

CONSULTATION RESPONSE FORM

Call for evidence on housing delivery through the planning system

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

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

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data. In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing. You should also be aware of our responsibilities under Freedom of Information legislation

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

Your rights

Under the data protection legislation, you have the right:

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

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

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

e-mail: Data.ProtectionOfficer@gov.wales

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

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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

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| Call for evidence on housing delivery through the planning system | | |
|---|--|-------------------------------------|
| Date: | | |
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| Preferred contact details (Email address, phone number or address) | Tŷ Cambria 29 Heol Casnewydd Caerdydd CF24 0TP EPP.Planning@cyfoethnaturiolcymru.gov.uk | |
| Type <i>(please select one from the following)</i> | Business | <input type="checkbox"/> |
| | Local Planning Authority | <input type="checkbox"/> |
| | Local Planning Authority Councillor responding in a personal capacity | <input type="checkbox"/> |
| | Government Agency / Other Public Sector (including Community / Town Councils) | <input checked="" type="checkbox"/> |
| | Professional Body / Interest Group | <input type="checkbox"/> |
| | Voluntary sector (community groups, volunteers, self help groups, co-operatives, enterprises, religious, not for profit organisations) | <input type="checkbox"/> |
| | Other groups not listed above | <input type="checkbox"/> |
| | Responding in a private capacity | <input type="checkbox"/> |

Housing Requirement

Q1

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

Comments

We have no comments in answer to question 1.

LDPs and housing delivery

Q2

How can we ensure development plan housing requirements are delivered?

Comments

While it is recognised that there have been lower than expected delivery rates for sites allocated in an adopted Local Development Plan (LDP) (or Unitary Development Plan (UDP)) in Wales and the viability of these sites has been cited as a key reason for the delay in sites coming forward for development, the planning system remains one of the key policy, decision-making and delivery mechanisms for place-making by creating sustainable homes and places.

To ensure that housing requirements are delivered, we believe that far greater emphasis should be placed on assessing and understanding the deliverability of sites early in the LDP process, which would help to ensure the deliverability of allocated sites within identified time-periods. It would also be helpful if the level of evidence required to demonstrate the deliverability of a site is set out either in Technical Advice Note 1: Joint Housing Land Availability Studies (TAN1) or the LDP Manual.

In developing a clear and robust evidence base, to help make better and informed planning decisions, we also believe that further clarity is required on how to approach and assess factors of uncertainty, viability and deliverability, which are often subject of detailed examination. For example, there may be uncertainty about the delivery of a site because its allocation is reliant on the implementation of future infrastructure or the delivery of specific mitigation measures.

Further, recent changes in legislation intend to support the resilience of ecosystems, well-being goals and ways of working. In creating sustainable places, the inter-relationship of these factors should be fully understood in the context of LDPs and its housing provision. As indicated in our response to the recent consultation of [Planning Policy Wales \(Edition 10\)](#), and the National Development Framework (NDF): [Issues, Options, and Preferred Option](#), we set out how we consider the sustainable management of natural resources should be used as an approach, which is consistent with the aim to direct the right development to the right location. This approach should direct the location of new development and a preference should be given to nature-based solutions to support the resilience of ecosystems and development. It would be helpful if an annex to the LDP containing potential site allocations also sets out the type of environmental interests known at the time of preparation and those

matters which need to be considered during project-stage. For example, infrastructure requirements, including nature-based solutions, should be part of the evidence subject to the usual LDP examination process to ensure viability is assessed as part of that process. The evidence base should also integrate fully with the evidence from the National Development Framework (NDF) and NRW Area Statements (please refer to our answer in response to question 6).

Q3

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

Comments

We refer to our comments in response to Question 2.

We believe that the evidence necessary to demonstrate the deliverability of sites should be explained in more detail in TAN1 or other supporting guidance, including clarity on the appropriate evidence required to demonstrate that risks of uncertainty, viability and deliverability have been addressed. These matters should be considered early in the Plan preparation process to inform decisions, which shape the Plan and are subject of public examination later in the process.

Monitoring development plans and housing land supply

Q4

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

Comments

Currently, the Annual Monitoring Report (AMR) assesses the extent to which LDP strategies and policies are being achieved. The AMR must include the housing land supply figure (5-years), taken from the current Joint Housing Land Availability Studies (JHLAS) (paragraph 3.4 in TAN1). The existing monitoring regime can also categorise sites according to their ability to be developed and is based on several constraints, including time, physical, ownership and financial constraints. In monitoring the performance of the LDP, we believe a Local Planning Authority (LPA) should monitor how the provisions set out in legislation, Welsh Government Policies and Strategies have been met. For example, in the context of the Planning Wales Act, the Environment (Wales) Act and the Well Being of Future Generations (Wales) Act. The evidence should establish the extent to which well-being goals, ways of working, resilience of ecosystems, and the sustainable management of natural resources are being achieved to create sustainable places.

Q5

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

Comments

We support the current mechanisms in place, where the AMR can identify a shortfall in the required 5-year housing land supply, which acts as a trigger for the LPA to consider if their Plan should be reviewed either in whole or in part (paragraph 3.4 of TAN1). We believe that it would be useful to clarify, in more detail, how a housing shortfall will impinge on other development plan policies from being achieved and any action needed to address policies failing other objectives, for example, in the delivery of resilient ecosystems.

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

Q6

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

Comments

As already highlighted in our above comments, there have been recent changes in legislation and policy given the Planning Wales Act, the Environment (Wales) Act and the Well Being of Future Generations (Wales) Act, which seek to achieve the delivery of well-being goals, new ways of working, resilient ecosystems, and the sustainable management of natural resources to create sustainable places.

In addition, in the Welsh Government's Strategy, Prosperity for All, housing is identified as a priority area and the bedrock of living well is identified as having a good quality, affordable home, which brings a wide range of benefits to health, learning and prosperity. The Welsh Government's Natural Resources Policy (NRP) priority is to deliver nature-based solutions. This strategy and policy intend to deliver multiple benefits, for example, in maintaining healthy, active and connected communities, the NRP identifies the contribution of green infrastructure to support mental health and wellbeing, promote active travel, improve physical activity, mitigate against urban heat islands and climate, and act as a regulator of pollutants. Green Infrastructure can support integrated well-designed streets by increasing the attractiveness of cycling and walking routes, suitable traffic calming measures and better management of surface water. The NRP also highlights the cost-effective returns on investment in the implementation of Green Infrastructure. The recent PPW consultation (Edition 10) has an emphasis on the creation of sustainable places through place-making where housing is clustered in the distinctive theme of active and social places.

We believe that in demonstrating the successful delivery of strategies, policies, development plans and housing provision, it is necessary for a development plan not only to evidence the delivery of a diverse range of housing, which meets market demands and demographic changes (the number of dwelling units and types of tenure), but also evidence the extent to which well-being goals, ways of working, resilience of ecosystems, and the sustainable management of natural resources are being achieved to create multiple benefits and sustainable places. For example, through development planning and development

management multiple benefits can be achieved, which enable the creation of jobs, community uses and services, minimise the need to travel, improve our health, well-being and quality of life, which together contribute towards the delivery of sustainable places. The evidence in support of a LDP and its monitoring scheme should help to ensure that housing requirements are consistent with strategies and plans at different spatial scales – national and regional, by making relevant linkages.

The evidence base from the National Development Framework (NDF) prepared by the Welsh Government, the Statement of Natural Resources Report (SoNaRR) and Area Statements prepared by NRW, can help to inform the preparation of a suitable evidence base for development planning and management purposes, which can be set at different spatial scales (NDF, Strategic Development Plans (SDPs), LDPs and project level). The evidence base should help a LPA inform its Plan, including its preferred strategy, strategic and detailed policies consisting of housing allocations, and its sustainability appraisal. This evidence can help a LPA to understand the existing ecosystem benefits to be delivered by housing proposed in new settlements or urban extensions. A housing development can be directed to the most appropriate location and at the same time maximise nature-based solutions to support the resilience of existing ecosystems.

Site allocations are often supported by Development Briefs or Masterplans, which must identify how wellbeing goals are maximised. It is important that statutory consultees, including NRW, have an early opportunity to comment on Development Briefs and Masterplans to influence the siting and design of development, and before such plans are formally agreed by a LPA. We would therefore encourage proposers and applicants to take up our discretionary pre-application service and to seek early engagement with NRW to discuss portfolio of sites and specific sites with the combined objectives of ensuring development is in the right place, adopting place-making principles and to maximise multiple benefits.

How to respond

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

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

Additional information

If you have any queries about this consultation, please:

Email: planconsultations-j@gov.wales

Telephone: 03000 253882 or 03000 256802