

Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF

29 September 2020

Sent to: TechnicalPlanningConsultation@communities.gov.uk

Dear Sir/ Madam

Re. Changes to the Current Planning System Consultation (the "Consultation") - Response from Caroline Shah

Please find attached my response to the Consultation. It is separated in to two parts: **A General Comments** and **B Responses to Consultation Questions**. Some comments are repeated in Part A and Part B as they are relevant to both parts of my submission.

Please confirm receipt of this response.

Yours sincerely

Caroline Shah

Response to Consultation on “Changes to the Planning System” (the “Consultation”)

Caroline Shah

Part A: General Comments

This part contains the following sections:

1. **Inadequacy and misleading nature of consultation**
2. **Lack of transparency, signposting or information makes consultation inaccessible and undemocratic**
3. **Deadline for consultation responses not made clear in Planning for the Future**
4. **Cabinet Office Consultation Principles (the “Consultation Principles”) are breached**
 - a. *The basis of the revised formula for adjusting the level of baseline housing growth is not clearly explained. This is misleading and does not allow for proper interpretation*
 - b. *The basis on which affordability is calculated is not clearly laid out or explained*
 - c. *The approach to assessing possible impacts of PiP schemes on the environment and habitats is confused, unclear and inadequate for the purposes of this consultation*
 - d. *There is no assessment of the direct or indirect impact of the proposals in the Consultation document on people protected under the Equalities Act 2010*

Part B: Response to Consultation Questions

Issue	Proposal	Questions
Modification of baseline for standard method of calculating housing need	Building so people live where they work	Questions 1 to 7
First Homes	25% of affordable homes at 30% discount to market	Questions 9 - 13
Exception Sites for First Homes that are for local first-time buyers	Some housing can be market housing for “viability”; small amount of other affordable housing; no limit on site size; sites to be in proportion to “existing settlement”	Questions 14-16
Small Sites	Raising limit for developer contributions to affordable housing from 9 to 40/50 units	Questions 17 to 23
Permission in Principle	Limit to be raised from 9 units to 150 plus units; unlimited commercial units; only 14 day consultation period; no environmental assessment required; minimal publicity required; minimal information required	Questions 24 to 34
Public Sector Equalities Duties ignored	No assessment of impact on public sector equalities duties	Question 35

Part A: General Comments

1. Inadequacy and misleading nature of consultation

You state almost as an aside in the middle of the consultation document in Paragraph 67 that your intention is to strengthen proposed changes to planning policy relating to First Homes as laid out in the Consultation document by making them into primary legislation. This intention should have been stated upfront in the introduction to the consultation so the seriousness and permanency of what is proposed was made clear. If measures being suggested in this Consultation will effectively become permanent, why are they being consulted upon outside of the main White Paper consultation framework and in such a limited and secretive manner? I believe that it would be undemocratic for changes agreed through this limited consultation with insufficient publicity, information or explanation to be made policy through primary legislation at a future date as laid out in paragraph 67.

I believe that your stated intention in paragraph 67 to introduce an exemption from the Community Infrastructure Levy for First Homes should also have been subject to consultation in this document as should the way in which reforms to the system of developer contributions may affect delivery of First Homes. How can people respond to this consultation in an informed way without knowing all the factors that will affect the delivery of homes across the country?

2. Lack of transparency, signposting or information makes consultation inaccessible and undemocratic

Delivering change

How we move into the new system

It is important that in bringing forward reform to improve the operation of the planning system, we do not cause delays to development that is currently planned.

Subject to responses to this consultation, we will consider the arrangements for implementing these changes to minimise disruption to existing plans and development proposals and ensure a smooth transition. This includes making sure that recently approved plans, existing permissions and any associated planning obligations can continue to be implemented as intended; and that there are clear transitional arrangements for bringing forward new plans and development proposals as the new system begins to be implemented.

Nevertheless, we do want to make rapid progress toward this new planning system. We are already introducing a new Use Class Order, with associated permitted development rights, to make easier for businesses to change use without the need for planning permission to support our high streets and town centres bounce back following the COVID-19 pandemic. We have also created new permitted development rights to enable more new homes to be built on top of buildings and the demolition and rebuild of vacant buildings for housing, without the need for usual planning permission.

Today, we are also publishing a consultation on four shorter-term measures which will improve the immediate effectiveness of the current system:

- * changes to the standard method for assessing local housing need, which as well as being a proposal to change guidance in the short term has relevance to proposals for land supply reforms set out in this paper;
- * securing of First Homes, sold at a discount to market price for first time buyers, including key workers, through developer contributions in the short term until the transition to a new system;
- * temporarily lifting the small sites threshold, below which developers do not need to contribute to affordable housing, to up to 40 or 50 units;
- * extending the current Permission in Principle to major development so landowners and developers now have a fast route to secure the principle of development for housing on sites without having to work up detailed plans first;

This consultation document can be found at: www.gov.uk/government/consultations/changes-to-the-current-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. This can be found at: www.gov.uk/government/consultations/transparency-and-competition-a-call-for-evidence-on-data-on-land-control.

Public assets and investment

As we fix our planning system, we also want to make better use of surplus land owned by the public sector, and to level up public investment in development to support renewal of towns and cities across the country, giving power to communities to shape its future use and bringing investment to places across the country. We will do this by:

- * Ensuring investment in new public buildings supports renewal and regeneration of town and city centres across the country. The Government Estate Strategy (GES), which was

68 | Planning For The Future

The only reference to the Consultation is hidden away on page 68 of the planning white paper: Planning for the Future (the “White Paper”). The Consultation is hidden away under a generic section called “Delivering Change” which the reader is bound to interpret as how the government intends to implement the proposed changes already discussed in Planning for the Future.

The Planning for the Future

document received a lot of publicity; in contrast the Consultation document has been largely unnoticed.

The title and subtitle of the section of the White Paper that contains the link to this Consultation: “**How we move into the new system**” do not suggest to the reader that this section contains a document with other significant and complex planning changes that are being put forward separately with a different timeframe for responses.

The “Changes to the Current Planning System” document is not presented with any heading that highlights its existence or purpose and is not even named in the link in the White Paper, thus de-emphasising the document and diverting the reader’s attention from its importance. The text containing the hyperlink to the document is not highlighted, something that would draw attention to the fact that it is a separate consultation document and encourage people to click on the link. In contrast, all non-essential hyperlinks in the Footnotes section of Planning for the Future are highlighted in a different colour:

Only a brief summary is provided of the headline changes laid out in the “Changes to the Current Planning System” consultation which does not suggest in any way the significance of the changes proposed in the latter document. In addition, the bullet

Footnotes

- 1 The shortage of affordable homes in and close to the most productive urban centres is a major drag on national productivity – see PwC (2019) “UK Housing market outlook”, available at <https://www.pwc.co.uk/economicservices/uk/uk-housing-market-july-2019.pdf>.
- 2 The EU Compendium of Spatial Planning Systems and Policies, European Commission (1997); OECD (2017), Land-use Planning Systems in the OECD. Country Fact Sheets; Monk, S., Whitehead, C., Burgess, G. & Tang, C. (2013) International review of land supply and planning systems, Joseph Rowntree Foundation.
- 3 MHCLG data, period covering 24 months to end March 2019.
- 4 YouGov polling commissioned by Grovenor (2019) – available at <https://www.grovenor.com/GrovenorFiles/a2/a22313e-a270-465c-a82f-7a73d409511d.pdf>. An overview of wider evidence and studies on public attitudes to planning and development is available in chapter 9 of the Building Better Building Beautiful Commission’s interim report – available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/815495/BBBC_Commission_Interim_Report_Appendices.pdf.
- 5 See the LGA’s open statement on planning at <https://www.local.gov.uk/keep-planning-local>.
- 6 MHCLG (2019) The Value and Incidence of Developer Contributions in England 2018/19 available at: <https://www.gov.uk/government/publications/section-106-planning-obligations-and-the-community-infrastructure-levy-in-england-2018-to-2019-report-of-study>.
- 7 MHCLG data on housing supply available at <https://www.gov.uk/government/statistics/housing-supply-net-additional-dwellings-england-2018-to-2019>.
- 8 Data from the Deloitte Property Index, available at https://www2.deloitte.com/content/dam/Deloitte/uk/Documents/survey/Property_Index_2019_EN.pdf.
- 9 Building Better Building Beautiful Commission (2019) Creating space for beauty: Interim Report. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/815493/BBBC_Commission_Interim_Report.pdf.
- 10 See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/815032/Planning_Application_Statistics_October_to_December_2019.pdf (p-3).
- 11 See Policy Exchange (2020) “A planning system for the 20th century”, available at: <https://policyexchange.org.uk/publications/revitalising-the-planning-system-for-the-21st-century/>; Centre for Cities (2020) “Planning for the future”, available at: <https://www.centreforcities.org/publication/planning-for-the-future/>; Building Better Building Beautiful Commission (2020) “Living with beauty: promoting health, well-being and sustainable growth”, available at: <https://www.gov.uk/government/publications/living-with-beauty-report-of-the-building-better-building-beautiful-commission>; Create Streets (2018) “From NIMBY to YIMBY”, and (2018) “More Good Homes”.
- 12 RTP (2020) “Plan the world we need: The contribution of planning to a sustainable, resilient and inclusive recovery”, available at: <https://www.rtpi.org.uk/research/2020/plan-the-world-we-need/>.
- 13 Our plan for cycling and walking is available at <https://www.gov.uk/government/publications/cycling-and-walking-plan-for-england>.
- 14 To give your views on the England Tree Strategy, please visit <https://consult.defra.gov.uk/forestry/england-tree-strategy/>.
- 15 MHCLG (2019) The Value and Incidence of Developer Contributions in England 2018/19.
- 16 As above, a Section 106 planning obligation could still be used to secure a covenant on the land, where necessary. However, the value would be captured through the Infrastructure Levy, rather than Section 106.
- 17 Institute for Fiscal Studies (2019) “English local government funding: trends and challenges in 2019 and beyond”, <https://www.ifs.org.uk/uploads/English-local-government-funding-trends-and-challenges-in-2019-and-beyond-IFS-Report-166.pdf>.
- 18 For more information see <https://www.commongplace.ie/>.
- 19 Estimates provided to the Housing, Communities and Local Government Select Committee Inquiry into Land Value Capture: <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/766/766.pdf>.

point summarising proposed changes to Permission in Principle does not mention the significance of the proposed change to give outline planning permission for development proposals of up to **150 units** and potentially an unlimited number. The current limit is 9 units. This is a massive change.

This is in contrast to the point above which does at least mention **the proposed new small site threshold of 40 to 50 units**, although this also does not mention the old limit. In this way, attention of the reader is drawn away from the document as something that must be a trivial paper containing only short-term measures rather than highlighting the significant changes that “Changes to the Current Planning System” proposes.

3. Deadline for consultation responses not made clear in Planning for the Future

It is not made clear in the White Paper that the deadline for submission of comments on the consultation of “Changes to the Current Planning System” is 1 October 2020. The vast majority of people are therefore likely to believe that the deadline for responses to *Changes to the Current Planning System* is the same as that for **Planning for the Future**, and not 4 weeks earlier

4. Cabinet Office Consultation Principles (the “Consultation Principles”) are breached

I believe that this consultation contravenes the Consultation Principles because the consultation is not written in plain English and does not give enough information to ensure that those consulted understand the issues and can give informed responses

- a. *The basis of the revised formula for adjusting the level of baseline housing growth is not clearly explained. This is misleading and does not allow for proper interpretation*

The formula is given in the screenshot:

It is not clear from the formula which **median earnings ratio** is being used and the implications of the choice of earnings ratio made in the formula. You have to click on the hyperlink at the bottom of page 14 to find out that it is the **median “workplace-based” earnings ratio** that is used in this calculation.

Step 2

Adjusting for market signals – maintaining price signals using the current affordability ratio and the change in affordability over the last 10 years

29. We propose the standard method will include two adjustments to the baseline using the **workplace-based median house price to median earnings ratio**¹³. Initially it is proposed that the **ratio for the most recent year for which data is available** in order to address current affordability of homes would be used. Then **how affordability has changed over the last 10 years of published data** would be incorporated, using that same statistic.

30. The precise formula is as follows:

$$\begin{aligned} \text{Adjustment Factor} &= \left(\left(\frac{(\text{Local affordability ratio}_{t=0} - 4)}{4} \right) \times 0.25 \right) \\ &+ \left((\text{Local affordability ratio}_{t=0} - \text{Local affordability ratio}_{t=-10}) \times 0.25 \right) \\ &+ 1 \end{aligned}$$

Where $t = 0$ is current year and $t = -10$ is 10 years back.

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<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

14

No accurate explanation is given of the meaning of the ratio of **workplace-based median house price to workplace-based median earnings**. Instead paragraph 32 states: *“The workplace-based median house price to median earnings ratio is a nationally recognised and robust publicly available national statistic. **It reflects the relationship between local house prices and earnings and is relatively stable over time.**”*

Firstly, this does not give a full and complete picture. The workplace-based median house price to median workplace-based earnings ratio shows you *how many times median earnings someone would need in order to buy a property in the place where they work.*

So, somebody might be able to afford – and have bought - a house in Staines or Kingston but be working in Richmond where they can not afford to buy a property. Under this model, Richmond council would have to build more properties to try and make property in Richmond affordable for any such workers.

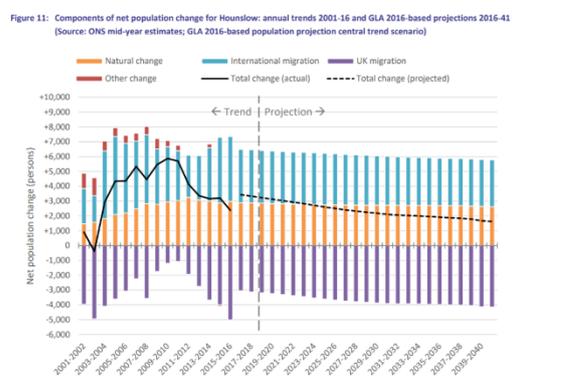
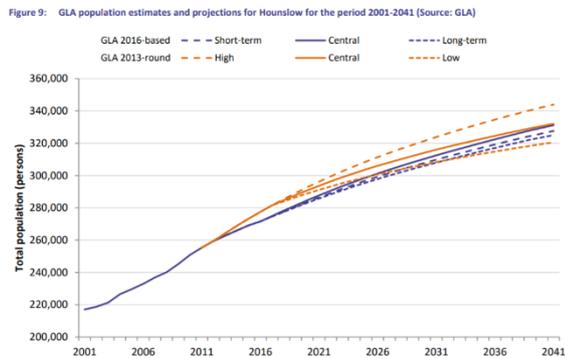
The model appears to be saying that we should all live where we work. If this is the case, this needs to be clarified in the text

b. The basis on which affordability is calculated is not clearly laid out or explained

The Consultation document does not explain how affordability can also be influenced by controlling demand or to explain the basis of demand figures. Demand is taken as a given and the nature of demand is not explored. Point 14 mentions “high demand” areas but the term is not explained or expanded upon so it is impossible to know what it behind it. The Consultation document explicitly states in paragraph 31 that “supply is not keeping up with demand”. In fact, paragraph 19 adds to the confusion by differentiating between housing schemes for “regeneration” and schemes where existing housing stock does not meet the “need of existing communities”. This implies that regeneration schemes are not carried out in order to meet the need of existing communities. What demand are they therefore meeting and how will this contribute to creating “*happier more rooted communities*” as the Consultation document says is the aim of the proposed policy changes?

Some charts from Hounslow’s recent analysis of housing demand in its Strategic Housing Market Assessment 2018 show the disparity between the forecast departure of people currently living in the Borough – voluntary or forced through use of compulsory purchase orders? - and the forecast influx of new residents.

These charts underline the need for the Consultation document to clarify the nature of demand as it is forecast across England and the policies that are driving it. Hounslow is set to build 20,000 new homes (that’s about 60,000 additional residents) and offices for 28,000 jobs across the Borough in two “opportunity” areas in the next 20 years, with one of the “opportunity areas” providing roughly half of the development only a stone’s throw and clearly visible from the World Heritage Site at Kew Gardens.



c. *The approach to assessing possible impacts of PiP schemes on the environment and habitats is confused, unclear and inadequate for the purposes of this consultation*

The Consultation document confuses the picture regarding whether there will be any protection of the environment in the case of larger PiP schemes coming forward. Will there be any environmental assessment for schemes between 0 and 150 dwellings or more or commercial development of any size under the proposed PiP regime that does not qualify as EIA development? It appears not but it is not clear.

Paragraphs 96 and 97 contradict each other, mislead the reader, and provide incomplete information which does not allow informed comment. In paragraph 96, it is stated that restrictions relating to Environmental Impact Assessments 9 (“EIA”) and Habitats Regulations Assessments (“HRA”) remain because “there is not sufficient environmental information for these requirements to be accurately assessed”. In paragraph 97, the document goes on to state that the restrictions will be lifted in certain circumstances where screening or an HRA has taken place. Paragraph 97 also does not clarify or explain the situations in which large sites of over 150 dwellings may be approved under PiP because a “screening opinion has been obtained which concluded that the proposal was not EIA development”. This opaque statement does nothing to help the reader understand how likely a large development of over 150 units – which is defined normally as an EIA development – can be screened out as not being one. What does this mean in environmental terms?

97. This means Permission in Principle by application will not in practice be a route to permission for large sites capable of delivering more than 150 dwellings or more than 5 hectares – the EIA Regulations 2017 Schedule 2 threshold for urban development, save where a screening opinion has been obtained which concluded the proposal was not EIA development. Similarly, Permission in Principle will not be suitable for sites in areas where, applying the Conservation of Species and Habitats Regulations 2017, there is a probability or risk that the project is likely to have a significant effect on a European site, unless the application was accompanied by an appropriate assessment demonstrating there was unlikely to be significant impact on the site.

Even the name of the legislation requiring HRAs is wrong – it is the Conservation of Habitats and Species Regulations 2017 (“CHSR2017”). The wording “Permission in Principle will not be suitable... where there is a probability or risk that the project is likely to have a significant effect on a European site” also does not reflect the outcome of Court cases in which the precedent has been established that there needs to be *scientific evidence that a plan or project will not have significant effect on a European site*.

The wording in paragraph 97 also should have made clear that it this a requirement that needs to be considered either alone or in combination with other plans or projects. CHSR 2017 24:

Assessment of implications for European sites

24.—(1) Where it appears to the appropriate nature conservation body that a notice of a proposal under section 28E(1)(a) of the WCA 1981 relates to an operation which is or forms part of a plan or project which—

- (a) is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of that site,

it must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.

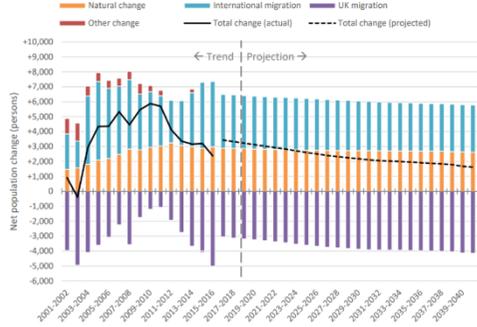
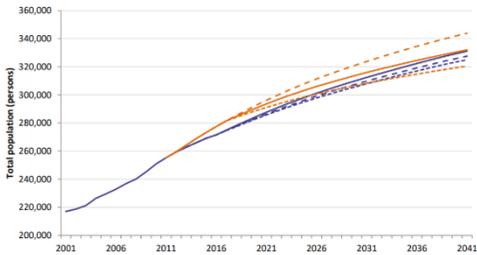
(2) In the light of the conclusions of the assessment, it may give consent for the operation only after having ascertained that the plan or project will not adversely affect the integrity of the site.

d. There is no assessment of the direct or indirect impact of the proposals in the Consultation document on people protected under the Equalities Act 2010

There has been no attempt to give information on or to assess the impact of these proposals on people with protected characteristics. This deprives the reader of the ability to make informed comment in this regard.

Part B: Responses to Consultation Questions

MODIFICATION OF BASELINE FOR STANDARD METHOD OF CALCULATING HOUSING NEED	Response
<p>Q1: 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?</p>	<p>No because it will result in an unacceptably high level of development in urban areas where huge household increases have been projected without explanation of the policies driving them eg London Boroughs, Manchester etc. By nature, a generic formula applied across the country cannot take in to account local issues to do with Equalities, the Environment, Biodiversity, availability of open and green spaces and so on and so forth in its calculation? You also cannot simply look at historical growth to project future growth. The past creates a new baseline from which more development should or should not happen based on equalities, environmental and all the other factors that need to be assessed. The government is failing to do this when agreeing planning policy, strategies and targets.</p> <p>The Consultation document does not explain how affordability can also be influenced by controlling demand or to explain the basis of demand figures. Demand is taken as a given and the nature of demand is not explored. Point 14 mentions “high demand” areas but the term is not explained or expanded upon so it is impossible to know what it behind it. The Consultation document explicitly states in paragraph 31 that “<i>supply is not keeping up with demand</i>”. What does this mean in real terms?</p> <p>Paragraph 19 adds to the confusion by differentiating between housing schemes for “regeneration” and schemes where existing housing stock does not meet the “need of existing communities”. This implies that regeneration schemes are not carried out in order to meet the need of existing communities and therefore cannot be meeting real housing demand.</p> <p>Some charts from Hounslow’s recent analysis of housing demand in its Strategic Housing Market Assessment 2018 show the disparity between the forecast departure of people currently living in the Borough – voluntary or forced through use of compulsory purchase orders? - and the forecast influx of new residents. These charts underline the need for the Consultation document to clarify the nature of demand as it is forecast across England and the policies that are driving it. Hounslow is set to build 20,000 new homes (that’s about 60,000 additional residents) and offices for 28,000 jobs across the Borough in two “opportunity” areas in the next 20 years, one of which is directly opposite and will tower over World Heritage Site, Kew Gardens.</p>

	<p>Figure 11: Components of net population change for Hounslow: annual trends: 2001-16 and GLA 2016-based projections 2016-41 (Source: ONS mid-year estimates; GLA 2016-based population projection central trend scenario)</p>  <p>Figure 9: GLA population estimates and projections for Hounslow for the period 2001-2041 (Source: GLA)</p> 	<p>In the introduction to the Consultation document, you state: “We want to deliver the housing people need because happier more rooted communities bring our country together”</p> <p>However, development across the country, particularly in urban areas, is ripping communities apart. The charts above for Hounslow are indicative of how net population growth in urban areas is forecast to keep being driven by a mass and sustained departure of local people and influx of new people. How will this create rooted communities? It will not.</p>
<p>Q2: 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.</p>	<p>This figure appears to have been crudely calculated. How can this figure be applied across the country without taking in to account issues to do with Equalities, the Environment, Biodiversity, availability of open and green spaces and so on and so forth?</p>	
<p>Q3: 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.</p>	<p>No, I do not agree that this is appropriate because the formula used leads to the situation where development must take place at whatever level is needed so that people live where they work. This hidden assumption is reflected also in the proposed change to Permission in Principle which will allow unlimited amounts of commercial development on sites.</p> <p>There is no explanation of why the workplace-based median house price is being used rather than the residence-based median house price? People have chosen to live where they live and may not wish to live where they work.</p> <p>The workplace-based median house price to median workplace-based earnings ratio shows you how many times median earnings someone would need in order to buy a property in the place where they work:</p>	

Ratio of median house price to median gross annual (workplace-based) earnings

Created by: LGA Research (Local Government Association) and last updated on 02 April 2020
Data range: 1997 - 2019

This is the median housing affordability ratio (workplace-based) and is calculated by dividing house prices by gross annual earnings, based on the median of both house prices and earnings. This measure of affordability indicates the extent to which employees can afford to live where they work, not where they necessarily already live, which effectively reflects the house-buying power of employees. A higher ratio indicates that on average, it is less affordable for a resident to purchase a house. Conversely, a lower ratio indicates higher affordability in a local authority. The earnings data are from the Annual Survey of Hours and Earnings which provides a snapshot of earnings at April in each year. Earnings relate to gross full-time individual earnings on a place of work basis. The house price statistics come from the House Price Statistics for Small Areas, which report the median and lower quartile price paid for residential property and refer to a 12 month period with April in the middle (year ending September).

Source: Office for National Statistics

Collection (URL): <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingaffordabilityinenglandandwales/previousReleases>

Polarity: Low value is good

Unit of measure: Ratio

Metric type definition (URI): <http://fd.esd.org.uk/metricType/9147>

*This creates an extension of the “**opportunity area**” model which is being imposed upon communities across London and its suburbs where populations are being doubled over 20 years with an accompanying surge in commercial development in the area with the expectation that people will live and work in the same place and not travel beyond the area*

The excerpt below is taken from an article from the Daily Telegraph on 28 September 2020:

Theresa Villiers, who held Tory Cabinet positions between 2012 and 2020, told The Telegraph: "The targets generated by this algorithm could lead to a disastrous urbanisation of the suburbs, forcing high rise blocks into quiet low rise neighbourhoods.

"Unless big changes are made to these numbers, there is a real threat that monolithic East Berlin-style development will change life in the suburbs forever."

This new model of a different way of living has never been consulted upon, is legally flawed, it is not environmentally sustainable and does not meet Equality laws or laws to protect biodiversity and is socially exclusive.

The formula is shown in the following screenshot:

Step 2

Adjusting for market signals – maintaining price signals using the current affordability ratio and the change in affordability over the last 10 years

29. We propose the standard method will include two adjustments to the baseline using the **workplace-based median house price to median earnings ratio**¹³. Initially it is proposed that the **ratio for the most recent year for which data is available** in order to address current affordability of homes would be used. Then **how affordability has changed over the last 10 years of published data** would be incorporated, using that same statistic.

30. The precise formula is as follows:

$$\begin{aligned} \text{Adjustment Factor} &= \left[\left(\frac{\text{Local affordability ratio}_{t=0} - 4}{4} \right) \times 0.25 \right] \\ &+ \left[(\text{Local affordability ratio}_{t=0} - \text{Local affordability ratio}_{t=-10}) \times 0.25 \right] \\ &+ 1 \end{aligned}$$

13

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

14

It is not clear from the formula which median earnings ratio is being used and the implications of the choice of earnings ration made in the formula. You have to click on the hyperlink at the bottom of page 14 to find out that it is the median “workplace-based” earnings ratio that is used in this calculation.

No accurate explanation is given of the meaning of the ratio of workplace-based median house price to workplace-based median earnings. Instead paragraph 32 states: *“The workplace-based median house price to median earnings ratio is a nationally recognised and robust publicly available national statistic. It reflects the relationship between local house prices and earnings and is relatively stable over time.”*

Firstly, this does not give a full and complete picture. The workplace-based median house price to median workplace-based earnings ratio shows you *how many times median earnings someone would need in order to buy a property in the place where they work.*

So, somebody might be able to afford – and have bought - a house in Staines or Kingston but be working in Richmond where they can not afford to buy a property. Under this model, Richmond council would have to build more properties to try and make property in Richmond affordable for any such workers.

	The model appears to be saying that we should all live where we work. If this is the case, this needs to be clarified
Q4: 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.	No. Use of median house prices and earnings figures conceals significant changes in prices and earnings that may have occurred at either end of the scale and which might have made certain places within a local area either more or less affordable. Using average numbers would allow significant differences across the whole scale to be captured . A further calculation would be necessary to reflect affordability differences in different parts of each local authority area
Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.	No. Please consider answer to Q4 as also a response to Q5
<p>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:</p> <p>Q6: 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?</p>	<p>No. I do not agree. This consultation has been sneaked through and will have a major impact on local communities across the country. The consultation regarding the revised standard method need figure should be relaunched properly, with sufficient information, clearly explained, meeting legal and consultation requirements</p> <p>Q6: No. I do not agree with this recommendation. This will favour those local authorities which, for whatever reason, are rushing through new Local Plans which will protect their areas from additional growth that this model would impose upon them whilst people living in areas where councils have failed to update their Local Plans will suffer increased levels of development under the new formula whether or not such development is sustainable</p> <p>For example, planned growth in Kingston is already unsustainable. A largely low-rise Borough is being turned in to a densely populated urban city on the edge of London. This is happening without any environmental assessment of the impact of the plans ever having been completed. In addition, the last habitats regulations assessment of development in the Borough was completed in 2010 and is out of date. There is almost no green space in Kingston and a doubling of the population in 20 years will put the protected habitats and species in Richmond Park and Wimbledon Common under huge threat.</p>
Q7: 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.	No, I do not agree. Please consider responses to Q6 also to be part of the response to this Q7.

<p>Are there particular circumstances which need to be catered for?</p>	<p>This blanket approach which does not integrate legal requirements for equalities, the environment, biodiversity, green and open space and heritage is completely flawed and should be abandoned</p>
<p>FIRST HOMES General response to all questions:</p>	<p>You state your intention in Paragraph 67 to strengthen proposed changes to planning policy relating to First Homes laid out in the Consultation document by making them into primary legislation. This intention should be stated upfront in the introduction to the consultation. If measures being suggested will effectively become permanent, why are they being consulted upon outside of the main White Paper consultation framework? I believe that it would be undemocratic for changes agreed through this limited consultation with insufficient information or explanation to be made policy through primary legislation at a future date as laid out in paragraph 67.</p> <p>I believe that your stated intention in paragraph 67 to introduce an exemption from the <i>Community Infrastructure Levy</i> for First Homes should also have been subject to consultation in this document as should the way in which reforms to the system of developer contributions may affect delivery of First Homes. How can people respond to this consultation in an informed way without knowing all the factors that will affect the delivery of homes across the country?</p> <p>I believe that First Homes is a way to favour higher income households. In addition, it will result in higher housing and land prices, thus serving only to boost developers' and land owners' profits</p>
<p>Q8: The 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.</p> <p>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</p>	<p>Local authorities should not be able to negotiate a tenure mix with developers as suggested in Option 2 of point 52. This is completely undemocratic and lays out no requirement for consultation with local people, for development to be environmentally and socially sustainable, to meet local people's needs or comply with equalities legislation</p> <p>The replacement of other affordable home ownership tenures with First Homes and requiring no provision for social housing will adversely affect more deprived and BAME communities by reducing the stock of homes that people can afford to live in. I do not believe that developers should be allowed to provide cash in lieu in the place of affordable housing as this pushes poorer people to poorer parts of a local authority area and increases the exclusivity of certain areas. An example is the conversion of the Star and Garter Home on Richmond Hill, where the affordable housing for this development was provided in a much poorer part of Richmond-</p>

<p>between a local authority and developer. iii) Other (please specify)</p>	<p>upon-Thames. The development is now an entirely exclusive one with a chauffeur service to take people down the hill to Richmond Station.</p> <p>The remaining 75% of affordable homes provision should reflect actual need for homes of local people and reflect what those people can reasonably afford. Movements of people in and out of each local area should be monitored so that action can be taken if it is clear that people are being displaced by a policy which is meant to provide a mix of homes that are affordable to everyone</p>
<p>EXCEPTION SITES for First Homes that are for local first-time buyers</p> <p>With regards to current exemptions from delivery of affordable home ownership products:</p> <p>Q9: 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?</p>	<p>No. First Homes should not be exempt from the need to provide affordable home ownership products</p>
<p>Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.</p>	<p>n/a</p>
<p>Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.</p>	<p>n/a</p>
<p>Q12: Do you agree with the proposed approach to transitional arrangements set out above?</p>	<p>No, because the get-out for local authorities that submit their Local Plan to Examination within 6 months of this policy being enacted favours those local authorities that have taken action to protect their communities from inappropriate development and pushes inappropriate development to other local authority areas.</p>
<p>Q13: Do you agree with the proposed approach to different levels of discount?</p>	<p>A 30% discount to open market prices is not affordable to the majority of people in most areas. I do not agree with the level that has been set. I also believe that some Local Plan processes are undemocratic and often may be legally unsound. For this reason, I do not agree that it is correct to use evidence from the Local Plan process to justify whether or not a greater discount to market price can be offered. This opens the process to manipulation and influence of developers and other interested parties. The interests of residents are usually completely overlooked</p>

<p>Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?</p>	<p>No. The requirement that First Homes <i>exception sites</i> should be proportionate in size to the existing settlement whilst providing a maximum of 40 to 50 homes instead of 9 homes will push development higher on such sites.</p> <p>I do not agree with the provision of <i>market homes</i> on such sites “to ensure viability” as the term is not defined or explained. What does it mean? It appears to be simply kow-towing to developers’ often unreasonable demands for profit. Exception sites are meant to be a mechanism for providing affordable housing not market homes</p>
<p>Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?</p>	<p>No. The recommendation again pushes increased density of development on small sites to urban and already densely developed areas</p>
<p>Please see question 35 for any comments relating to the Public Sector Equality Duty and the delivery of First Homes.</p>	<p>The proposed policies for First Homes fails the requirements of the PSED and will have a disproportionately negative effect on deprived and BAME communities</p>
<p>SMALL SITES – Raising limit for developer contributions to affordable housing</p> <p>For each of these questions, please provide reasons and / or evidence for your views (if possible):</p> <p>Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period? (see question 18 for comments on level of threshold)</p>	<p>No. I do not agree that the small site threshold should be removed for a time-limited period or indeed at all. This will remove the requirement to provide any affordable housing for developments of up to 40 or 50 units rather than the current 9 units. This will result in even less housing provision that is affordable to local people</p>
<p>Q18: What is the appropriate level of small sites threshold? i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)</p>	<p>The small site threshold should be left at under 10 units or removed completely.</p>
<p>Q19: Do you agree with the proposed approach to the site size threshold?</p>	<p>No. It allows for unsustainable and undemocratically-agreed developer-led development in the heart of communities across the country</p>
<p>Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?</p>	
<p>Q21: Do you agree with the proposed approach to minimising threshold effects?</p>	<p>Phasing of a site should not be a way of evading legal requirements. However, developers regularly avoid legal requirements by failing to look at individual and in-combination effects of development or providing incomplete and misleading or plainly incorrect information to justify</p>

	<p>their scheme proposals. Public authorities let them get away with this. The onus is on the government to have legislation that supports sustainable development and which is enforced equally all over the country. It does not</p>
<p>Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?</p>	<p>No comment</p>
<p>Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?</p>	<p>It seems that the whole purpose of the proposed changes is to support developers. What about communities and nature and heritage and equalities?</p>
<p>PERMISSION IN PRINCIPLE</p> <p>General response to all questions:</p>	<p>The Consultation document asserts that by extending the limits on PiP it will help small and medium sized building companies. This is the only argument given for extending a policy in a way that could have hugely detrimental effects on communities and neighbourhoods, on nature, heritage and biodiversity and on equalities across the country. Why do developers' interests trump all others and why? No explanation or justification of the proposed approach is given. It seems like laws will be changed and approvals given to allow developers to do what they like largely wherever they like</p>
<p>Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?</p>	<p>Absolutely not. The removal on restriction on major development will be disastrous and result in completely unsustainable development in places earmarked for large-scale growth across the country. It will have hugely detrimental effects on communities and neighbourhoods, on nature, the environment, heritage and biodiversity and on equalities across the country. Why do developers' interests trump all others and why? No explanation or justification of the proposed approach is given.</p> <p><i>The limited requirement for environmental assessments and habitats assessments of Permission in Principle ("PiPs") planning approvals of schemes of very large schemes will not take in to account environmental impacts</i></p> <p>The Consultation document confuses the picture regarding protection of the environment in the case of PiP schemes coming forward. However, on untangling of the information and further research, it is clear that the proposal to extend PiPs to will remove any protection for the environment that currently is offered when large developments go through the full planning application process. This is a compelling reason why the restrictions on major development should not be removed. The following excerpt is from a document published by the government:</p> <p><i>"Environmental Impact Assessment should not be a barrier to growth and will only apply to a small proportion of projects considered within the town and country planning regime. Local</i></p>

planning authorities have a well established general responsibility to consider the environmental implications of developments which are subject to planning control.”¹

This environmental planning control will be lost on large schemes if the PiP proposals go ahead.

Paragraphs 96 and 97 contradict each other, mislead the reader, and provide incomplete information which does not allow informed comment. In paragraph 96, it is stated that restrictions relating to Environmental Impact Assessments 9 (“EIA”) and Habitats Regulations Assessments (“HRA”) remain because “there is not sufficient environmental information for these requirements to be accurately assessed”. In paragraph 97, the document goes on to state that the restrictions will be lifted in certain circumstances where screening or an HRA has taken place. Paragraph 97 also does not clarify or explain the situations in which large sites of over 150 dwellings may be approved under PiP because a “screening opinion has been obtained which concluded that the proposal was not EIA development”. This opaque statement does nothing to help the reader understand how likely a large development of over 150 units – which is defined normally as an EIA development – can be screened out as not being one. What does this mean in environmental terms?

97. This means Permission in Principle by application will not in practice be a route to permission for large sites capable of delivering more than 150 dwellings or more than 5 hectares – the EIA Regulations 2017 Schedule 2 threshold for urban development, save where a screening opinion has been obtained which concluded the proposal was not EIA development. Similarly, Permission in Principle will not be suitable for sites in areas where, applying the Conservation of Species and Habitats Regulations 2017, there is a probability or risk that the project is likely to have a significant effect on a European site, unless the application was accompanied by an appropriate assessment demonstrating there was unlikely to be significant impact on the site.

Please note that you have got the name of the HRA legislation wrong – it is the Conservation of Habitats and Species Regulations 2017 (“CHSR2017”). The wording “Permission in Principle will not be suitable... where there is a probability or risk that the project is likely to have a significant effect on a European site” also does not reflect the outcome of Court cases in which the precedent has been established that there needs to be *scientific evidence that a plan or project will not have significant effect on a European site*.

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/630689/eia-thresholds-table.pdf

	<p>The wording in paragraph 97 also should have made clear that it this a requirement that needs to be considered either alone or in combination with other plans or projects. CHSR 2017 24:</p> <p style="text-align: center;">Assessment of implications for European sites</p> <p>24.—(1) Where it appears to the appropriate nature conservation body that a notice of a proposal under section 28E(1)(a) of the WCA 1981 relates to an operation which is or forms part of a plan or project which—</p> <ul style="list-style-type: none"> (a) is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, <p>it must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.</p> <p>(2) In the light of the conclusions of the assessment, it may give consent for the operation only after having ascertained that the plan or project will not adversely affect the integrity of the site.</p> <p>From the complete inadequacy of many Appropriate Assessments that I have read to date, “protection” in the form of Appropriate Assessments needs independent scrutiny in the case of every development to which an AA is applied, so that facile conclusions are successfully challenged without having to go to judicial review</p> <p>The protection offered by the EIA is also only offered to urban development projects containing over 150 dwellings, or to developments that include one hectare of non dwellinghouse development or which cover an area of at least 5 hectares. Protection offered by the HRA only extends to sites that contain rare and vulnerable habitats and species and where, sadly, legally required protections are already being breached under the full planning approval regime</p> <p>Any PiP coming forward that does not meet the EIA criteria for what are very large sites will therefore be able to go ahead with NO assessment of the impact the proposed development will have on the environment. This is unacceptable as there will be no requirement for local authorities considering PiP applications to consider environmental considerations. The proposed changes to PiP are for this reason alone unacceptable</p>
<p>Q25: Should the new Permission in Principle for major development set any limit on the amount of</p>	<p>The <i>unrestricted development of commercial housing</i> alongside the lifting of restrictions on Permission in Principle creates an unannounced extension of the “opportunity area” model</p>

<p>commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.</p>	<p>across the country which has never been consulted upon and the effects of which have never been assessed</p> <p>This model is already being imposed upon communities across London and its suburbs where populations are being doubled over 20 years with an accompanying surge in commercial development in the area with the expectation that people will live and work in the same place and not travel beyond the area</p> <p>This new model of a different stay-where-you- live way of living has never been consulted upon, is legally flawed, it is not environmentally sustainable and does not meet Equality laws or laws to protect biodiversity and is socially exclusive.</p> <p>Please consider my response to Q3 above to be also part of a response to this Q25</p>
<p>Q26: 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?</p>	<p>No. I do not agree.</p> <p>The current information requirements are so scanty that they will allow developments that are completely unsustainable and inappropriate and that will destroy neighbourhoods, local towns and decimate communities</p> <p>The current requirements for information relate to developments of up to 9 dwellings on sites up to one hectare. The requirements for development on sites of up to 150 units or more should be significantly more detailed and give evidence of the social, environmental and general sustainability of each proposed development individually and in combination with other local schemes. This could be called a general sustainability assessment.</p> <p>There is no requirement for any environmental assessment if individual developments are each under 150 units in size and there is no requirement at all for any equalities impact assessment or heritage assessment either individually or in combination with other developments and plans.</p> <p>Equalities, Environmental, Social and Heritage impact assessments should be required in all cases where a development is larger than 9 units and the assessment should look at individual and in-combination effects. The need for additional transport and social infrastructure should also be assessed and the source of funding for such infrastructure identified and agreed.</p>

<p>Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.</p>	<p>Yes; but it is not the only thing that should be considered. This should be part of the sustainability assessment that should be required of the development proposal as a whole.</p>
<p>Q28: 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 If you disagree, please state your reasons</p>	<p>Current publicity is woefully inadequate for developments of any size. You would need to live right by a site or search the Council’s website on a daily basis to find planning applications for PiPs.</p> <p>Publicity for any PiP should include publicity via social media and newspapers. I believe that a letter should also be sent to residents about planning applications coming forward. The bigger the planning application, the wider the area to which households should be notified. This is particularly necessary if the size of development covered under PiPs is to be so massively extended. PiP should be subject to a general requirement to publicise the PiP which should include letters to all households within a certain radius of the proposed development depending on the size of the proposed development. I do not believe the size of a PiP should be extended above 9 units.</p> <p>The 14 day consultation period for any PiP, let alone PiP applications that could be 150 units or more in size is woefully inadequate. It is a travesty and a sham that 14 days is considered sufficient time for a public consultation</p> <p><i>People cannot be expected to see publicity that is only posted on the proposed site and hidden on the council’s website and respond in such a short timeframe to what will be often huge developments.</i> The information provided on such developments – as proposed – will also be so inadequate as to not allow informed comment.</p> <p>The statement in 108 below reflects the disdain with which the opinion of local communities is held by paying lipservice to improving consultation:</p> <p><i>“108. We consider that local communities should have the opportunity to make representation on major development that might affect them. We propose to amend the publicity requirements for Permission in Principle by application so applications for Permission in Principle on large sites are subject to publicity beyond just a site notice and website publication”</i></p>

	<p>We can have the “opportunity” to “make representation” within 14 days with limited information on a planning application, but there is no commitment that such representations will even be considered in any decision.</p> <p>There needs to be a commitment to show that residents’ and other community groups’ representations have been taken in to account in a decision and given appropriate weight in arriving at the decision. The weight which the views of different stakeholders has been given should be clearly defined by each local authority in arriving at a decision</p> <p>You state in 110. <i>“We plan to retain the current publicity requirements for statutory consultees and parish councils”</i> I believe that you should summarise clearly what these requirements are and ask for consultees comments on maintaining this approach</p>
<p>Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?</p>	<p>I believe the flat fee should remain and should not have a maximum cap.</p> <p>Why would local authorities give ever greater incentives for developers to build bigger and bigger without keeping some value from the approval they grant?</p> <p>I do not agree with the statement in Para. 113 that lower fees are reasonable because: <i>“a local planning authority only needs to make a decision on the principle of the development, not on the technical details of the development like a normal planning application”</i></p> <p>This assumption is misleading because, as soon as PiP is granted, the development can go ahead. This is the decision that is worth a lot of money ie contributes most value, to the developer. A lot more information should be considered at the PiP stage before PiP is granted and the costs for granting PiP should remain sufficiently high to make the developer take its commitment seriously to put forward a development that is sustainable and appropriate</p>
<p>Q30: What level of flat fee do you consider appropriate, and why?</p>	<p>I think any flat fee should remain at £402 per 0.1 hectare and have no cap</p>
<p>Q31: 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.</p>	<p>n/a</p>
<p>Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out</p>	<p>People living in local authority areas across England are major stakeholders in the areas in which we live. Yet our interests are being constantly diluted and often are considered at the bottom of the pile when planning decisions are made. The following guidance is</p>

<p>any areas of guidance you consider are currently lacking and would assist stakeholders.</p>	<p>urgently required to reinstate residents' legitimate interests when PiP decisions are being made:</p> <ol style="list-style-type: none"> 1. Guidance for the public about how to oppose plans that are not being consulted on properly and do not represent sustainable development or meet legal environmental, habitats, heritage, equalities and other requirements such as statutory requirements under the National Planning Policy Framework 2. Guidance on paths outside of the judicial review process – which is both timely and costly - for the public effectively to hold its public authorities to account when they act and make decisions unlawfully or in undemocratic ways and to ensure that such authorities are made to remedy any unlawful or undemocratic actions they have taken 3. Guidance on how to read through glossy statements made by public authorities and developers such as <i>“We want to deliver the housing people need because happier more rooted communities bring our country together”</i> and understand the real facts about a public authority's or developer's plans. At the moment, the truth is hard to come by because of the lack of clear information, explanation and misrepresentations that constantly take place, and the hiding of the true purpose of plans and proposals 4. A dictionary of common developer and public authority terms used to confuse the public and their real definition.
<p>Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?</p>	<p>If the current fee structure is maintained, the proposed scheme will raise significant amounts of extra money for local authorities. However, it will decimate communities and neighbourhoods as discussed in my responses to Q24 onwards and is not sustainable development. Please replicate my answers in Q24 onwards as though they have also been written as answers to this Q33.</p> <p>If fees are tiered or capped and the size of PiPs is extended as proposed, all the benefit will accrue to developers and new people moving in to areas – who often are not local people – and there will be no benefit to existing residents. Nature and biodiversity will often be destroyed, equalities issues aggravated and the setting of heritage assets if not the assets themselves often irreparably harmed. The character of local neighbourhoods will be ruined forever.</p>
<p>Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.</p>	<p>Land prices will rise so under the current viability model they will take more profit. So will developers, leaving little money left for any kind of social or affordable housing or infrastructure. I imagine this is what is driving the White Paper's intention to allow local authorities to BORROW in order to fund infrastructure investment for new developments until</p>

	<p>developers have sold the developments. Our public authorities appear to be becoming developers' lackeys.</p> <p>The cheaper it is and the more developers can build and the more they can make profit the more they will use it. If they are not required to provide evidence up-front of the effect of proposed development on nature, biodiversity, communities, neighbourhoods, heritage, equalities, open and green space, social and transport infrastructure, need for extra policing etc they will NOT do so and plans will be approved that will be unsustainable because of their sheer size.</p> <p>Developers will pay for consultancy services in which public sector planners and councillors often have an interest in order to pretend to have consulted with local communities and listened to our representations.</p> <p>Evidence of the type of development that will mushroom everywhere under these plans can be found here: https://kingstonskyline.weebly.com/ and here: https://kts.org.uk/ and here: https://www.stophetowersealing.org/</p>
<p>EQUALITIES DUTIES</p> <p>Q35: 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? If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?</p>	<p>There has been no attempt in the Consultation to give information on or to assess the impact of these proposals on people with protected characteristics. This deprives the reader of the ability to make informed comment in this regard and makes the Consultation unfit for purpose.</p> <p>The proposed policies for First Homes fail the requirements of the Public Sector Equalities Duty and will have a disproportionately negative effect on deprived and Black and Minority Ethnic communities</p> <p>This Consultation needs to be re-run taking with a full analysis of the effect proposals could have on poorer and BAME communities. The equalities implications of the proposals laid out in this Consultation need to be laid out clearly and a conclusion reached about what they might be under different scenarios. This can then be properly consulted upon. Please consider comments on equalities in Q4, Q8 and Q26 above as part of my response to this Q35.</p>