**Planning for the Future White Paper Consultation Response**

**5. Do you agree that Local Plans should be simplified in line with our proposals?**

No

We understand a desire for simplification, but overall consider the approach will not be appropriate in light of the objectives of the reform to make matters faster and more effective. Our main concerns revolve around how large scale, long term and complex proposals can be integrated into the new system and feel that an alternative approach to include some form of ‘Strategic Growth’ category would be necessary. We explain more in our response to Question 9.

**Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?**

Yes

Streamlining Local Plans to avoid repetition of national, standard requirements would be beneficial.

The change could be relatively simple to implement through changes to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

**Q7(a) Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?**

Yes

Any replacement should be done to ensure that the ‘sustainable development’ test enables a more proportionate and pragmatic approach to be applied.

This should strengthen the need for an appropriate approach to evidence gathering, especially in relation to longer term projects and larger scale projects such as new settlements where uncertainty over funding and delivery will be inevitable. This has in part been referenced in the paragraph 72 of the NPPF and the footnote to (d) which recognises that not all infrastructure may be capable of being identified (when planning beyond a plan period).

Longer term strategic projects will always involve delivering infrastructure many years into the future. New funding initiatives evolve all the time, either to promote and support certain policy ambitions or to address specific funding challenges as they emerge. For large housing sites there have been a plethora of initiatives over the past decade. We also know that investment in infrastructure and its contribution to national and local economic prosperity is well understood and will always be prominent in future Government thinking. That should bring confidence that there would be such a ‘reasonable prospect’ for future funding support for infrastructure should it be required. Where statutory bodies with responsibility for infrastructure have not objected to proposals, this should carry considerable weight beyond third parties who may have different objectives and opinions.

The wording ought to be expanded to better recognise that a range of uncertainties exist which will extend beyond infrastructure, to include how people will live in the future, what they will need, property market contexts and potential alternative funding and delivery opportunities. The key aspect which should be strongly emphasised is that there should be a ‘reasonable prospect’ of solutions but not any expectation of ‘certainty’.

Care will be needed to ensure that there is clarity and guidance around any evolved or new definitions, policy and/or guidance to support its application. This will need to be clear to all those that engage in the process – Councils, promoters, stakeholders and local communities so that there is sufficient understanding on expectations, and that inconsistency of decision making can be avoided.

Any such approach would need to be undertaken alongside reform related to how the ‘sustainable development’ test would operate, most notably in relation to how the traditional approach to the scoring of options and consideration of ‘reasonable alternatives’. The larger the scale of any local plan, the more complexity in terms of alternative options will exist. Scoring is often subjective and simplified into a meaningless traffic light approach. Reform should ensure that a new approach avoids getting bogged down into consideration of all possible alternatives or their sustainability credentials, many of which are judgements and do not reveal much distinction between alternatives.

Some of the changes here could again be relatively simple to implement through changes to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

**Q7.(b) How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

Strategic growth will inevitably require cooperation and collaboration across boundaries, with the larger sites relating closely to neighbouring areas, to wider market considerations and the provision of strategic infrastructure. Without any incentives or requirements to secure positive cooperation between neighbouring authorities there is a danger that places will be put off from thinking strategically about future growth.

There had been anticipation that a forthcoming devolution and local recovery white paper may have included more definitive proposals on strategic co-operation but it now appears that this is being pushed back to 2021. In any event such an important aspect should be picked up within the scope of such major planning reform proposals.

A new requirement for some form of cross-boundary consideration will therefore need to be integrated into a new system. Potentially this could be covered in some way through guidance related to the ‘sustainable development’ tests to ensure consideration of aspects which have cross boundary considerations and implications.

The very largest proposals such as for strategic growth could potentially be considered through an alternative approach, via some other form of “larger than local” statutory plan that could sit above or alongside Council level Local Plans. This could then consider the scale of growth required in a joined-up way with proposals for investment in cross boundary strategic infrastructure.

The latter approach appears to already be in the Government’s thinking as Budget 2020 set out the intent to develop a long-term Spatial Framework to support strategic planning in the OxCam Arc. It appears that this process is being brought forward because a locally derived framework has not come forward voluntarily and hence a process led by MHCLG to evolve a statutory plan (with a status similar to the NPPF) is now being considered. It would be helpful for Government to set out its intentions and whether this is an approach which is anticipated would also occur in other areas. It could potentially be proposed in areas which display specific criteria, such as a functional need to cooperate, known investment in strategic cross boundary infrastructure, specific growth requirements requiring a larger than local approach and/or areas where Government define new settlements to come forward as part of addressing housing need. Such an approach could be led by groups of Councils working together. Only in circumstances where there is a need and a lack of local progress could MHCLG then take a lead.

**Q8.(a) Do you agree that a standard method for establishing housing requirements (that considers constraints) should be introduced?**

Not sure.

This has the potential to avoid the time and resources involved in establishing housing requirements on a case by case basis.

Housing requirements should not only consider known ‘constraints’ but also ‘opportunities’ which may include consideration of aspects such as economic potential, infrastructure investment and broader regeneration/growth related needs. Councils should be able to engage to set out their position, but this will need to be through a structured and proportionate process that can allow for robust but streamlined cases to be made without protracted or costly evidence gathering exercises.

Government should also consider whether establishing housing requirements effectively creates a spatial plan for housing. This may be better articulated as part of a” larger than local” approach and include reference to strategic infrastructure planning. This may also provide a potential mechanism to include and promote the consideration of the very largest new settlement scale proposals, as the location of these may serve a larger than local need and be best considered spatially between adjoining areas.

One specific related issue is that there is no real incentive to plan strategically for the long term and commit to greater growth beyond the plan period, especially as the only time reference for Local Plans in the White Paper refers to a minimum of 10 years. This is OK in planning to address short term needs, but far too short to promote effective long-term vision and strategy. This is an issue now under the current system, and the planning reform provides an opportunity to do something about it.

Some incentive ought to be on the table for those places which are willing to make locally challenging decisions on longer term commitments. One way this could be done would be by acknowledging that the standard method to assess the distribution of the national housebuilding target would also have regard to housing committed to by a Council beyond the standard Local Plan period. By including this in the assessment it would recognise those willing to take longer term positions with an adjustment to the shorter-term requirement. For example a Council with a 10,000 plan period requirement, who are prepared to commit to strategic sites that may have an overall capacity of say 20,000 units (but based upon including several strategic sites which will take some time to plan and bring forward to ensure delivery beyond the plan period) should benefit from a downwards adjustment to their plan period requirement. The level of reduction would need to balance a ‘reward’ for over allocation, with a need to still maintain decent supply in the plan period.

**Q8.(b) Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?**

Not Sure

Affordability is an important indicator but not the only one and care will be needed to ensure that new supply can help to address and not just perpetuate affordability challenges.

The extent of existing urban areas is not an appropriate indicator as it is a product of many influences which may mainly be historically based. The White Paper refers to this being included “so that development is targeted at areas that can absorb the level of housing proposed”. No clear explanation or relationship exists to tie the extent of an urban area with its ability to absorb new development. It would be more appropriate to consider the prevalence of issues that will drive future housing need as per the types of considerations that are currently included locally when assessing housing supply projections. Such factors could be applied in a more standardised way.

The other factors listed under Proposal 4 are also of significance, such as the level of land constraints and opportunities.

**Q9(a). Do you agree that there should be automatic permission in principle for areas for substantial development (Growth areas) with faster routes for detailed consent?**

No

The ‘one size fits all’ approach to Growth Areas is not appropriate.

The ‘Growth area’ category and ‘automatic permission’ would better relate to proposals that are intended to be delivered in the early years of a plan period and in full (or substantially) within its lifetime. These are the schemes that would benefit from some form of permission as the plan is adopted. It is however not suited to the needs of longer-term strategic growth, which could span several plan periods and requires flexibility to adjust to influences over time. There is just too much work to be done for the larger schemes in the timeframe set out, and it does not allow for the ‘best in class’ public engagement or consideration of the larger, longer term and most controversial proposals.

A different category (‘Strategic Growth’) could be defined for the largest, more strategic and complex sites which deliver later on in and/or beyond the end of a plan period. More flexibility should be introduced for these proposals so that they do not require the same level of detail or background information. Alternatively, strategic growth could be addressed through a different form of plan making at a “larger than local” scale which would leave Local Plans to focus on and address the short-term pipeline housing supply.

Such measures could avoid any unintended consequence of pushing Councils away from planning strategically beyond plan periods. It would also help to address concerns over the amount of work that may need to be undertaken for the largest most complex sites, the related resourcing requirements the risks this puts on achieving the ambitious plan making timescales.

The general approach appears to merge the site allocation process in a local plan with a planning approval stage in development management. Within growth areas the reference to LDOs and DCOs recognises that for some proposals the Local Plan will only ever get you so far.

LDOs have been with us for some time, with very little take up for larger mixed use or residential led schemes. There are reasons for this, which ought to be understood when thinking about proposing the approach for wider application. A key aspect is the resources required for a Council to effectively take the lead in preparing material similar to an outline planning application, and the need for such proposals to be adequately market facing to enable others to deliver them. They tend to require multiple conditions, and the relationship to the delivery of specific infrastructure can be problematic. The reforms would need to remove barriers to take-up. Councils would need to be adequately skilled and resourced if they were to take a more proactive approach through LDOs. The reforms could also introduce a clear and timed determination period and provide a better mechanism to deliver infrastructure requirements. The private sector could be enabled to bring forward LDOs (albeit in practice this will be little different to the ability to take schemes forward via outline planning applications).

The potential of the DCO route for larger scale residential schemes has been considered for some time. The clarity of process, timescale and decision making would be undoubted attractions. The question will be whether it can be suitably flexed to take account of requirements over potentially long time periods. Doing a DCO for a new settlement/urban extension will be very different to doing one for a motorway junction or power station where the engineering proposals will be well defined. It seems sensible to include it as an option for large scale residential schemes, but the process will no doubt require tweaks. It will then need to be tested.

A further consideration for the DCO route would be in relation to any proposed “larger than local” approach to planning, such as the proposed approach to prepare a spatial framework for the OxCam Arc. Should it be the Government’s intention to prepare new statutory plans over specific areas, together with the potential to then provide the opportunity to proceed direct to DCO, then this could take key decision making on the largest projects (such as new settlements) out of the hands of Councils. This may ultimately provide a route by which such proposals could be taken forward, but could also incorporate a safeguard to enable a locally led strategy to come forward prior to MHCLG taking a lead where there has been a demonstrable failure at a local level to deliver on requirements.

The alternative approach to recognise some form of ‘Strategic Growth Area’ category could make a clearer distinction over what the Local Plan is providing by way of approval. It is likely to come back to aspects such as the type and quantum of development, key design principles and infrastructure/policy requirements. This can be achieved through a well worded site allocation policy. This could still retain flexibility in terms of going forward via different routes to permission.

**Q9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?**

No

The same issues would apply for any long term, large scale site which may sit within a ‘Renewal’ area, namely that there should be a new ‘Strategic Growth’ area designation to provide greater flexibility.

**Q9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?**

Yes

As per the response to Q9(a), there is certainly a case and it seems sensible to include it as an option for large scale residential schemes

There is also the matter of how the route may need to relate to any National Policy Statement, or whether it will just follow definition in a Local Plan. The alternative to integrate the consideration of new settlements into some form of larger than local policy making as suggested in the response to Q7(b) could potentially perform a role equivalent to a National Policy Statement, from which a DCO could flow directly.

Ultimately, the reforms should provide the flexibility for either an Outline Planning Application or DCO route to be implemented.

**10. Do you agree with our proposals to make decision-making faster and more certain?**

Yes

Standardized application material would help to avoid over-blown and unnecessary material that is often submitted with applications.

If a new ‘Strategic Growth’ area category was to be introduced and should the S106 approach be retained for such proposals then they should be subject to a different approach in terms of statutory decision making timescales. As per current practice, it can suit all parties not to be rushed into the finalisation of proposals and associated agreements, which can sometimes result in perverse outcomes.

**11. Do you agree with our proposals for accessible, web - based Local Plans?**

Yes

**Q12. Do you agree with our proposals for a 30 - month statutory timescale to produce Local Plans?**

Not Sure

The ability to meet the ambitious timescales would in our opinion rely upon 2 key aspects.

The first relates to a need to treat ‘strategic growth’ differently. The very largest schemes are likely to require considerable resource, engagement and evidence gathering to get them to the level anticipated to qualify for some form of automatic consent. This will put the most pressure on preparing robust plans with ‘best in class’ engagement during the 30-month timescale. Treating the largest schemes differently would also help to address concerns that the most complex and potentially controversial schemes are being shoe-horned into a constrained time-period. If a distinction can be added to reduce the burden and risk placed on the process, through a separate ‘strategic growth’ category with reduced requirements and greater appreciation of further decision making, then this would help to make the timescale more achievable.

The second key issue is the need to adequately resource Councils. The changes are considerable and without support the proposals will be very difficult to achieve.

**13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**

Not sure.

It is unclear what the role future role will be for neighbourhood plans will be within a ‘compliance’ based approach to plan making.

If development management policies would be set nationally, then what types of policies could be included in Neighbourhood Plans – would they be able to define the same area typologies as per Local Plans? Clarity is needed about how Neighbourhood Plans will work alongside more standardised Local Plans.

The White Paper suggests that Neighbourhood plans could continue their current role in preparing design guides and codes. It also suggests that in urban areas, Neighbourhood Plans could be used to control development at a micro-scale, such as at individual street level. Not only is this approach unlikely to deliver the original purpose of neighbourhood planning of providing a ‘positive vision’ for the area, synonymous with new development but it seems likely to result in a proliferation of different policies at very small scale which seems inconsistent with the overall aim of streamlining the planning system.

Clear guidance will also be required tin terms of status of existing and emerging neighbourhood plans prepared prior to the implementation of the proposed reforms

**13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?**

See Response to 13(a)

**Q14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?**

Yes

The general approach to front load certain requirements should support speedier build out.

The NPPF and accompanying PPG should be evolved to establish a more forward-looking approach. It may not be possible to ‘evidence’ faster build out rates (based on current developer practice) and therefore the current evidence led approach is hindering places by tying them to low build out rates from the past rather than a better appreciation of what may be possible in the future.

The White Paper is largely silent on delivery vehicles. This is particularly important as the reforms are increasing pressure on the public sector to streamline the process, yet provides them with no tangible tools to intervene should it be necessary to ensure that the private sector then delivers. The same intent has been behind previous planning reforms and has not led to a step-change in housing supply.

Complementary proposals should be set out by Government to provide Councils with credible mechanisms to intervene where the market fails to deliver. For the larger proposals this should include strengthening the ability to establish Development Corporations with suitable planning and delivery powers. This ability already exists through various routes – Secretary of State, Mayoral or the relatively recent Locally led approach. However, the mechanisms have been seldom deployed, and never for greenfield large-scale new settlements (since the post war New Town programme).

The barriers to take up will need to be addressed. Clearer guidance is needed around the ability to acquire land at ‘no-scheme’ world values (and to reconsider issues related to how market value including hope value form part of this assessment). Councils willing to take such a proactive approach will need to have access to appropriate funding to both support places with pre-establishment feasibility/revenue costs in preparing business cases, site specific planning and related legal work, as well as access to the large capital costs that can address the cashflow challenge relating to site wide land acquisition (via negotiation or CPO) and the provision of initial enabling infrastructure. Without such funding support, it is difficult to envisage local partners being able to rise to the challenge.

Further consideration should also be given to the expectation on developers to deliver sites included in Local Plans, with some form of timescale and responsibility to achieve stated trajectories. Where sites do not deliver to programme, Councils should be empowered to be able to remove them through subsequent Local Plans.

**Pillar 2: planning for beautiful and sustainable places**

**15. What do you think about the design of new development that has happened recently in your area?**

Large scale residential proposals are often of a standard design and approach which seldom could be described as being ‘beautiful’. There are exceptions and different builders have different attitudes and approaches. Beauty should become the new norm.

**16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?**

There are many facets to ‘sustainability’. Clear priorities for our current times would be:

* To deliver model shift to more sustainable modes of travel;
* To minimise energy use and address the impacts of climate change;
* To protect and work with the natural environment and green infrastructure to create new places that can improve the quality of and access to green assets;
* To ensure that mixed and balanced neighbourhoods are created to address the social needs of a diverse population.

**Q17. Do you agree with our proposals for improving the production and use of design guides and codes?**

Yes

Care will be needed to ensure that design codes and guides come forward with appropriate input from Local Authorities and communities.

Land promoters and developers will be undertaking their own work in this area in relation to the schemes they are putting forward for inclusion in Local Plans, similar to the current process of submitting proposals via Call for Sites exercises and at the various formal Local Plan consultation stages. If Councils are under pressure they may well hope to use such material as part of the rationale/evidence base. There will need to be appropriate approaches to decision making and governance to ensure that any such deliverables are fit for purpose and not unduly led or influenced by the specific interests or commercial considerations of specific stakeholders. Councils will need to have access to resources and skills to perform their function well if it is to achieve the ambition to secure the quality outcomes as envisaged.

**Q18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?**

Yes

Some care will be needed to deploy expertise within any new expert body so that it can fit in to current structures and practice and work with and alongside local planning authorities. It should not be some distant and centralised entity that is imposed from above that takes resources and power away from where needed at a local level. A role in compiling and disseminating good practice together with skills development and training would be worthwhile and help to build local skills and confidence. The entity should not however become one which controls design capacity and resources, as that would be detrimental to ensuring Authorities can secure the right resources at a local level to fit their needs.

Design leadership and oversight at a local level will be important to raise the importance of this topic within Authorities.

**Q19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?**

Yes

**Q20. Do you agree with our proposals for implementing a fast-track for beauty?**

Not Sure

The proposal for some form of “fast tracking” may have some potential, but it will need Councils to be able to take a lead and make sure any masterplanning or design coding is done to the highest standards. They will need to be adequately resourced to do this. A careful approach to governance will be needed especially where a reliance is being placed on the site promoters to take on and fund the preparation of necessary material.

**Pillar 3: Planning for Infrastructure & Connected Places**

**21. When new development happens in your area, what is your priority for what comes with it?**

All aspects are important and should be secured through any reformed planning system.

**Q22. (a) Should the Government replace the Community Infrastructure Levy &Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value?**

No.

The White Paper states upfront that securing contributions and capturing more land value uplift to deliver new infrastructure is “central to our vision for renewal of the planning system”. It says little about how the value of any new charge/levy would be set. It is therefore impossible to consider whether it would achieve the objective. There are many questions related to this. Of particular significance would be what allowance is being included for the returns to landowners and developers, and for the larger sites how will their infrastructure needs be properly accounted for.

It is impossible to comment on the attractiveness of a new system without further information. It may be an area where some form of standardised and simplified levy approach could apply to certain types and scales of development, but it is not appropriate for larger, infrastructure intensive proposals. For these the traditional S106 mechanism provides greater clarity and certainty to all parties on what is required and when.

Negotiations could be improved by clearer guidance, to strengthen the PPG with respect to standardised considerations on viability.

This should include dealing head-on and defining an appropriate ‘premium’ when considering land value thresholds. Planning Practice Guidance is now clear on the need for land value expectations to incorporate infrastructure and policy considerations, but it is still opaque with regards to what is a suitable ‘premium’ leaving space for too much debate and unevidenced judgement. Simple logic would dictate that if land values were higher with the proposed development than without, then that is a positive thing worth doing. It is however never quite so simple. Further acknowledgement is needed that this may be a life changing decision and the uplift needs to be meaningful and that in the absence of any compulsion, landowners may decide to sit tight.

These types of issues cannot be easily accommodated through a generalised approach to viability. If the ‘premium’ cannot be sufficiently defined, then PPG could establish a simpler test. This could be a simple comparison to EUV, an acceptable defined multiple or a % as the premium. This together with a more positive approach to intervene where landowners are sitting back and demanding returns that hinder delivery, could get us over the persistent problems.

**Q22. (b) Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?**

Locally

It is difficult to envisage how a single rate could work across multiple contexts. It may be more appropriate to set rates according to recognised sales value indices, as values will ultimately be the largest consideration in what rate may be viable.

Care will be needed when setting rates to consider how the needs of the larger sites which will have particular infrastructure issues and considerations. Such sites may need to be either be exempt from any general Infrastructure or the flexibility should be retained for additional requirements to be captured using S106 or an equivalent mechanism.

**Q22. (c) Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?**

More value

The objective of any reform should be to ensure that a reasonable approach is taken to capturing investment in infrastructure, affordable housing and other policy requirements. Too often local communities are let down by raised expectations, broken promises and inadequate provision.

**Q22. (d) Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?**

Yes

Providing Councils the ability to borrow against the Levy may work for some places, and provide flexibility for those locations where it is appropriate.

It is difficult to understand how “*enabling borrowing combined with a shift to levying developer contributions on completion, would incentivise local authorities to deliver enabling infrastructure*”. The larger sites will involve the provision of costly strategic infrastructure which will be required at early stages in the development process. The suggested amendments pass the responsibility and funding risk over to Councils who would be expected to forward fund necessary infrastructure, by taking on debt but without control over payback. Whilst there may be contractual solutions to overcome issues (such as fixed sequences of payments, long stop dates, etc) it is difficult to imagine the majority of Councils being willing or able to take on such major financial risks and responsibilities.

The devolution and local recovery white paper may be relevant as bigger combined authorities may be part of the solution, but its proposals are yet unknown.

Homes England are already delivering a range of infrastructure investment programmes and could be well placed to act as a national ‘banker’, spreading risk and delivering a dedicated national investment programme.

**23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?[Yes / No /**

Yes

It would seem sensible to secure contributions from any form of developments which will have a tangible impact on local infrastructure.

**Q24. (a) Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?**

Yes

As per the response to Q22 (c) the overall aim (as is set out in the White Paper) should be to deliver an improved system.

The approach should strengthen the ability of Councils to require the delivery of fully policy compliant schemes. Affordable housing has often been accompanied in policy by the term ‘subject to viability’. Meaning that in practice this can be negotiated away when going through detailed viability matters when determining planning applications. Local Plans and policies should hard wire in expectations and avoid such flexibilities to ensure that landowners and developers are clear. Should issues materialise or property market conditions change, these should be addressed at the time and by other means (such as separate Government funding initiatives) - not by a generalised and flexible policy basis in Local Plans.

**24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a ‘right to purchase’ at discounted rates for local authorities?**

Not sure.

We make no comment on this question.

**53 24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?**

Not sure.

We make no comment on this question.

**24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?**

Not sure.

We make no comment on this question.

**Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?**

Not sure.

The proposal to provide freedom on spending of any levy risks severing a link between this being related to infrastructure, or just a form of tax/revenue generation for general purposes. Reference is made to this flexibility being appropriate “*once core infrastructure obligations have been met*”. Clarity is needed as to how this will be defined and safeguarded. It is imperative to retain public trust in the system that monies collected are indeed used to address infrastructure needs first and fore-most and not frittered away on other local matters or general local Government funding challenges.

There is additional reference that “the cost of operating the new planning system should be principally funded by the beneficiaries of planning gain” and that a small proportion of the Levy income could be earmarked to cover all their costs. As there is no analysis of the scale of any Levy or of any proportion it is not possible to judge the impact, but it is a further extraction of monies from the Levy’s core purpose to support the delivery of infrastructure to be used for other purposes.