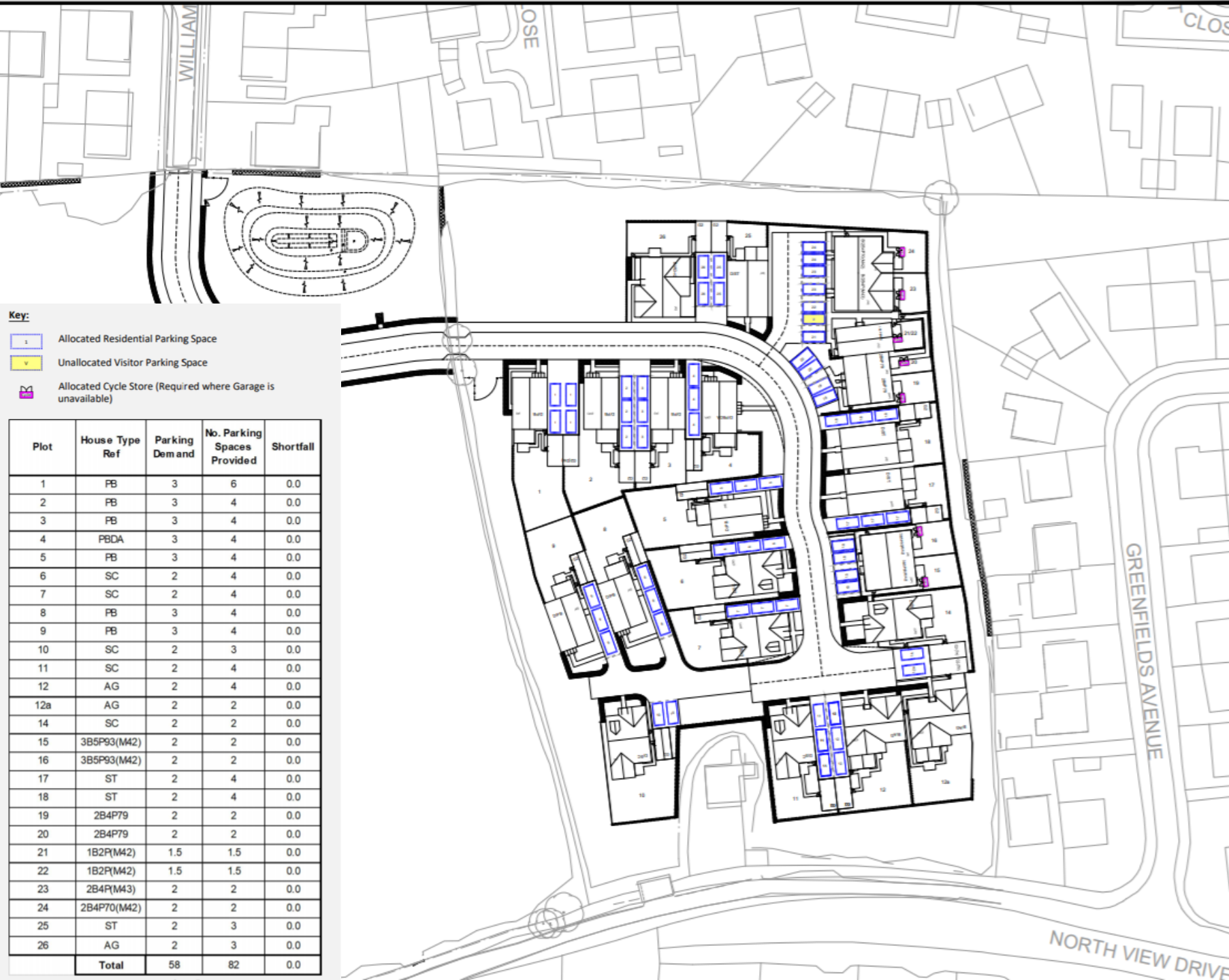
GREENFIELD\$ AVENUE



LEGEND

- 1 Storey (Garage/ Bungalow)
- 1.5 Storey (Chalet Bungalow)
- 2 Storey









Plots 21-22
1B2P M4(2)

Plot 4
PB

Plot 3
PB

Plot 2
PB

Plot 1
PB

Street Scene C-C @ 1:200
Frontage to new road, looking South



Plots 12a
AG

Plots 12
AG

Plots 11
SC

Plots 10
SC

Street Scene D-D @ 1:200
Frontage to new road, looking South





Plot 11
SC

Plot 7
SC

Plot 6
SC

Plot 5
PB

Plot 4
PB

Plot 25
ST

Street Scene A-A @ 1:200
Frontage to new road, looking West



Plots 23-24
2B4P M4(2)/ 2B4P M4(3)

Plots 19-22
1B2P M4(2)/ 2B4P 79

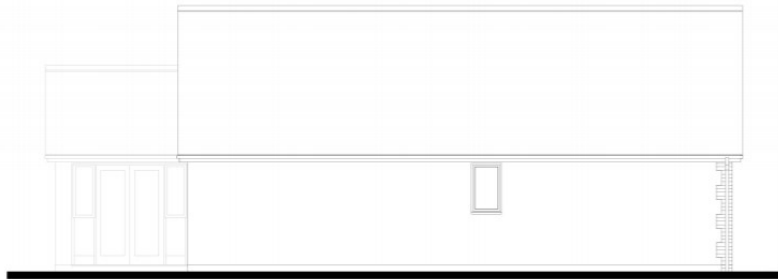
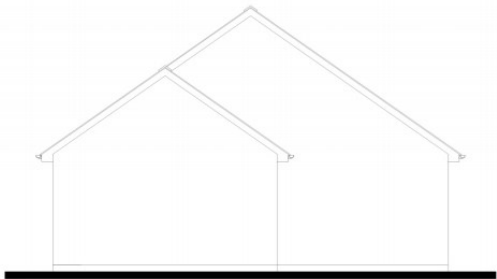
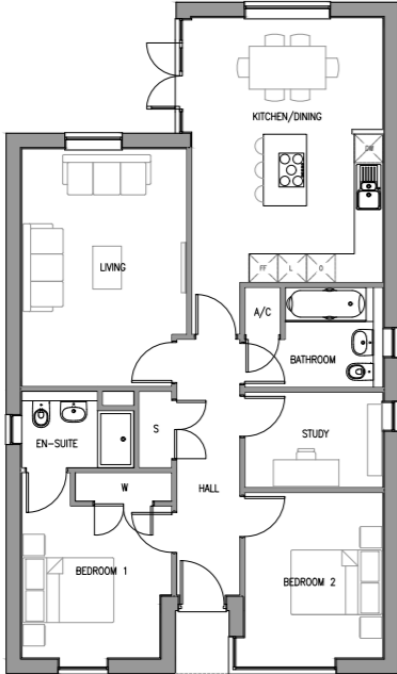
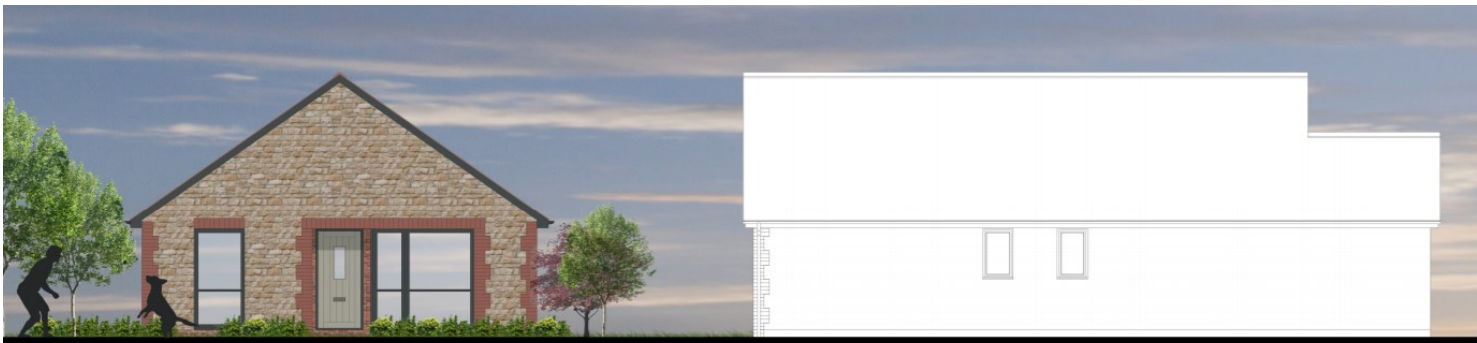
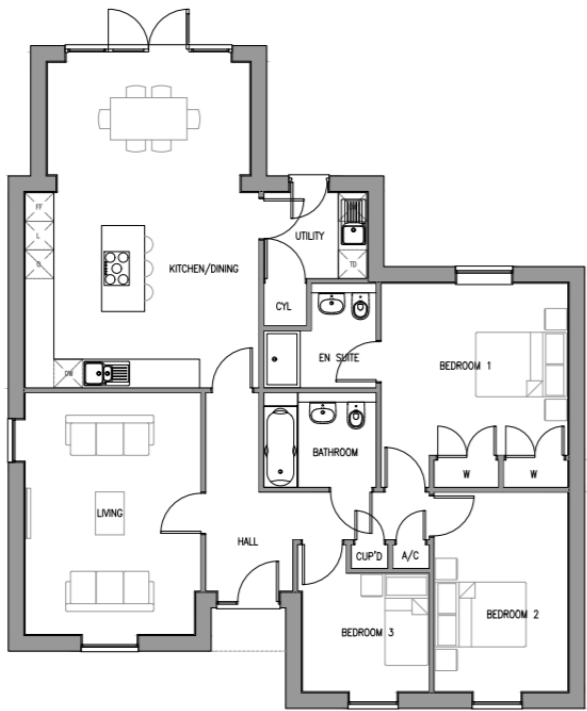
Plots 17-18
ST

Plot 15-16
3B5P 93 M4(2)

Plot 14
SC

Plot 12
AG

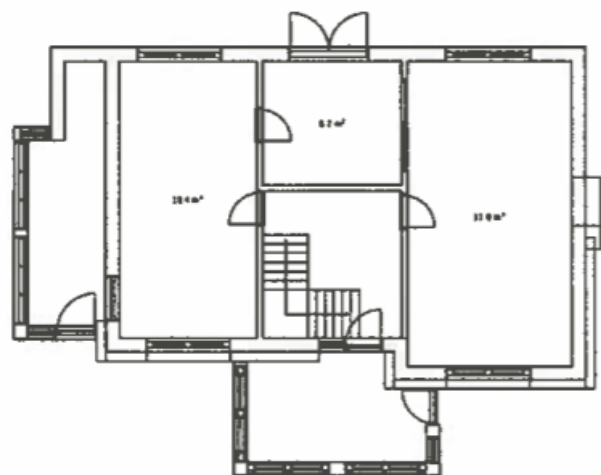
Street Scene B-B @ 1:200
Frontage to new road, looking East



20/P/1755/FUH Pennyard House, East Street, Banwell. BS29 6BW

Demolition of front conservatory and replace with a new porch; replacement of existing sliding aluminium framed windows with 'Heritage' style uPVC woodgrain casement windows; re-rendering of external elevations and erection of a 1.4m high boundary wall at the front of the property between Pennyard House and The Longhouse.

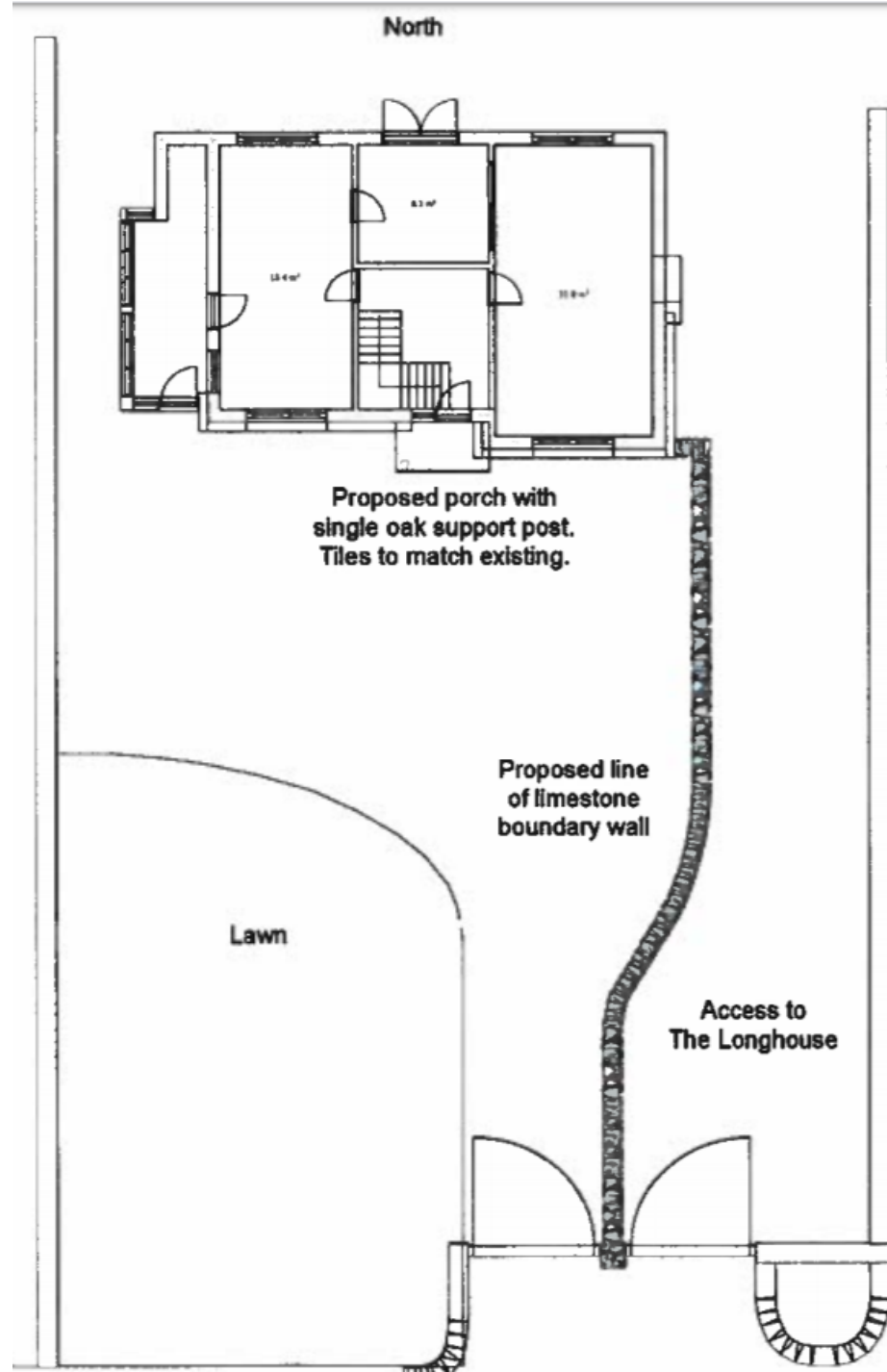




Conservatory to
be demolished

Leylandi hedge to
be removed

Lawn



North

Proposed porch with
single oak support post.
Tiles to match existing.

Proposed line
of limestone
boundary wall

Access to
The Longhouse

Lawn



Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyard House'
 East Street, Barwell
 North Somerset
 BS29 6BW

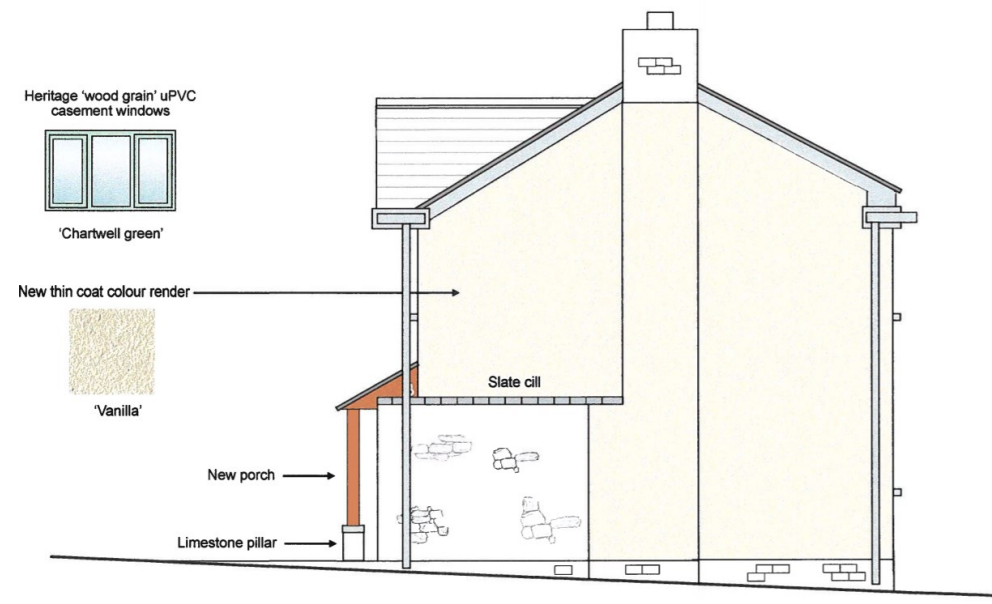
Existing side elevation West facing



Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyard House'
 East Street, Barwell
 North Somerset
 BS29 6BW

Proposed side elevation West facing
 Drg No.08

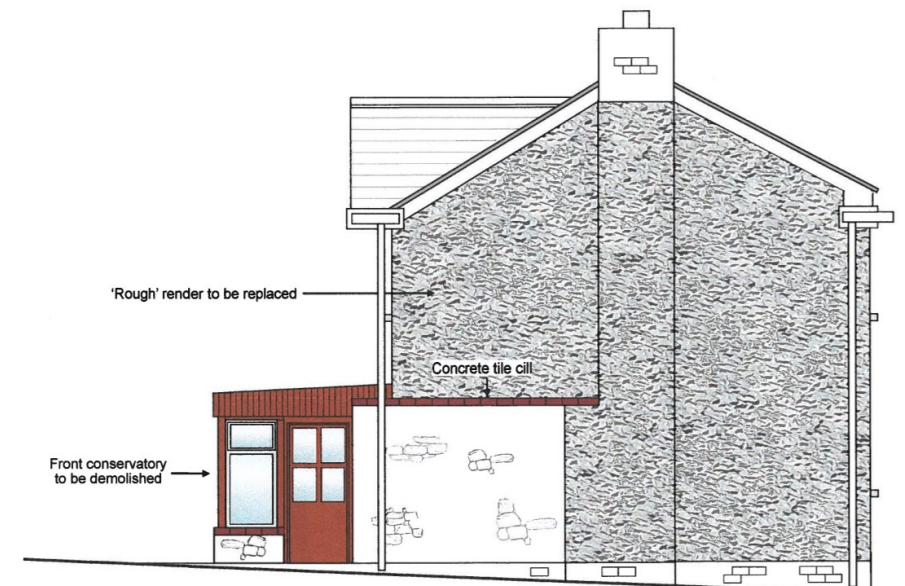
Scale 1:50 (meters)



Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyard House'
 East Street, Barwell
 North Somerset
 BS29 6BW

Proposed side elevation East facing
 Drg No.07

Scale 1:50 (meters)



Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyard House'
 East Street, Barwell
 North Somerset
 BS29 6BW

Existing side elevation East facing
 Drg No.03

Scale 1:50 (meters)



Scale 1:50 (meters)

Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyroyd House'
 East Street, Banwell
 North Somerset
 BS29 6BW

Existing rear elevation North facing
 Drg No.02

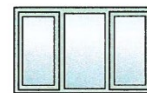


Scale 1:50 (meters)

Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyroyd House'
 East Street, Banwell
 North Somerset
 BS29 6BW

Proposed rear elevation North facing
 Drg No.06

Heritage 'wood grain' uPVC casement windows



'Chartwell green'

New thin coat colour render



'Vanilla'

New porch
 Tiles to match existing

Limestone pillar

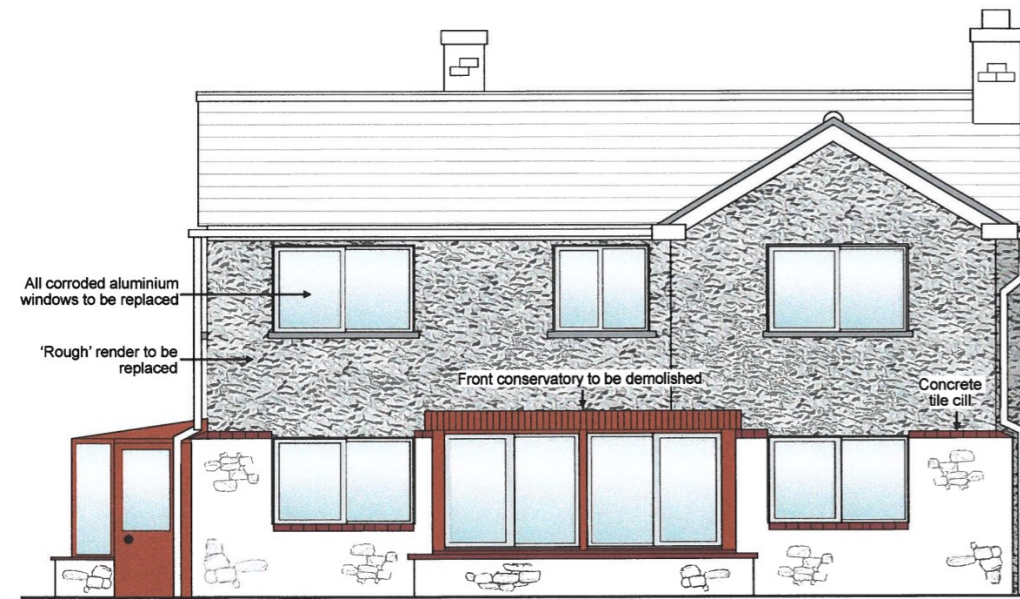
Slate cill



Scale 1:50 (meters)

Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyroyd House'
 East Street, Banwell
 North Somerset
 BS29 6BW

Proposed front elevation South facing
 Drg No.05



Scale 1:50 (meters)

Proposed re-rendering of external elevations, removal of front conservatory and erection of new front porch. Removal of aluminium windows to be replaced with new Heritage 'wood grain' uPVC casement windows. Erection of 1.4m random stone boundary wall.
 'Pennyroyd House'
 East Street, Banwell
 North Somerset
 BS29 6BW

Existing front elevation South facing
 Drg No.01

20/P/1846/CQA Cedar Haven Haybow Hewish Weston-super-Mare BS24 6RB

Prior Approval for the conversion of a redundant milking parlour to 1no. dwelling with operational development comprising re-roofing of building; insertion of windows, doors and re-rendering of building

60m

Block plan scale 1:500



existing dwelling

location of existing agricultural building

existing of adjacent site

existing of adjacent site

visibility in excess of 100metres @ 2.4m back from verge of site entrance

existing site entrance

good visibility in this direction to junction

to Jnct. 21 M5

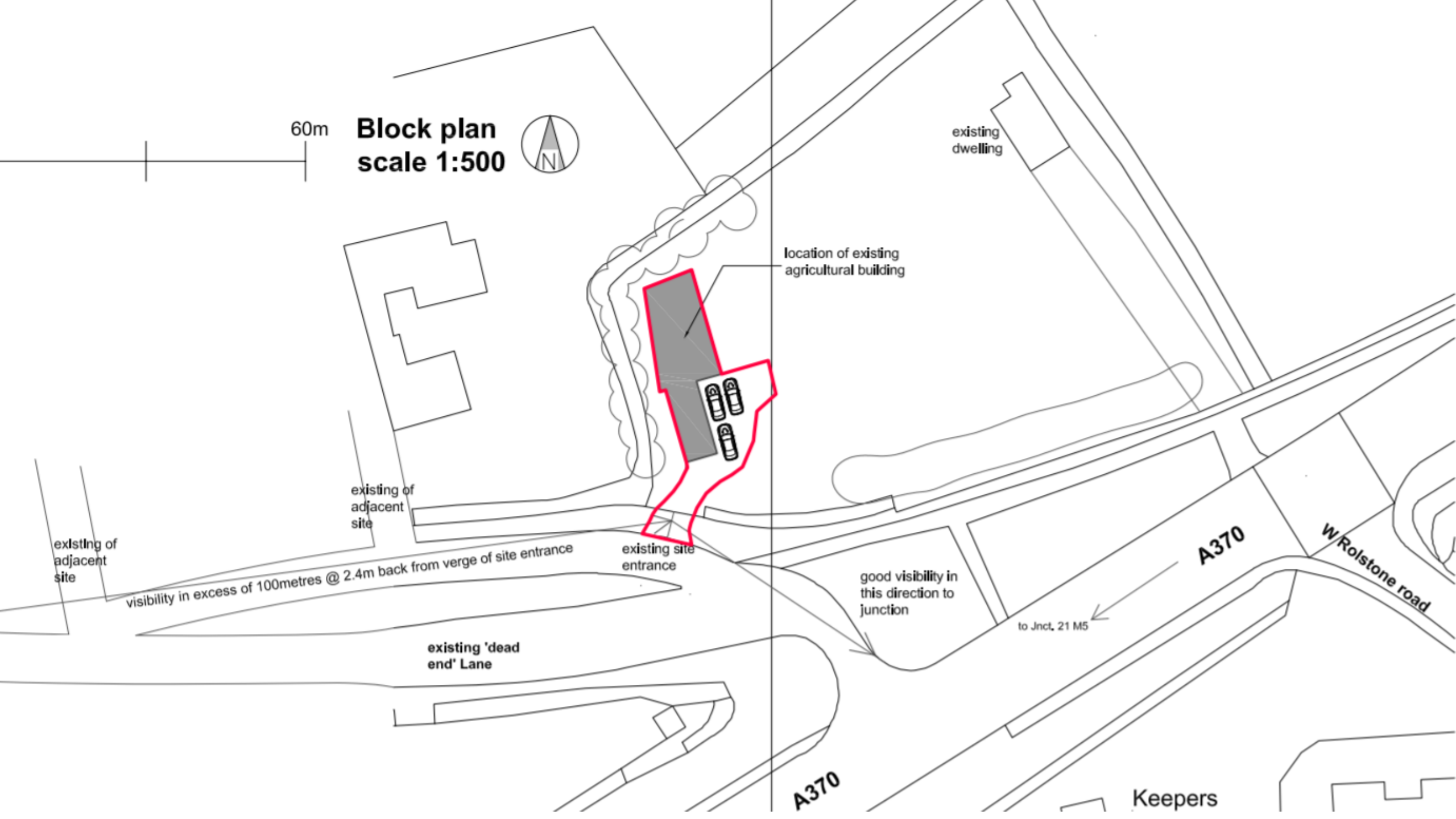
existing 'dead end' Lane

A370

W Rolstone road

A370

Keepers





south elevation as existing

east elevation as existing

scale 1:100



south elevation as proposed

east elevation as proposed

scale 1:100



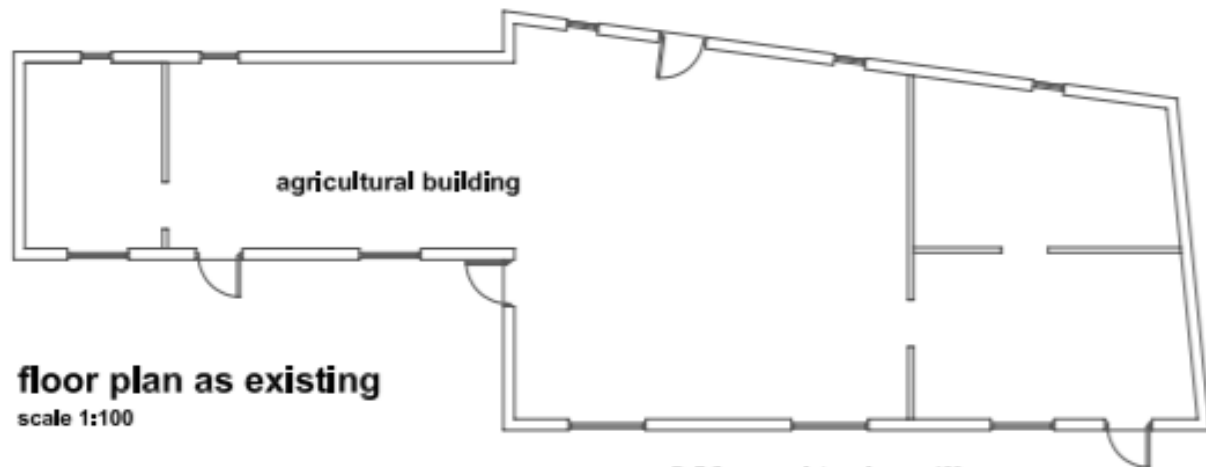
north elevation as existing

west elevation as existing



north elevation as proposed

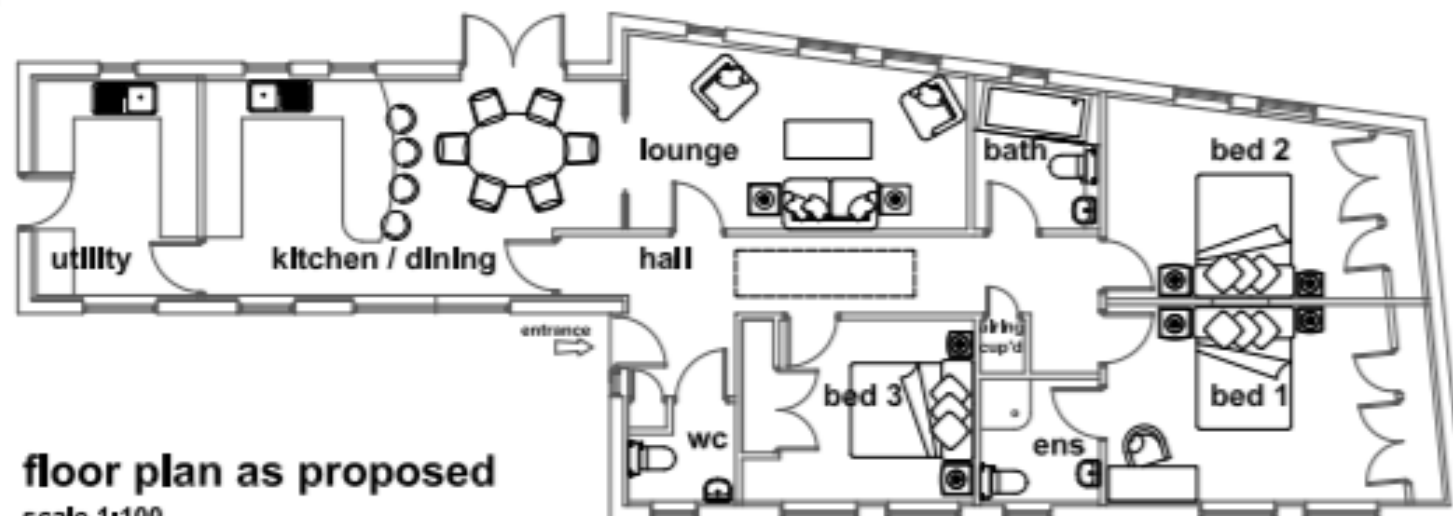
west elevation as proposed



floor plan as existing

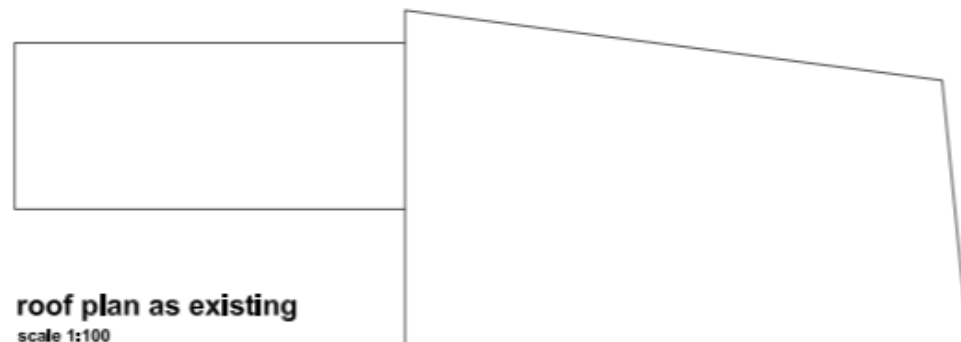
scale 1:100

Building gross internal area = 120sqm



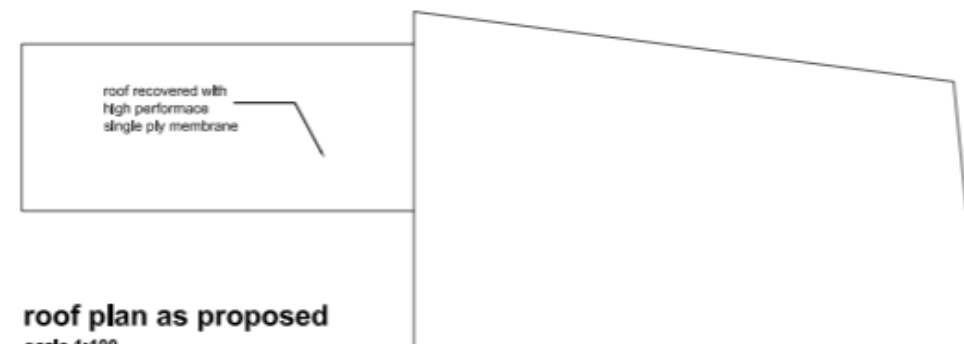
floor plan as proposed

scale 1:100



roof plan as existing

scale 1:100

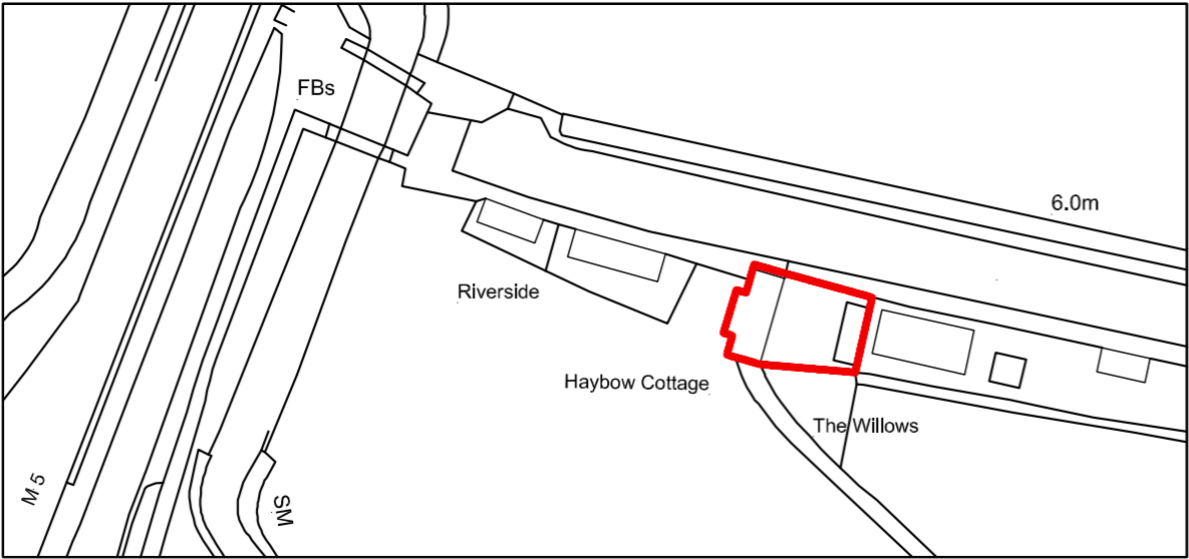


roof plan as proposed

scale 1:100

20/P/1872/FUH Haybow Cottage, Haybow Hewish, Weston-super-Mare. BS24 6RA

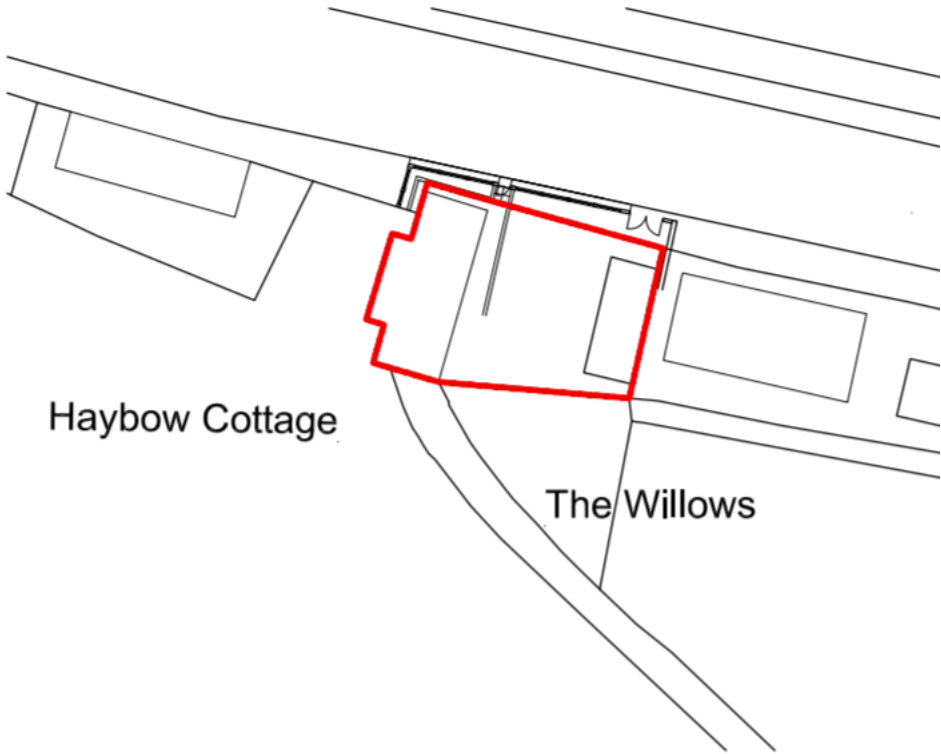
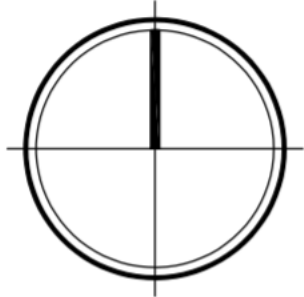
Proposed erection of a boundary wall and railings to
replace existing fence



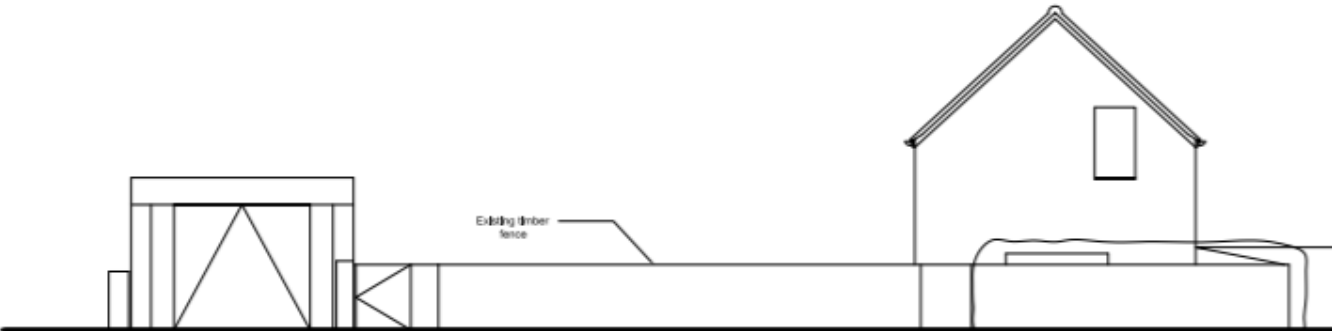
LC



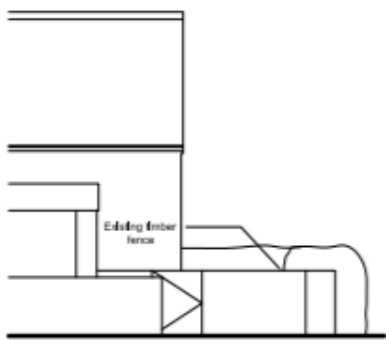
EXISTING BLOCK PLAN 1:500



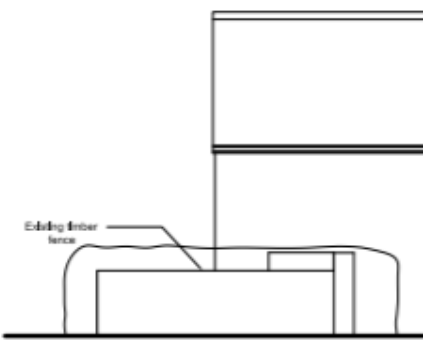
PROPOSED BLOCK PLAN 1:500



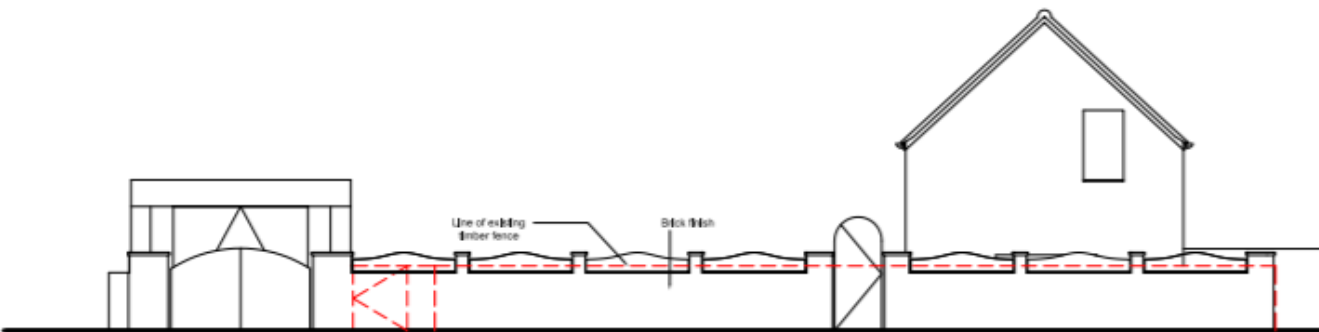
EXISTING FRONT ELEVATION



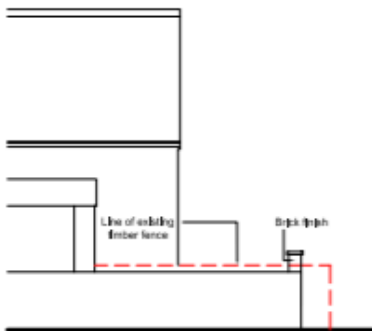
EXISTING SIDE ELEVATION



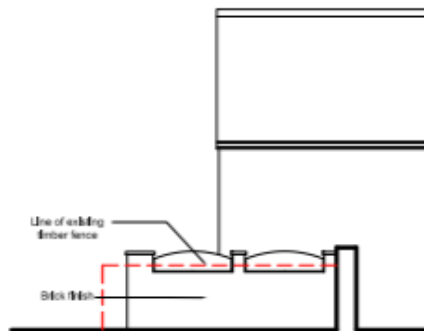
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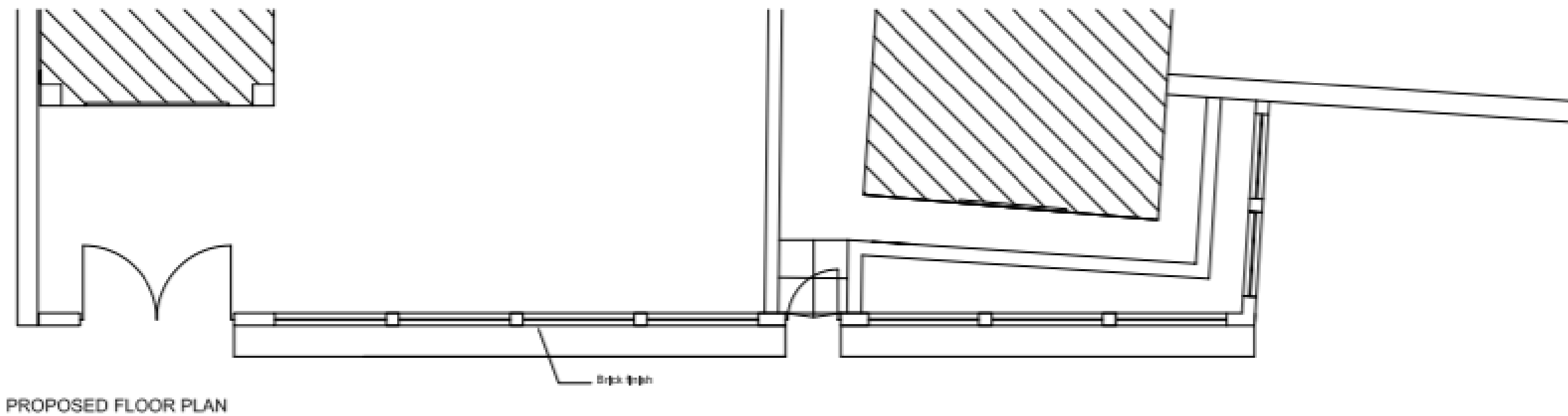
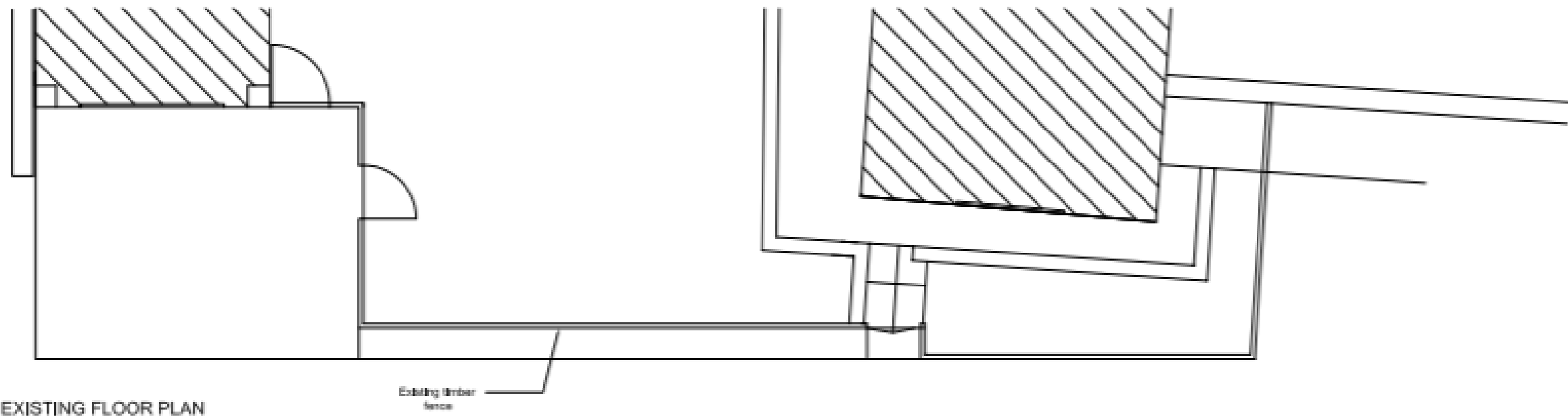
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION

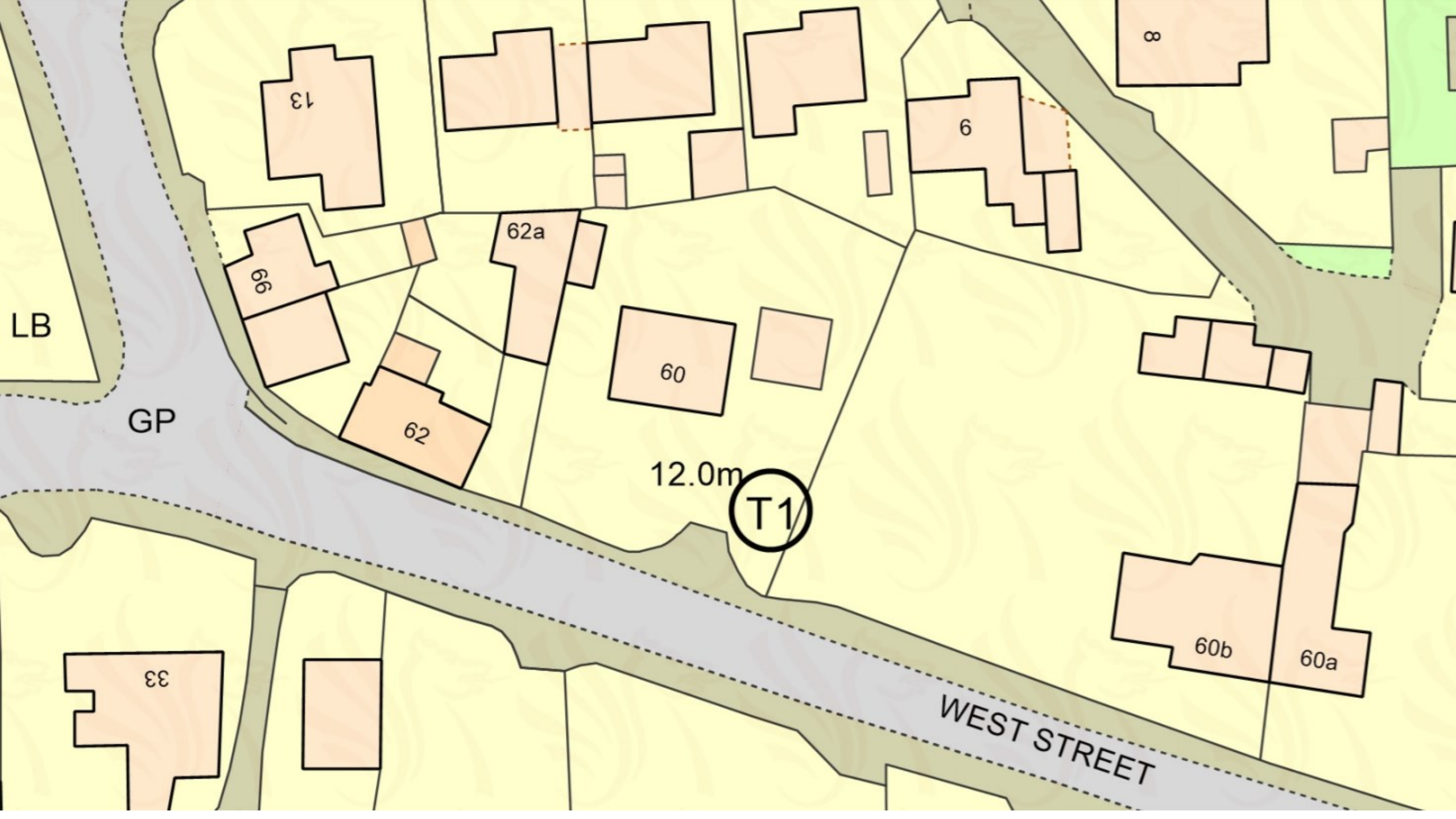


PROPOSED SIDE ELEVATION



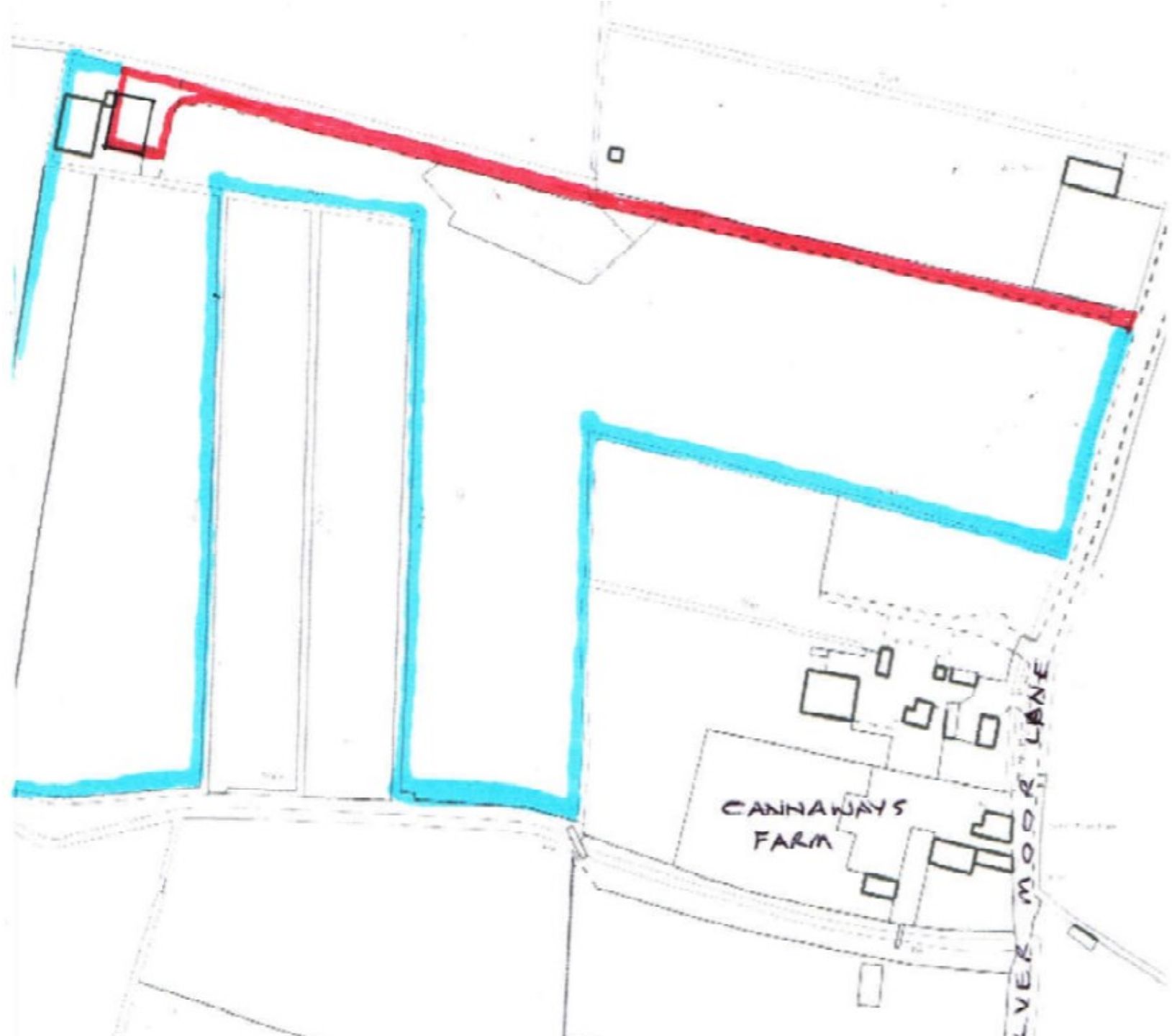
20/P/1911/TRCA Oak Lodge, West Street, Banwell. BS29 6DB

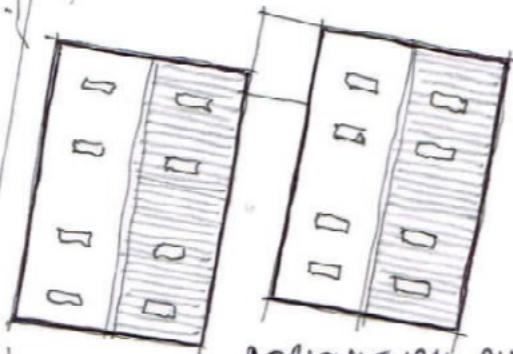
T1 - Eucalyptus – Fell



20/P/1954/CQA Barn at Silvermoor Lane

Prior Approval for the conversion of an existing agricultural building (Sui Generis Use) to 1no. dwelling (Use Class C3) with operational development consisting of recladding of building with timber boarding; insertion of front wall and insertion of new windows and doors





AGRICULTURAL BUILDINGS

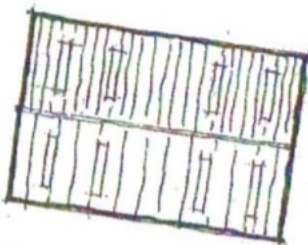
TO SILVER MOOR LANE →



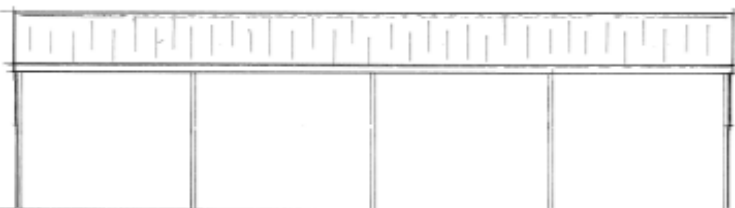
Turning space

PROPOSED DWELLING

access drive to Silver Moor Lane →



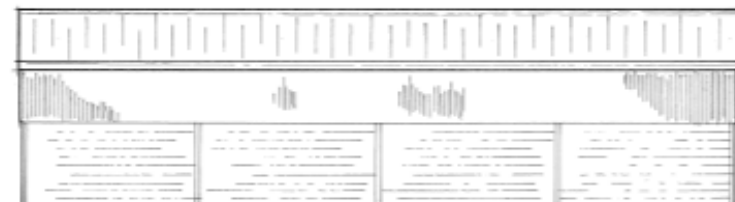
REPOSITIONED BUILDING
6m off ditch as permission
20/P/1114/FUL



FRONT cement fibre roof over open frontage



END NORTH Yorkshire boarding over blockwork walls



REAR cement fibre roof over Yorkshire boarding and blockwork walls



FRONT

MATERIAL SCHEDULE

Roof - existing corrugated cement roofing sheets retained.
 Upper walling - Yorkshire style timber boarding.
 Lower walling - horizontal timber boarding 'dung walling'.
 Frames - metal frames colour light Brunswick green.
 Fascia, barge and rainwater goods - as for frames above.



END



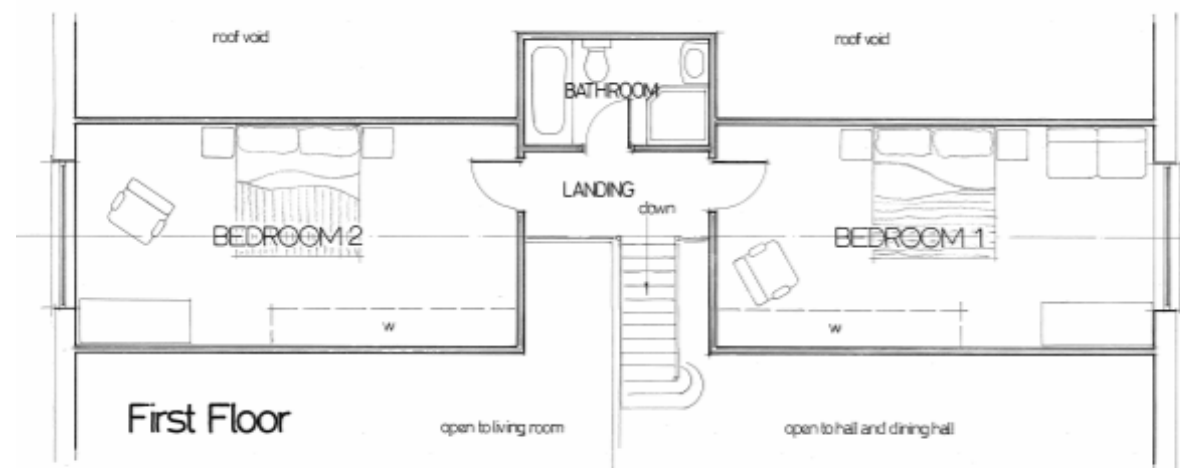
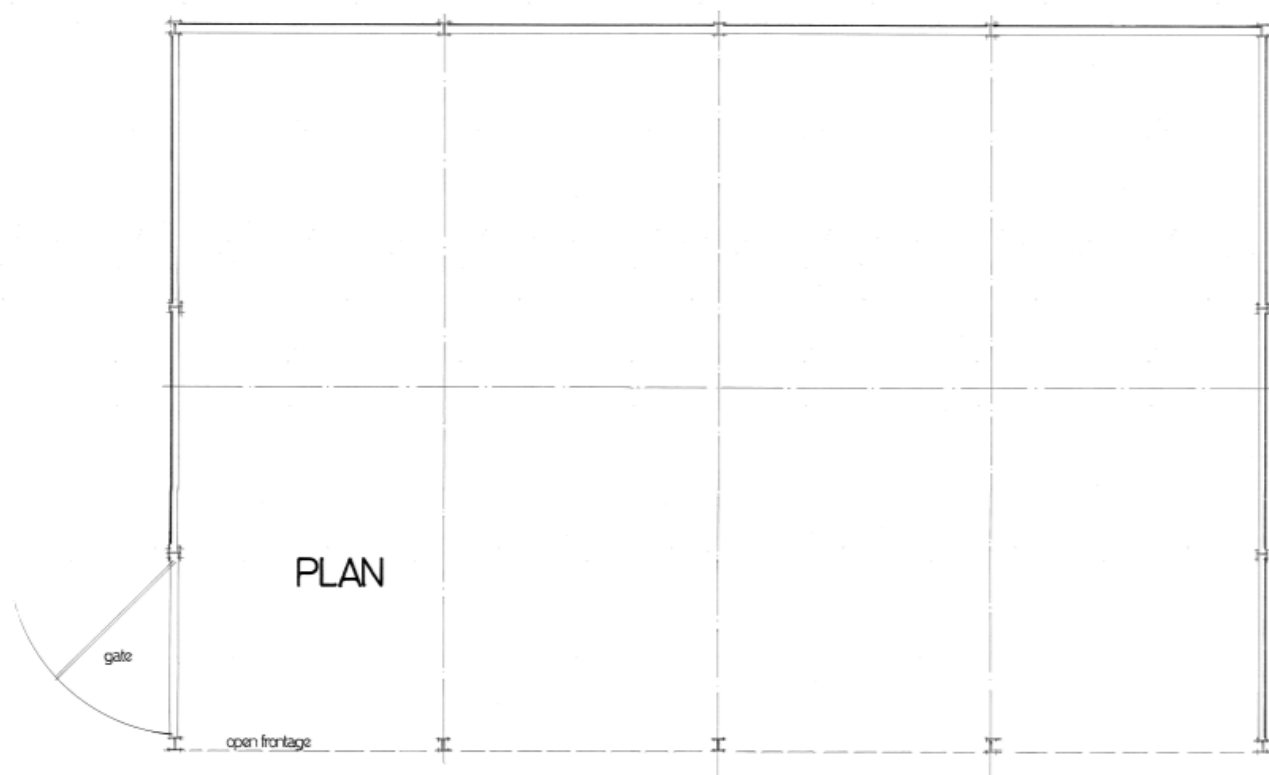
REAR



END SOUTH Yorkshire boarding over blockwork walls



END



Ground Floor Barn Slab at 56m A.O.D. - Converted F.F.L 572m A.O.D.

10 AUGUST 2020

PC10-20 | CHANGES TO THE CURRENT PLANNING SYSTEM

Summary

The Ministry of Housing, Communities and Local Government has issued a new consultation on changes to the planning system. This consultation seeks views on a range of proposed changes to the current planning system including: changes to the standard method for assessing local housing need, securing of First Homes through developer contributions, temporarily lifting the small sites threshold and extending the current Permission in Principle to major development. The main consultation document can be found [here](#).

Consultation questions

NALC will be responding to the consultation questions as follows:

1. Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?
2. In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why
3. Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.
4. Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.
5. Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:

6. Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?
7. Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?

If not, please explain why. Are there particular circumstances which need to be catered for?

Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate.

Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):

- i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.
- ii) Negotiation between a local authority and developer.
- iii) Other (please specify)

With regards to current exemptions from delivery of affordable home ownership products:

9. Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to this First Homes requirement?

10. Are any existing exemptions not required? If not, please set out which exemptions and why.

11. Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.

12. Do you agree with the proposed approach to transitional arrangements set out above?

13. Do you agree with the proposed approach to different levels of discount?

14. Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?

15. Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?

16. Do you agree that the First Homes exception sites policy should not apply in designated rural areas?

17. Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?

18. What is the appropriate level of small sites threshold? i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)

19. Do you agree with the proposed approach to the site size threshold?

20. Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?

21. Do you agree with the proposed approach to minimising threshold effects?

22. Do you agree with the Government's proposed approach to setting thresholds in rural areas?

23. Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?

24. Do you agree that the new Permission in Principle should remove the restriction on major development?

Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.

26. Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?

27. Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.

28. Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:

- i) required to publish a notice in a local newspaper?
- ii) subject to a general requirement to publicise the application or
- iii) both?
- iv) Disagree

29. Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?

30. What level of flat fee do you consider appropriate, and why?

31. Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.

32. What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.

33. What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?

34. To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.

35. In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty?

Your evidence

Please email your responses to this consultation to policycomms@nalc.gov.uk by 17.00 on 17 September 2020. County associations are asked to forward this briefing onto all member councils in their area.

10 AUGUST 2020

PC11-20 | WHITE PAPER: PLANNING FOR THE FUTURE

Summary

The Ministry of Housing, Communities and Local Government has issued a new consultation on planning for the future. This consultation seeks any views on each part of a package of proposals for reform of the planning system in England to streamline and modernise the planning process, improve outcomes on design and sustainability, reform developer contributions and ensure more land is available for development where it is needed. The main consultation document can be found [here](#).

First, we will streamline the planning process with more democracy taking place more effectively at the plan-making stage, and will replace the entire corpus of plan-making law in England to achieve this:

- Simplifying the role of Local Plans, to focus on identifying land under three categories
- Growth areas suitable for substantial development, and where outline approval for development would be automatically secured for forms and types of development specified in the Plan
- Renewal areas suitable for some development, such as gentle densification; and Protected areas where – as the name suggests – development is restricted. This could halve the time it takes to secure planning permission on larger sites identified in plans. We also want to allow local planning authorities to identify sub-areas in their Growth areas for self- and custom-build homes, so that more people can build their own homes.

Local Plans should set clear rules rather than general policies for development. We will set out general development management policies nationally, with a more focused role for Local Plans in identifying site- and area-specific requirements, alongside locally produced design codes. This would scale back the detail and duplication contained in Local Plans, while encouraging a much greater focus on design quality at the local level. Plans will be significantly shorter in length (we expect a reduction in size of at least two thirds), as they will no longer contain a long list of “policies” of varying specificity – just a core set of standards and requirements for development.

Local councils should radically and profoundly re-invent the ambition, depth and breadth with which they engage with communities as they consult on Local Plans. Our reforms will democratise the planning process by putting a new emphasis on engagement at the plan-making stage. At the same time, we will streamline the opportunity for consultation at the planning application stage, because this adds delay to the process and allows a small minority of voices, some from the local area and often some not, to shape outcomes. We want to hear the views of a wide range of people and groups through this consultation on our proposed reforms.

- Local Plans should be subject to a single statutory “sustainable development” test, and unnecessary assessments and requirements that cause delay and challenge in the current system should be abolished. This would mean replacing the existing tests of soundness, updating requirements for assessments (including on the environment and viability) and abolishing the Duty to Cooperate.

- Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new standard template. Plans should be significantly shorter in length, and limited to no more than setting out site- or area-specific parameters and opportunities.

- Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable (of no more than 30 months in total) for key stages of the process, and there will be sanctions for those who fail to do so.
- Decision-making should be faster and more certain, within firm deadlines, and should make greater use of data and digital technology.

We will seek to strengthen enforcement powers and sanctions so that as we move towards a rules-based system, communities can have confidence those rules will be upheld.

- We will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms – so that, as we bring in our reforms, local planning authorities are equipped to create great communities through world-class civic engagement and proactive plan-making.

Second, we will take a radical, digital-first approach to modernise the planning process. This means moving from a process based on documents to a process driven by data. We will:

- Support local planning authorities to use digital tools to support a new civic engagement process for Local Plans and decision-making, making it easier for people to understand what is being proposed and its likely impact on them through visualisations and other digital approaches. We will make it much easier for people to feed in their views into the system through social networks and via their phones.

- Insist local plans are built on standardised, digitally consumable rules and data, enabling accessible interactive maps that show what can be built where. The data will be accessed by software used across the public sector and also by external PropTech entrepreneurs to improve transparency, decision-making and productivity in the sector.

- Standardise, and make openly and digitally accessible, other critical datasets that the planning system relies on, including planning decisions and developer contributions. Approaches for fixing the underlying data are already being tested and developed by innovative local planning authorities and we are exploring options for how these could be scaled nationally.

- Work with tech companies and local authorities to modernise the software used for making and case-managing a planning application, improving the user-experience for those applying and reducing the errors and costs currently experienced by planning authorities. A new more modular software landscape will encourage digital innovation and will consume and provide access to underlying data. This will help automate routine processes, such as knowing whether new applications are within the rules, making decision-making faster and more certain.

- Engage with the UK PropTech sector through a PropTech Innovation Council to make the most of innovative new approaches to meet public policy objectives, help this emerging sector to boost productivity in the wider planning and housing sectors, and ensure government data and decisions support the sector's growth in the UK and internationally.

Third, to bring a new focus on design and sustainability, we will:

- Ensure the planning system supports our efforts to combat climate change and maximises environmental benefits, by ensuring the National Planning Policy Framework targets those areas where a reformed planning system can most effectively address climate change mitigation and adaptation and facilitate environmental improvements.
- Facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.
- Ask for beauty and be far more ambitious for the places we create, expecting new development to be beautiful, and to create a 'net gain' not just 'no net harm', with a greater focus on 'placemaking' and 'the creation of beautiful places' within the National Planning Policy Framework.

Make it easier for those who want to build beautifully through the introduction of a fast-track for beauty through changes to national policy and legislation, to automatically permit proposals for high-quality developments where they reflect local character and preferences.

- Introduce a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing England's unique ecosystems.
- Expect design guidance and codes – which will set the rules for the design of new development – to be prepared locally and to be based on genuine community involvement rather than meaningless consultation, so that local residents have a genuine say in the design of new development, and ensure that codes have real 'bite' by making them more binding on planning decisions.
- Establish a new body to support the delivery of design codes in every part of the country, and give permanence to the campaigning work of the Building Better, Building Beautiful Commission and the life of its co-chairman the late Sir Roger Scruton.
- Ensure that each local planning authority has a chief officer for design and place-making, to help ensure there is the capacity and capability locally to raise design standards and the quality of development.
- Lead by example by updating Homes England's strategic objectives to give greater emphasis to delivering beautiful places.
- Protect our historic buildings and areas while ensuring the consent framework is fit for the 21st century.

Fourth, we will improve infrastructure delivery in all parts of the country and ensure developers play their part, through reform of developer contributions. We propose:

- The Community Infrastructure Levy and the current system of planning obligations will be reformed as a nationally set, value-based flat rate charge (the 'Infrastructure Levy'). A single rate or varied rates could be set. We will aim for the new Levy to raise more revenue than under the current system of developer contributions, and deliver at least as much – if not more – on-site affordable housing as at present. This reform will enable us to sweep away months of negotiation of Section 106 agreements and the need to consider site viability. We will deliver more of the infrastructure existing and new communities require by capturing a greater share of the uplift in land value that comes with development.

- We will be more ambitious for affordable housing provided through planning gain, and we will ensure that the new Infrastructure Levy allows local planning authorities to secure more on-site housing provision.
- We will give local authorities greater powers to determine how developer contributions are used, including by expanding the scope of the Levy to cover affordable housing provision to allow local planning authorities to drive up the provision of affordable homes. We will ensure that affordable housing provision supported through developer contributions is kept at least at current levels, and that it is still delivered on-site to ensure that new development continues to support mixed communities. Local authorities will have the flexibility to use this funding to support both existing communities as well as new communities.
- We will also look to extend the scope of the consolidated Infrastructure Levy and remove exemptions from it to capture changes of use through permitted development rights, so that additional homes delivered through this route bring with them support for new infrastructure

Fifth, to ensure more land is available for the homes and development people and communities need, and to support renewal of our town and city centres, we propose:

- A new nationally determined, binding housing requirement that local planning authorities would have to deliver through their Local Plans. This would be focused on areas where affordability pressure is highest to stop land supply being a barrier to enough homes being built. We propose that this would factor in land constraints, including the Green Belt, and would be consistent with our aspirations of creating a housing market that is capable of delivering 300,000 homes annually, and one million homes over this Parliament.
- To speed up construction where development has been permitted, we propose to make it clear in the revised National Planning Policy Framework that the masterplans and design codes for sites prepared for substantial development should seek to include a variety of development types from different builders which allow more phases to come forward together. We will explore further options to support faster build out as we develop our proposals for the new planning system.
- To provide better information to local communities, to promote competition amongst developers, and to assist SMEs and new entrants to the sector, we will consult on options for improving the data held on contractual arrangements used to control land.
- To make sure publicly owned land and public investment in development supports thriving places, we will: – ensure decisions on the locations of new public buildings – such as government offices and further education colleges – support renewal and regeneration of town centres; and – explore how publicly owned land disposal can support the SME and self-build sectors.

Proposal 9:

Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools. Since statutory Neighbourhood Plans became part of the system in 2011, over 2,600 communities have started the process of neighbourhood planning to take advantage of the opportunity to prepare a plan for their own areas – and over 1,000 plans have been successfully passed at referendum. They have become an important tool in helping to ‘bring the democracy forward’ in planning, by

allowing communities to think proactively about how they would like their areas to develop. Therefore, we think Neighbourhood Plans should be retained in the reformed planning system, but we will want to consider whether their content should become more focused to reflect our proposals for Local Plans, as well as the opportunities which digital tools and data offer to support their development and improve accessibility for users. By making it easier to develop Neighbourhood Plans we wish to encourage their continued use and indeed to help spread their use further, particularly in towns and cities.

We are also interested in whether there is scope to extend and adapt the concept so that very small areas – such as individual streets – can set their own rules for the form of development which they are happy to see. Digital tools have significant potential to assist the process of Neighbourhood Plan production, including through new digital co-creation platforms and 3D visualisation technologies to explore proposals within the local context. We will develop pilot projects and data standards which help neighbourhood planning groups make the most of this potential.

Consultation questions

NALC will be responding to the consultation questions as follows:

1. What three words do you associate most with the planning system in England?
2. Do you get involved with planning decisions in your local area? [Yes / No]

(a). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]
3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]
4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]
5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]
6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

7. Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]

(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?
8. (a) Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]

(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]
9. (a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? [Yes / No / Not sure. Please provide supporting statement.]

(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]
10. Do you agree with our proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]
11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]
12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]
13. (a) Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]

(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?
14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]

15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]
16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]
17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]
18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]
19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]
20. Do you agree with our proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]
21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space/ Don't know / Other – please specify]
22. (a) Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [Yes / No / Not sure. Please provide supporting statement.]

(b) Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

(c) Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

(d) Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]
23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

24. (a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]
- (b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]
- 24 (c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]
- 24 (d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]
- 25 Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]
- (a) If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]
26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

Your evidence

Please email your responses to this consultation to policycomms@nalc.gov.uk by 17.00 on 15 October 2020. County associations are asked to forward this briefing on to all member councils in their area.

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10 AUGUST 2020

PC12-20 | TRANSPARENCY AND COMPETITION: DATA AND LAND CONTROL

Summary

The Ministry of Housing, Communities and Local Government has issued a call for evidence on data and land control. This call for evidence seeks views on proposals to require additional data from the beneficiaries of certain types of interests in land—rights of pre-emption, options and estate contracts. It also seeks views on the design of the policy and additional evidence on the impacts of the policy. The main document can be found [here](#).

Consultation questions

NALC will be responding to the consultation questions as follows:

1. The Public Interest

Do you think there is a public interest in collating and publishing additional data on contractual controls over land?

2. Rights of pre-emption and options

(a) Do you think that the definition of rights of pre-emption and land options in the Finance Act 2003, s. 4616 is a suitable basis for defining rights of pre-emption and options that will be subject to additional data requirements? Please give reasons.

(b) Is the exemption for options and rights of pre-emption for the purchase or lease of residential property for use as a domestic residence sufficient to cover: • options relating to the provision of occupational housing and • shared ownership schemes? Please give reasons.

(c) Are there any types of rights of pre-emption or options that do not fall under the scope of the definition in the Finance Act 2003, s. 46? Please give reasons

3. Estate contracts

Are the tests set out above sufficient to avoid inadvertently capturing transactions not related to the development of land? If not, please give examples.

4. Other contractual controls

(a) Are there any contractual arrangements by which control can be exercised over the purchase or sale of land, which should be included within this regime and which are not rights of pre-emption, options or estate contracts? Please give examples.

(b) If so, do you consider them (i) an interest in land (interests that are capable of being protected by way of a notice on the land register); or (ii) not an interest in land? Please give reasons.

5: Data requirements

(a) Are there any data fields that (i) should; or (ii) should not be subject to additional data requirements? Please give reasons.

(b) Are there any data fields that (i) should; or (ii) should not be placed on the land register? Please give reasons.

(c) Are there any data fields that (i) should; or (ii) should not be included in a contractual control interest dataset? Please give reasons.

(d) Are there other data fields that should be collected? Please give reasons.

(e) Do any of the data fields give rise to privacy risks? Please give reasons.

6. Contractual conditions

(a) Are there any data fields that (i) should; or (ii) should not be subject to additional data requirements? Please give reasons.

(b) Are there any data fields that (i) should; or (ii) should not be placed on the land register? Please give reasons.

(c) Are there any data fields that (i) should; or (ii) should not be included in a contractual control interest dataset? Please give reasons.

7. Legal Entity Identifiers

Should legal entities that are beneficiaries of contractual arrangements be asked to provide a Legal Entity Identifier? Please give reasons

8. Data currency

(a) Should beneficiaries be required to provide updated information on: • variation • termination, or • assignment or novation? Please give reasons.

(b) Are there other ways in which data currency could be maintained?

9. Accounting treatment

If your organisation is required to produce annual accounts, when are: (i) rights of preemption; (ii) options; and (iii) estate contracts recognised on the balance sheet? Please give reasons and state the accounting standard used.

10. Existing contractual control interests

(a) Should the requirement to supply additional data be limited to: (i) new contractual control interests only; or (ii) all extant interests? Please give reasons.

(b) How long should beneficiaries of an extant contractual control interests that is varied, assigned or novated be given to provide additional data before losing protection: (i) three months; or six months?

11. Current beneficiaries

What are the best ways of informing current beneficiaries of the need to provide additional data? Please give reasons.

12. A digital process?

Should the provision of additional data prior to the application process for an agreed notice be exclusively digital (with assisted digital support if required)? Please give reasons.

13. Certification

Should beneficiaries of contractual control interests with a duty to produce annual accounts be required to certify that all relevant interests have been noted? Please give reasons.

14. Restrictions

(a) Should beneficiaries of contractual control interests be required to obtain an agreed notice before they could apply for a restriction? Please give reasons.

(b) Should the protections of restrictions placed on an un-noted contractual control interest be (i) limited; or (ii) removed? Please give reasons.

c) If the Government accepts the Law Commission's recommendation on restrictions, should contractual control interest fall into the category of interest that cannot be capable of protection by way of a restriction? Please give reasons.

15. Alternative options

(a) Should a mandatory system be introduced whereby the beneficiary of a contractual control interest would, where it is possible to do so, be required to note their interest with HMLR? Please give reasons.

(b) If so, how should the system be enforced? Please give reasons.

16. Current practice

(a) If you are a beneficiary of a right of pre-emption, option or estate contract, please indicate how you protect your interest.

	Notice		Restriction	Other	Do not protect
	Agreed	Unilateral			
Right of pre-emption					
Option					
Estate contract					

(b) What factors influence your choice? Please give reasons.

17. Data collation and provision

(a) Are there any data fields in Annex A that contracting parties would not have readily to hand? Please list them.

(b) What is your estimate of the time needed to provide the additional data?

(c) Does your entity hold a Legal Entity Identifier?

18. Data currency

What additional work (over and above the time and cost of preparing annual accounts) would your organisation need to undertake to identify contractual control interests that needed to be updated?

19. Certification

What additional work (over and above the time and cost of preparing annual accounts) would your organisation need to undertake to certify in your organisation's annual accounts that all relevant contractual control interests had been noted on the land register where the land is registered?

20. Economic impact

What impact, if any, do you think that these proposals will have on the English land market (residential and commercial)? Please describe the effects and provide evidence.

21. Costs

What impact, if any, do you think that these proposals will have on the costs incurred by participants in the English land market (residential and commercial)? Please describe the effects and provide evidence.

22. Identifying and understanding contractual control interests

(a) Can you estimate the amount of (i) time and (ii) money that you have spent on identifying land affected by a contractual control interest?

(b) What is the source of your information?

estimate the amount of (i) time and (ii) money that you have spent on seeking professional advice on exactly how a contractual control interest affects a piece of land?

23. Market impact

(a) If you are a small or medium enterprise (SME) builder or developer, do contractual controls hinder your ability to assess the viability of a local market? Please give reasons.

(b) If you are an SME builder or developer, does a lack of freely accessible and understandable data act as a barrier to you entering the market? Please give reasons.

24. Trust in the planning system

(a) Do you think that a lack of accessible and understandable data on contractual controls makes it more difficult for local communities to understand the likely pattern of development? Please give reasons.

(b) If so, to what extent does it undermine trust and confidence in the planning system: (i) not much; (ii) somewhat; (ii) a great deal? Please give reasons.

25. Public Sector Equality Duty

What impact, if any, do you think that these proposals will have on people who share protected characteristics²⁰? Please describe the effects and provide evidence.

Your evidence

Please email your responses to this consultation to policycomms@nalc.gov.uk by 17.00 on 16 October 2020. County associations are asked to forward this briefing onto all member councils in their area.

19/P/3061/FUL Gobbles Farm, Wolvershill Road, Banwell. BS29 6DQ

Change of use of agricultural building (shed 5) to storage (Use Class B8). Erection of extension to building (shed 3) and change of use to Gym (Use Class D2). Erection of replacement storage building (shed 4) (Use Class B8). Use of land for external storage, container storage and HGV parking. Construction of farm track and widening of existing access onto Wolvershill Road. (Retrospective). **APPROVED**

20/P/1016/LDE West Hay Farm Summer Lane Banwell BS29 6LE.

Certificate of lawful development for land that is in use for commercial storage B8 purposes. **REFUSED**

20/P/1242/FUH Little Orchard, Wolvershill Road, Banwell BS29 6LA.

Proposed single story extension to the rear of the existing detached dwelling & associated adaptations. **APPROVED**

20/P/1282/FUH The Forge, Hillend, Weston-super-Mare BS24 8PQ

Raise roof and extend to rear elevation to create first floor. Alteration to exterior including new doors and windows (Resubmission of application ref. 19/P/2179/FUH) **REFUSED**

**20/P/1290/NMA Mead Fields Parklands Phase 3A Land South of Churchland Way
Wolvershill Road Banwell**

Non material amendment to application 18/P/5209/RM to replacement of NA44 housetype with D1389 (Sunford), which is the same building but with a modified bay window size only to the ground floor. **APPROVED**

**20/P/1291/NMA Mead Fields Parklands Phase 3B Land South Of Churchland Way
Wolvershill Road Banwell**

Non-material amendment to application 19/P/2662/RM to replacement of NA44 housetype with D1389 (Sunford), which is the same building, but with a modified bay window size only to the ground floor. **APPROVED**

20/P/1453/FUH 34 Knightcott Gardens Banwell BS29 6HD

Erection of a two-storey side extension. **APPROVED**

20/P/1516/FUH 4 Hillmer Rise Banwell BS29 6HX

Retrospective application for the erection of a rear raised deck area. **APPROVED**