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Annex A

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Date 23 June 2009

Dear Julian

HPDG – CONSULTATION ON ALLOCATION MECHANISM FOR YEARS 2 AND 3

I am responding on behalf of Tonbridge and Malling Borough Council to the consultation on the HPDG Allocation Mechanism for Years 2 and 3. This is an officer-level response, though it has been shared with the Cabinet Member for Planning and Transportation and will be reported to the next meeting of the Planning and Transportation Advisory Board at the end of July for endorsement.

Before turning to the specific questions in the consultation document, I think my Council will find it perverse that, at a time when we are being extolled to accelerate plan production and pro-actively enhance housing delivery, the Government has chosen to significantly cut the originally proposed levels of HPDG in years 2 and 3. This response to the current economic circumstances is likely to be counter-productive because, as a nation, we may not be ready and well-armed when the recovery occurs. Furthermore, this approach, and indeed the whole PDG/HPDG system, whereby it is not until late in the year that we know what the criteria are, let alone what our allocation may be, makes the forward planning and resourcing of a targeted work programme extremely difficult.

On the issue of Evaluation and Data Checks I found the content of the "Land Supply Assessment Checks" Report to be extremely illuminating and helpful, but if the Government is to endorse and commend the findings of what is basically a research report, then it really needs to formalise this by revising the Guidance on the preparation SHLAAs and, in particular AMRs accordingly. At the moment there is certainly no requirement in the guidance on AMRs to include site-specific data on housing delivery. On the contrary, the guidance encourages authorities to prepare brief and concise documents. To include a schedule containing perhaps 100 or more sites as an Annex to the AMR will certainly not assist and is unnecessary if that information is readily available elsewhere in published Annual Housing Monitoring Studies which can easily be cross-referred to.



Policy & Conservation is a Division of Planning, Transport & Leisure Services
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Chief Planner (Policy): Brian Gates BSc DipTP MRTPI



INVESTOR IN PEOPLE

I turn now to the specific questions in the consultation document.

Q1 Do you agree with the Government's decision not to make any changes to the scheme in year 2 and to reduce the threshold from 0.75 to 0.65 in year 3?

There is some logic in not making any change this year and a reduction from 0.75 to 0.65 in year 3 seems reasonable. However, with the approval of the RSS in the South East, we would question why the criteria are still based upon what is an arbitrary percentage of the existing stock rather than the actual targets we are required to meet as per NI 159. Why does the data check form require this information when it does not appear to be being used in the actual allocation process?

Q2 Do you agree that the proposed changes to the land supply element will install a greater degree of transparency in the land supply position across the country?

In the first place we believe far too much weight is being afforded to the preparation of a SHLAA rather than the adoption of DPDs which allocate sufficient land to meet requirements. It is the monitoring of delivery of those documents, which we agree should be done in consultation with the house builders and other parties as appropriate, which is much more important and relevant.

A SHLAA is nothing more than a Report of Survey. It has no statutory status and most SHLAAs make it absolutely clear that the identification of a site in a SHLAA should not be taken as an indication that development will take place and that it is only when a selection of those sites is taken forward into a DPD, which is then fully tested through the Examination process, that there is any status to the land supply position.

Furthermore, we believe there should not be quite so much enthusiasm about the credence to be attached to the involvement of the development industry through a HMP. It is interesting that in the "Land Supply Assessment Checks" document it is evident that many authorities, rightly in my opinion, treat with some scepticism the input they receive from house builders and developers, because they all, inevitably, have vested interests. In the first place it is in their joint interest to try to argue down the overall land supply picture, since this may make a case for the release of their particular site. On the other hand, in the case of sites with planning permission developers are rarely willing to admit to a slow down and, in our experience, normally over-estimate what the market can deliver because they are not looking at the whole picture. Whilst it is accepted that on the phasing of larger sites it is useful to have an understanding of the developers intentions, it is only the planning authority that can take a realistic overview of what the market as a whole can deliver, otherwise Housing Trajectories can contain an anomalous level of over-provision in early years. That is not to say that a constructive dialogue with the various sectors of the development industry isn't very helpful. However, the guidance seems to us to place too great a weight on such matters.

Having regard to these views we would strongly argue that the criteria should not just be based upon the preparation of a SHLAA but should also include, as an alternative, the

adoption of a DPD including housing allocations and its proper monitoring including, as appropriate, liaison with the house builders and other appropriate parties. We do not think that the endorsement of a HMP should be an essential prerequisite for enhanced grant for the reason set out above. What is important is the ability to be able to confidently demonstrate a 5 year supply of deliverable sites and to monitor this effectively. Exactly how this is done should be left to local discretion.

In answer to the question, therefore, we do not believe that the proposed approach will install a greater degree of transparency in the land supply position across the country. On the contrary, reliance on SHLAAs as a basis of assessing land supply can give a quite false impression because they have no status in the determination of planning applications, unlike an adopted DPD.

Q3 Do you agree that we should not make any changes to the allocation mechanism for delivery of priority development plan documents?

We believe there is too much focus on the delivery of housing rather than the quality of development. In our case, for example, we have already prepared and adopted DPDs which, together, deliver more than 2000 dwellings. We are now progressing with the preparation of a DPD that seeks to address such issues as sustainable construction, climate change, the quality of the environment, social impacts and open space provision: all matters that affect the quality of life. It seems unfair, on the basis of the draft criteria, that my authority, which has already delivered on the issue of quantity should now be disadvantaged comparatively by getting absolutely no reward for now seeking to address the all-important issue of the quality of development.

Q4 Do you agree with the proposal to change the proportions of the planning element available for demonstrating land for housing and delivering priority development plan documents in Year 2.

We agree with the change in emphasis for year 2 but do not see the reason why it should revert to the original proportions in Year 3. This perversely seems to be rewarding the late delivery of plans. In our view it should either remain at 40% or perhaps even be further reduced in Year 3 which might be some incentive for authorities to make sure they bring forward DPDs as quickly as possible.

Q5 Do you think we should introduce an affordable housing element in Year 3 and if so, which of the two options outlined, or a combination of the two, would you prefer?

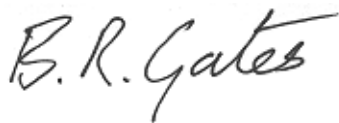
We would support the introduction of an Affordable Housing element in Year 3 and believe this should simply be assessed on the basis of the number of new build units completed in the preceding year.

Q6 Are you content with the criteria proposed for the allocation of the additional empowerment funding? If not, could you propose an alternative approach?

We have no views on the criteria because this is not relevant to my Council which adopted its Core Strategy in 2007. It does, however, seem perverse again to be specifically rewarding authorities which are so late in the process.

I trust you find these comments helpful.

Yours sincerely

A handwritten signature in black ink that reads "B. R. Gates". The signature is written in a cursive, slightly slanted style.

Brian Gates
Chief Planner (Policy)

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