



HOUGHTON REGIS TOWN COUNCIL
Peel Street, Houghton Regis, Bedfordshire LU5 5EY

Town Mayor: **Cllr Tracey K McMahon** Tel: 01582 708540
Town Clerk: **Clare Evans** E-mail: info@houghtonregis.org.uk

21st September 2020

To: Members of the Planning Committee
Cllrs: D Dixon-Wilkinson (Chairman)
J Carroll, D Jones, M S Kennedy, S Thorne, K Wattingham and Vacancy.

(Copies to all Councillors for information)

Notice of Meeting

You are hereby summoned to a Meeting of the **Planning Committee** to be held at the Council Offices, Peel Street on **Monday 28th September 2020 at 7.00pm.**

This meeting is being held virtually via Microsoft Teams. If members of the public would like to attend, please click on the meeting link below and follow the online instructions:

[MEETING LINK¹](#)

[MEETING GUIDANCE](#)

To assist in the smooth running of the meeting please refer and adhere to the Council's Virtual Meeting Guidance. To view the Virtual Meeting Guidance please click on the link above.

THIS MEETING MAY BE FILMED/RECORDED²
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Debbie Marsh
Corporate Services Manager

Agenda

- 1. APOLOGIES AND SUBSTITUTIONS**
- 2. QUESTIONS FROM THE PUBLIC**

¹ If you require a meeting link emailed to you, please contact the Head of Democratic Services at louise.senior@houghtonregis.org.uk

² This meeting may be filmed by the Council for subsequent broadcast online and can be viewed at <http://www.houghtonregis.org.uk/minutes>

Phones and other equipment may be used to film, audio record, tweet or blog from this meeting by an individual Council member or a member of the public. The use of images or recordings arising from this is not under the Council's control.

No part of the meeting room is exempt from public filming unless the meeting resolves to go into exempt session.

In accordance with approved Standing Orders 1(e)-1(l) Members of the public may make representations, ask questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

The total period of time designated for public participation at a meeting shall not exceed 15 minutes and an individual member of the public shall not speak for more than 3 minutes unless directed by the chairman of the meeting.

3. SPECIFIC DECLARATIONS OF INTEREST & REQUESTS FOR DISPENSATIONS

Under the Localism Act 2011 (sections 26-37 and Schedule 4) and in accordance with the Council's Code of Conduct, Members are required to declare any interests which are not currently entered in the member's register of interests or if he/she has not notified the Monitoring Officer of any such interest.

Members are invited to submit any requests for Dispensations for consideration.

4. MINUTES

Pages 7 - 15

To approve the Minutes of the meeting held on the 7th September 2020.

Recommendation: To approve the Minutes of the meeting held on 7th September 2020 and for these to be signed by the Chairman.

5. PLANNING MATTERS

Members are advised that, on receipt of a planning application Central Bedfordshire Council will send the Town Council a full set of plans and a copy of the planning application form only. All supporting documents, that have previously been printed and posted, will only be available on their website. Therefore, members are advised that should they require sight of these documents that they request them prior to the meeting.

(a) To consider the following applications:

CB/20/03079/FULL	Erection of two-bedroom dwelling on the side plot adjoining 71 Churchfield Road 71 Churchfield Road, LU5 5HN For: Mr S Pointing
CB/20/02855/FULL	Proposed Side and Rear wrap around extension 67 Grangeway, LU5 5PR For: Mrs Belzunce
CB/20/02694/FULL	Installation of a new fence and gates to the rear of property 7 Woodlands Avenue, LU5 5LJ For: Mr & Mrs Ward
CB/20/03131/VOC	Variation of Condition 6 to Planning Permission CB/18/04232/Full (Residential development of 2 No. 4 bedroom dwellings): The position of the bin collection point to change. 4 Bidwell Farm Barns, Bedford Road, LU5 6JS

	For: Mr J Dearman
CB/20/03101/FULL	Extended driveway with dropped kerb and keep clear hatching 153 Sundon Road, LU5 5NN For: Mr P Sparkes
CB/20/02953/REG3	Remove existing window and section of brickwork and in its place install new door to match material and finish of window. Create new access ramp with 1:12 gradient and hand rail leading to new door. For: Regis Education Centre, The Chiltern School
CB/20/03276/FULL	Conversion and extension of double garage into a single storey two bedroom detached dwelling, with off street parking and rear private garden 4 Townsend Terrace, Houghton Regis, Dunstable, LU5 5BB For: Mr T Starkey
<i>For noting</i>	
CB/20/03090/NMA	Non-Material Amendment to planning permission CB/19/04208/FULL (Extension to first floor, 2 storey side and rear extension, new double garage and porch) 51 Cemetery Road, LU5 5DA For: Ms Shepherd
CB/20/03053/DOC	Discharge of Condition 19 to Planning Permission CB/15/00297/OUT (Outline 'hybrid' planning application with details of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 [a-c], B2 & B8), local centre comprising retail (A1, A2, A3, A4 & A5) and community/leisure uses (D1 & D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife areas and all associated works and operations including engineering operations and earthworks) Land West of Bidwell (Houghton Regis North Site 2) Houghton Regis
CB/20/03061/DOC	Discharge of Conditions 3, 6 and 7 from planning permission CB/19/03323/VOC (Variation of condition 13 of planning permission CB/17/05378/FULL - Demolition of large mechanical storage unit and abutting dwelling and erection of 4no. semi-detached cottages.) Manor Farm, Sewell Lane, Sewell, Dunstable, LU6 1RP
CB/20/01108/GPDE	Prior notification of householder extension: Single storey rear extension 18 Dalling Drive, LU5 5EF
CB/20/03120/DOC	Discharge of Condition 12 against Planning Permission CB/15/00297/OUT (Outline 'hybrid' planning application with details

	<p>of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 [a-c], B2 & B8), local centre comprising retail (A1, A2, A3, A4 & A5) and community/leisure uses (D1 & D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife areas and all associated works and operations including engineering operations and earthworks)</p> <p>Land West of Bidwell (Houghton Regis North Site 2) Houghton Regis</p>
CB/20/03201/DOC	<p>Discharge of Condition 13 to Planning Permission CB/15/00297/OUT (Outline 'hybrid' planning application with details of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 , B2 & B8), local centre comprising retail (A1, A2, A3, A4 & A5) and community/leisure uses (D1 & D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife areas and all associated works and operations including engineering operations and earthworks)</p> <p>Land West of Bidwell (Houghton Regis North Site 2) Houghton Regis</p>
CB/20/03203/DOC	<p>Discharge of Condition 7 to Planning Permission CB/15/00297/OUT (Outline 'hybrid' planning application with details of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 , B2 & B8), local centre comprising retail (A1, A2, A3, A4 & A5) and community/leisure uses (D1 & D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife areas and all associated works and operations including engineering operations and earthworks)</p> <p>Land West of Bidwell (Houghton Regis North Site 2) Houghton Regis</p>

(b) Decision Notices***Permissions/Approvals/Consents:***

None at time of going to print.

Refusals:

None at time of going to print.

Withdrawals:

None at time of going to print.

6. INCOME AND EXPENDITURE REPORT

Page 16

Members will find attached an income and expenditure report on the Planning Committees budget.

Recommendation: To note the report

7. MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT (PLANNING CONSULTATIONS)

Pages 17 - 32

The Ministry of Housing, Communities and Local Government have issued three consultations on reform of the planning system:

1. Changes to the current planning system (NALC deadline for responses 17.9.20 (MHCLG deadline 1.10.20)
2. Planning for the future - the planning white paper (NALC deadline for responses 15.10.20) (MHCLG deadline 29.10.20)
3. Transparency and competition: a call for evidence on data on land control (NALC deadline for responses 16th October) (MHCLG deadline 29.10.20)

Members have previously been provided with briefings corresponding to each consultation and the corresponding deadlines for each consultation. The NALC deadlines are earlier than MHCLG's, so that the Town Councils views can inform NALC's responses to MHCLG on behalf of the sector.

Members considered these briefings at the previous meeting and requested that the Town Council's planning consultant provide members with a report that would help inform the Town Councils response.

It was agreed that the Town Council would respond directly to MHCLG and copy NALC into their response to the changes to the current planning system consultation, as the NALC deadline had passed. NALC have been advised and have confirmed that they will expect to read the Town Councils response in due course. For the other two consultations, the Town Council will respond to NALC only.

Members are reminded that this item was deferred from the last meeting.

Report attached.

Recommendation: To consider the Town Councils response to the Ministry of Housing, Communities and Local Government Planning Consultations.

8. STRATEGIC DEVELOPMENT SITES/LOCAL PLAN– UPDATE/PROGRESS

Woodside Link – No substantive update to report.

A5 M1 Link – For information this major road project opened on the 11th May 2017.

All Saints View – No substantive update to report.

Linnere – No substantive update to report.

Bidwell West – Members are informed that there are currently 53 occupations on this site.

Kingsland – No substantive update to report.

Windsor Drive – No substantive update to report.

Section 106 Monies – No substantive update to report.

Local Plan Consultation – Central Bedfordshire Council have advised that the recent Local Plan consultation, has now closed. The consultation ran for eight weeks from 18th June to 12th August and related to additional evidence published by the Council to address questions raised by the Planning Inspectors in their letter of 30th September (EXAM 69).

In total 466 responses were received.

The responses have now been submitted to the Planning Inspectors and are available to view via the Council’s website: <https://centralbedfordshire.oc2.uk/>. The Inspectors will consider the responses before advising on what the next steps will be. It is anticipated they will wish to hold further hearing sessions later in 2020.

Recommendation: **To note the information**

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**Houghton Regis Town Council
Planning Committee
7th September 2020 at 7.00pm**

Present: Councillors: D Dixon-Wilkinson Chairman
J Carroll
D Jones
M S Kennedy
S Thorne
K Wattingham

Officers: Debbie Marsh Corporate Services Manager
Louise Senior Head of Democratic Services
Sarah Gelsthorp Civic and Events Officer

Public: 10

Also present: Councillors: S Goodchild CBC Councillor
Y Farrell CBC Councillor
T McMahan HRTC

11315 APOLOGIES AND SUBSTITUTIONS

None.

11316 QUESTIONS FROM THE PUBLIC

Members of the public addressed the committee and raised their concerns regarding planning applications: CB/20/02412FULL and CB/20/02413/LB Sewell Manor, Manor Farm, Sewell Lane, Sewell.

The concerns raised centred around:

- Inappropriate development on greenbelt land causing harm
- Effect on listed building in Sewel conservation area
- Demolition of listed building
- Would cause significant highway issues
- Traffic flow data, presented, was incorrect.

Members of the public were thanked for attending the meeting.

11317 SPECIFIC DECLARATIONS OF INTEREST

None.

11318 MINUTES

To approve the Minutes of the meeting held on the 17th August 2020

**Resolved: To approve the Minutes of the meeting held on 17th August 2020
and for these to be signed by the Chairman.**

11319 PLANNING MATTERS**(a) The following planning applications were considered:**

CB/20/02783/FULL Single Storey Rear Extension
9 Douglas Crescent, LU5 5AS
For: Mr J Watts

Comments: Houghton Regis Town Council had no objections to this application.

CB/20/02412/FULL Demolition of existing workshop and storage buildings and erection of seven dwellings with associated vehicle & cycle parking and access roadway.
Sewell Manor, Manor Farm, Sewell Lane, Sewell, LU6 1RP
For: A Buckland

Comments: The Town Council places great value on the setting and nature of the buildings in Sewell.

The scattered collection of homes and farm buildings was designated as a conservation area in the 1990s, within the green belt and adjoins the Chilterns AONB. The significant open spaces, trees and landscaping which separates the buildings are all part of the area's character.

The proposal represents significant damage to the openness of this part of the green belt, constitutes inappropriate development within the meanings of the National Planning Policy Framework, fails to demonstrate the very special circumstances required for development and does not match any of the exceptions set out in para. 145 of the NPPF.

The proposed development would have a detrimental impact on the historic character and setting of the hamlet of Sewell and its conservation area.

The development if approved would represent a significant precedent, seeking to justify development damaging to the quality of the area on the basis of historical structures in the vicinity.

The access is a narrow, rural lane below modern standards and the proposed development represents unacceptable intensification of this access.

The vehicles required during construction, would have a significant detrimental impact on the access by virtue of its narrowness and junction onto Watling Street.

Councillors requested this application be called in.

CB/20/02413/LB

Listed Building: Demolition of existing workshop and storage buildings and erection of seven dwellings with associated vehicle & cycle parking and access roadway.

Sewell Manor, Manor Farm, Sewell Lane, Sewell, LU6 1RP

Comments: The Town Council places great value on the setting and nature of the buildings in Sewell.

The scattered collection of homes and farm buildings was designated as a conservation area in the 1990s, within the green belt and adjoins the Chilterns AONB. The significant open spaces, trees and landscaping which separates the buildings are all part of the area's character.

The proposal represents significant damage to the openness of this part of the green belt, constitutes inappropriate development within the meanings of the National Planning Policy Framework, fails to demonstrate the very special circumstances required for development and does not match any of the exceptions set out in para. 145 of the NPPF.

The proposed development would have a detrimental impact on the historic character and setting of the hamlet of Sewell and its conservation area.

The development if approved would represent a significant precedent, seeking to justify development damaging to the quality of the area on the basis of historical structures in the vicinity.

The access is a narrow, rural lane below modern standards and the proposed development represents unacceptable intensification of this access.

The vehicles required during construction, would have a significant detrimental impact on the access by virtue of its narrowness and junction onto Watling Street.

Councillors requested this application be called in.

CB/20/02954/REG3

Widen the existing single lane access road to The Chiltern School by 2m to create 2 car lanes.

Regis Education Centre, Parkside Drive, LU5 5PX

Comments: Houghton Regis Town Council had no objections to this application.

CB/20/01537/FULL
Members were advised that there were amendments to this application. Revisions included layout, landscaping and access details

Erection of a mixed-use Local Centre comprising 52 no. apartments, 1 no. day nursery (Use Class D1), 1 no. retail unit (Use Class A1) 5 no. retail units (Use Classes A1/A3/A5) and associated infrastructure works including a haul road, landscaping and public realm.
Land west of Bidwell, LU5 6JQ

Comments: Objection

The Town Council objects to the proposals for the inclusion of the 30-apartment block within the scheme (CB/20/01537/FULL) as being over-development of the site and a dominant visual feature. The inclusion of this additional block of apartments adds to the car parking requirements creating a very 'hard' urban landscape of buildings facing onto an area of vehicular access and car parking, the greater density pressures the ground level space reducing the opportunity for landscaping, open space, pedestrian features, public art, and other features which would add character to the local centre. The plan shows connectivity pushed around the edges of the sites, there appears to be a lack of fluidity between this and the adjacent sites.

Overall, the proposals need to show how they relate to the proposed bus stop arrangements, with a safe crossing and speed reduction measures between the local centre and school. As a local centre the pedestrian / cyclist access to the area from adjoining residential areas is very poor, the main access provisions as shown encourage car use.

The ground level space is predominantly access and car parking with little imagination or space given to features, art and sculptures, murals or similar features which would add visual interest, character and a sense of place. The local centre will be home to many people and visited by many more and requires greater design of the public realm to avoid it being just another functional car park.

CB/20/01545/FULL
Members were advised that there were amendments to this application. Revisions included layout, landscaping and access details

Erection of a mixed-use Local Centre comprising 22 no. apartments, 1 no. day nursery (Use Class D1), 1 no. retail unit (Use Class A1) 5 no. retail units (Use Classes A1/A3/A5) and associated infrastructure works.
Land West of Bidwell, LU5 6JQ

Comments: The Town Council would support this application should the additional proposed 30-apartment block, as detailed on planning application CB/20/01537, be removed.

Should this not be the case then Town Council objects to the proposals for the inclusion of the 30-apartment block within the scheme (CB/20/01537/FULL) as being over-development of the site and a dominant visual feature. The inclusion of this additional block of apartments adds to the car parking requirements creating a very 'hard' urban landscape of buildings facing onto an area of vehicular access and car parking, the greater density pressures the ground level space reducing the opportunity for landscaping, open space, pedestrian features, public art, and other features which would add character to the local centre.

Noted

CB/20/02808/DOC

Discharge of Condition 9 to Planning Permission CB/12/03613/OUT (Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. Development to comprise: up to 5150 dwellings (Use Class C3); up to 202500 sqm gross of additional development in Use Classes: A1, A2, A3 (retail), A4 (public house), A5 (take away); B1, B2, B8 (offices, industrial, and storage and distribution); C1 (hotel), C2 (care home), D1 and D2 (community and leisure); car showroom; data centre; petrol filling station; car parking; primary substation; energy centre; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; engineering operations. All development works and operations to be in accordance with the Development Parameters Schedule and Plans).
Houghton Regis North Site 1, Land on the northern edge of Houghton Regis

CB/20/02850/DOC

Discharge of Conditions 1, 2, 3 and 4 from planning application CB/19/03158/FULL (1.8m high close boarded fence along approx. 3m line to Sundon Road boundary) Planting required to ensure an acceptable standard of landscaping
Treow House, Parkside Drive, LU5 5QL

CB/20/02817/DOC

Discharge of Conditions 1 and 3 against planning permission CB/19/03820/RM (Reserved Matters: New Primary School and amendments to the existing Thornhill Primary School site pursuant to outline permission CB/12/03613/OUT)
Thornhill Lower School, Grove Road, LU5 5PE

- CB/20/02993/DOC Discharge of Conditions 6, 8, 9,11,12,14,15,19 & 20 to Planning Permission CB/15/04918/REG3 (Regulation 3 - Outline Application: Erection of up to 61,336m of B1, B2 and/or B8 employment development floorspace with associated infrastructure and ancillary works. All matters reserved except means of access from Thorn Road)
Land at Thorn Turn, Thorn Road, LU6 1RT
- CB/20/03013/DOC Discharge of Conditions 17 and 23 against planning permission CB/15/00297/OUT (Outline 'hybrid' planning application with details of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 [a-c], B2 & B8), local centre comprising retail(A1, A2, A3, A4 & A5) and community/leisure uses (D1 & D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife areas and all associated works and operations including engineering operations and earthworks)
Land West of Bidwell (Houghton Regis North Site 2)
Houghton Regis
- CB/20/02968/DOC Discharge of Condition 15 against Planning Permission CB/20/00348/RM (Reserved Matters: following Outline Application CB/15/00297/OUT 'hybrid' planning application with details of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 [a-c], B2 & B8), local centre comprising retail (A1, A2, A3, A4 & A5) and community/leisure uses (D1 & D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife areas and all associated works and operations including engineering operations and earthworks. Reserved Matters for access, appearance landscape, layout and scale for 160 dwelling on phase CA2 Upper Thorn Green)
- CB/20/02825/NMA Non Material Amendment to Condition 2 of Planning Permission CB/19/01218/RM (Erection of 625 dwellings in parcels 6A & 6B with associated public open spaces following Outline Planning Permission CB/15/0297/OUT): Proposed changes to road surface finishes on development layout and kerb details to meet adoptable standards as required by CBC Highways Department.
Land adjoining to Thorn Road/Bedford Road, Bidwell West

(b) The following decision notices were noted:***Permissions / Approvals / Consents***

None.

Refusals:

None received.

Withdrawals:

None received.

11320 BUDGET

Members received an income and expenditure report on the Planning Committees budget.

Resolved: To note the report.

11321 MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT PLANNING CONSULTATIONS

The Ministry of Housing, Communities and Local Government issued three consultations on reform of the planning system:

1. Changes to the current planning system (NALC deadline for responses 17.9.20 (MHCLG deadline 1.10.20))
2. Planning for the future - the planning white paper (NALC deadline for responses 15.10.20) (MHCLG deadline 29.10.20)
3. Transparency and competition: a call for evidence on data on land control (NALC deadline for responses 16th October) (MHCLG deadline 29.10.20)

Members had previously been provided with briefings corresponding to each consultation and the individual deadlines for each consultation. The Town Council were asked to respond to NALC by the individual deadlines given. The NALC deadlines were earlier than MHCLG's, so that the Town Councils views could inform NALC's three response to MHCLG on behalf of the sector.

Members were reminded that this item was deferred from the last meeting.

Members received a summary from the Town Councils Planning Consultant. In addition to this a further update was provided below:

Members may also wish to know about changes to various aspects of the planning system contained in the Business & Planning Act 2020. This included:

- *extending planning permissions which were due to expire before Dec 2020 to May 2021,*

- *use class reforms which made it easier to switch some high street uses,*
- *new permitted development rights allowing 3 storey flats to be extended to 5 storey structures not exceeding 30m in height,*
- *and the demolition of free-standing commercial buildings replaced with residential flats, again with 2 additional storeys.*

These seemed to be in response to Covid 19 (lots of people working from home making office blocks redundant, etc).

A major shift was public input focused on the local plan stage where zones for growth / regenerate / protection would be established. After that developers / housebuilders would only need confirmation from the Council that their plans meet national standards and design codes before going ahead.

Funding for infrastructure and affordable homes (and the costs of the planning system) would be channelled through a new levy replacing s.106 and CIL. New housing would have to meet nationally developed Design Codes. However, there was little in the white paper about the strategic context for each authority's plan-making and the duty to co-operate between authorities would be abolished.

Members requested that Houghton Regis Town Council's planning consultant be contacted regarding all three of the Ministry of Housing, Communities and Local Government's consultations on reform of the planning system. The Town Council's response would be considered on receipt of the Town Council's Planning Consultant report. Feedback would be given at the next Planning meeting. The response for item 1 would be sent directly to the Ministry of Housing with NALC copied in due to the imminent deadline date.

Resolved: To defer consideration of the Town Council's response to the Ministry of Housing, Communities and Local Government Planning Consultations until receipt of the Town Council's Planning Consultant report.

11322 STREET NAMING

Members were advised that there were 4 large sites still to address in the Thorn/Bidwell development areas. Whilst members had submitted proposed street names for this area, they were not adequate for all the road names that would be required. Therefore, members were being approached for further suggestions/themes that they would like used.

Members were advised that Central Bedfordshire Council would be unable to accept any names/themes that had already been agreed for use in the Northern expansion areas as these had been specifically allocated to these developments.

Members discussed various themes and their links to Houghton Regis. The suggested themes to submit were breed of dogs and Vauxhall cars. A War theme was to be investigated as an idea for future road names. Members were requested to supply a list of suggested names to the Corporate Services Manager by Friday (11th September 2020) so that they could also be included.

Members gave special thanks to the Civic and Events Officer for her hard work and efforts in compiling a list of suggestions for members consideration.

Resolved: To consider street names/themes for the Thorn/Bidwell development areas.

**11323 STRATEGIC DEVELOPMENT SITES/LOCAL PLAN–
UPDATE/PROGRESS**

Woodside Link – Members raised concerns regarding the safety of this road, as reports had been received of vehicles flouting traffic laws and misusing the road.

A5 M1 Link – Members were advised that Central Bedfordshire Council had been approached (18th & 25th August 2020) for an update. No further information was provided. For information this major road project opened on the 11th May 2017.

Members highlighted their concerns regarding the safety of road users.

Members requested that Central Bedfordshire Council be contacted further expressing members disappointment at not receiving a response to date.

All Saints View – No substantive update to report.

Linnere – No substantive update to report.

Bidwell West – No substantive update to report.

Kingsland – No substantive update to report.

Windsor Drive – Members requested feedback on any meetings held pertaining to Windsor Drive.

Section 106 Monies – No substantive update to report.

Resolved: To note the information

The Chairman declared the meeting closed at 8.52pm

Dated this 28th day of September 2020.

Chairman

A/c Code	4059 OTHER PROFESSIONAL FEES				Annual Budget	2,500
Centre	401 Growth Area				Committed	0
Month	Date	Reference	Source	Transaction Detail	Debit	Credit
Opening Balance					0.00	
2	26/05/2020	PAR03	Purchase Ledger	10487-Planning App. reports	379.00	
3	16/06/2020	PAR03	Purchase Ledger	10580-Planning appp. reports	378.00	
4	22/07/2020	PAR03	Purchase Ledger	Report on CBC local plan	189.00	
Account OTHER PROFESSIONAL FEES					Account Totals	946.00
Centre Growth Area					Net Balance Month 6	946.00

A/c Code	4062 Neighbourhood Plan				Annual Budget	20,000
Centre	401 Growth Area				Committed	0
Month	Date	Reference	Source	Transaction Detail	Debit	Credit
Opening Balance					0.00	
4	05/07/2020	TRA02	Purchase Ledger	10591-N/Plan updates	60.00	
Account Neighbourhood Plan					Account Totals	60.00
Centre Growth Area					Net Balance Month 6	60.00

This report contains

- Part1: Introduction & Summary
- Part 2: A summary of the draft responses the Town Council may wish to consider covering the three consultation documents regarding the future of planning
- Part 3: Outlines of the proposals in each consultation, and
- Annex: Suggested responses to the NALC request for comments on each consultation

Part 1: 1.1 Introduction

Houghton Regis Town Council continues to be closely engaged with the planning process, representing residents’ interests and contributing to the future shape of a parish which includes major urban growth, an historic town centre conservation area, and green belt open countryside, responding to current planning proposals and preparing a neighbourhood plan for the future..

1.2 Summary

The Town Council has prepared consultation responses to the three documents issued by Ministry of Housing, Communities and Local Government:

Planning for the Future	White Paper: August 2020
Changes to the current planning system	Consultation: August 2020
Transparency & Competition: Data and land control	A call for evidence on data on land control: August 2020

Part 2: Draft Responses: Planning for the Future

The White Paper aims to add three specific outputs: the construction of 300,000 new homes, local plans with three zones for all land including a ‘growth’ zone where outline planning permission is automatic once the designation is agreed. Each LPA in England would produce a local plan within a set of timed stages, following a prescribed format, based on digital technology.

a) From the viewpoint of a Town Council engaging with the local plans process, there is much to be supported within the proposals:

- simplifying the process,
- a standard format,
- support for local planning authorities (LPAs) to produce plans within a set timetable (30 months),
- eliminating duplication between National Planning Policy Framework (NPPF) and the text in local plans,
- standardising development management policies (also eliminating duplication and repetition),
- moving to a digital format improving accessibility by a wide range of people,
- moving away from plans with written policies to a more visual style and content.

There are a range of proposals which may raise issues and concerns for the Town Council

b) the proposals for changing the planning system resemble the changes made to Building Control in the past – presumption of approval, design codes allowing builders to choose how to meet them, design details automatically approved if they meet the guides and codes for the area, this removes detailed consideration from local authority control,

c) The proposals seek new outputs – local plans prepared in a standardised format, to a set timetable, more visual in their contents, and set on a digital platform, changes to fast-track volume house-building with 300,000 new homes per annum at this stage there is no indication of where these homes would be allocated nor which body would make those allocations,

d) The emphasis on increasing supply, adherence to design-codes and builders pursuing beauty, could be undermined by the private sector developers seeking to maximise profits, unconstrained by the requirements of planners and local councillors.

e) The role in the process proposed by the White Paper for those locally elected and democratically accountable is unclear.

F) The proposal for a ‘growth’ zone in the new local plan format could work well with size limitations e.g. for new towns (5,000+ new homes) and urban extensions (500-4,999 new homes). The other two zones – renewal and protect are weak and ambiguous and should be omitted. They attempt to span too many options and situations. The proposal should be limited to one new zone only – growth – to be used with the automatic outline consent, masterplans and design codes on sites over 500 new homes.

g) The 5-stage local plan production over 30 months should be extended to allow for the democratic process to take place at each stage allowing for report circulation ahead of committee dates to enable elected representatives adequate time to participate in the process.

h) The proposed single ‘sustainability test’ to replace that of soundness relies on a concept which is too ambiguous and open to interpretation.

i) The drawback with replacing site and newspaper notices with smartphone alerts is that some don’t have the technology or good broadband. More importantly the proposals are based on an assumption that people will know and understand how the system functions, when they can and should engage; many don’t and won’t in future, plus there’s the risks of ‘fatigue’ over the lifetime of a local plan preparation.

j) The digital platform and inputs from innovation companies should be piloted in a small range of LPAs before having an un-tried process placed on a system handling £millions of land values, investments and ownerships. The problems experienced by the health service of imposing an integrated IT system and database should act as a warning. Ultimately the tech companies have a limited contract and when they withdraw, LPA admin staff are left to manage a complex system with no medium-long term maintenance or update budgets.

k) The introduction of required processes, deadlines and sanctions for LPAs has something of an Ofsted feel to it. If the required output is more homes built more quickly, then house-builders too should fall within the scope of the sanctions system – the Infrastructure Levy charge should double every year between approval and occupation.

l) The introduction of design manuals, codes and masterplans should reflect the urban diversity across England which is part of its beauty.

m) Simplifying the system of environmental assessments is welcomed however this doesn't diminish their importance; it remains very important to have a robust to protect, maintain and enhance landscapes, ecologies, species and habitats, and medium to good quality agricultural land.

n) As proposed the Infrastructure levy would be too easy for developers to avoid or minimise their contributions.

o) Environmental assessments, protection of valued green space, protecting agricultural land, the availability of infrastructure and access to services all transcend LPA boundaries. The removal of duty to co-operate requires another mechanism to distribute development.

p) The White Paper is focused on accelerating the permission and delivery of new homes. There is little to address other land uses currently covered by the suite of development plans prepared by local authorities – employment, minerals, etc.

Draft Responses: Changes to the Current Planning System

a) The Town Council has a major concern that extended permitted development rights to convert or redevelop vacant employment buildings and sites to residential use will severely undermine the economic potential of an area to adapt to new employment and commercial

b) Alterations to the Use Classes Order will simplify the 'high street' and 'town centre' uses (Class E Commercial Business & Service to embrace A1, A2, A3, B1, D1 and D2, and F1 Learning and F2 Local Community) to embrace and enable changes more easily but some may need further regulation to ensure late opening hours or take-away traffic and delivery vehicles don't disturb nearby residential properties.

c) The Council welcomes the First Homes scheme appears to be a development of the Starter Homes initiative from 2014, but proposed for offering at a greater discount below market value, in perpetuity, with the compulsory requirement of a minimum of 25% of all affordable housing units secured through section 106 obligations (or the new IL) must be First Homes. The proposals for a local connection and link to armed service personnel are welcomed and should be extended to key workers in education, health, and public services.

Draft Responses: Transparency & Competition

a) There is a concern from the Town Council that although well-meant, the proposals to increase transparency over land ownership would too easily be obscured through 'paper' companies set up for the specific purpose.

Part 3: Outlines of proposals in each document

Planning for the Future

The White Paper sets out a 'new vision for England's planning system' with proposals grouped under three pillars.

The White Paper is focused on accelerating the permission and delivery of new homes. There is little to address other land uses currently covered by the suite of development plans prepared by

local authorities – employment, minerals, etc. There is one reference in the White Paper’s proposals to producing local housing plans in 30 months, perhaps suggesting it could be a separate document within the development plans suite.

The intention is to increase the supply of new homes, posing this as the solution to addressing issues of demand, affordability and availability. The White Paper proposes the continuation of neighbourhood plans (proposal 6) having a focus on the policies in the local plan, and prepared / delivered on a digital technology format.

The White Paper seeks responses on 24 proposals altogether but also seeks comments on alternatives, e.g. rather than 3 zones in the new local plan, could this be reduced to 2 or 1 (i.e. just ‘growth’ with its automatic outline permission) leaving the remainder of land in the plan under a similar system to the present.

The White Paper has proposals under 3 ‘pillars’

Pillar 1: planning for development:

- A nationally set target of 300,000 homes per annum, with ‘binding’ targets for local authorities which factor in land constraints
- Five year land supply and Duty to Cooperate removed
- Interactive map-based Local Plans produced on a statutory 30-month timeframe,
- identifying Growth, Renewal and Protected land over a minimum 10-yr period
- NPPF as the primary source of development management policies
- Emphasis on engagement at the plan making stage
- A single statutory ‘sustainable development’ test to replace the existing tests of soundness
- A digital-first approach

Pillar 2: planning for beautiful and sustainable places

- A new National Model Design Code and a revised Manual for Streets, to complement the existing National Design Guide
- Local design codes and guides to be prepared with community involvement by Local Planning Authorities
- A national design body to support the use of design codes and guides, and exploration of a new role for Homes England in delivering beautiful places
- The introduction of a ‘fast track process for beauty’
- NPPF changes to require all new streets to be treelined
- A chief officer for design and place-making in each local authority

Pillar 3: planning for infrastructure and connected places

- A new fixed rate Infrastructure Levy to replace S106 and Community Infrastructure Levy, based on the final value of development
- Increased flexibility for Local Authorities on how the Levy is spent
- Extending the Levy to capture changes of use through some permitted development rights
- Local authorities able to borrow against the new Levy to forward fund infrastructure
- Affordable housing can be used to offset the levy

Delivering Change:

- A comprehensive resources and skills strategy for the planning sector
- Cost of operating the planning system to be principally funded by the beneficiaries of planning gain (landowners and developers) rather than the taxpayer
- Strengthened planning enforcement powers and sanctions
- A focus on digital planning and freeing up development management resources
- A new performance framework for Local Planning Authorities

- A regulatory review to identify and eliminate outdated regulations which increase costs for Local Planning Authorities

Changes to the current planning system

Consulting on extending Permission in Principle to major development to give more developers access to a fast track route to secure the principle of development for housing.

This consultation sets out a range of proposed changes to the current planning system including: changes to the standard method for assessing local housing need, securing of First Homes through developer contributions, temporarily lifting the small sites threshold and extending the current Permission in Principle to major development. These and the matters in the call for evidence on data and land control are linked to themes and proposals in the White Paper.

Transparency & Competition

A call for evidence to seek views on proposals to help councils and local communities better understand who controls land in their area.

This call for evidence seeks views on proposals to require additional data from the beneficiaries of certain types of interests in land—rights of pre-emption, options and estate contracts. It also seeks views on the design of the policy and additional evidence on the consequent impacts of the policy.

Annex A

White Paper

NALC is seeking responses to questions posed in the White Paper:

1. What three words do you associate most with the planning system in England?	
2. Do you get involved with planning decisions in your local area? [Yes / No]	Yes
3. The proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?	The weekly list of applications published on-line enables local councils to see development proposals in their area, and those in nearby areas which might impact the people who live in their area.
4. What are your top three priorities for planning in your local area?	Building homes for young people Increasing the affordability of housing for key workers Protection of existing heritage buildings or areas
5. Do you agree that Local Plans should be simplified in line with our proposals?	Yes – in part, by adding ‘growth zones’ only to the current local plan system
6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?	Yes
7. Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact? (b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?	a) No – ‘sustainable development’ is too general b) Some form of regional planning needed to allocate housing targets, economic development and protection of good quality farmland and environmental assets – these all have factors and considerations which go beyond district boundaries
8. (a) Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? (b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?	A) yes B) No – affordability is not simply a consequence of housing supply, many other factors including developers pushing to limit affordable housing on new developments, the attraction of London and major cities for investment in real estate, etc.
9. (a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? (b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?	A) – yes if growth zones limited to new towns (5,000+ new dwellings) or major urban expansions (2,000-5,000 new dwellings) B) No these are too simplistic to apply to the wide range of urban settings and rural / protected locations. The White Paper

<p>C). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?</p>	<p>acknowledges there would need to be zones within zones. One new zone only - 'growth'</p> <p>c) No This may be a mechanism to identify locations for growth but not for the developments themselves. A major element of the current planning system is the local acceptance achieved through addressing conflicting interests and views. New developments 'parachuted' in to a location would lack that acceptance and may create resentment and social tensions for years or decades.</p>
<p>10. Do you agree with our proposals to make decision-making faster and more certain?</p>	<p>Yes – provided the elected and democratically accountable councils retain the key decision in each case.</p>
<p>11. Do you agree with our proposals for accessible, web-based Local Plans?</p>	<p>Yes – as part of the process, having it as the sole 'platform' would deny access and involvement for many groups in society.</p>
<p>12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?</p>	<p>No – this should be the 'working' period with further time allowances for report preparation, circulation of reports before committee dates for each of the 5 main parts to the 30 month process.</p>
<p>13. (a) Do you agree that Neighbourhood Plans should be retained in the reformed planning system? (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?</p>	<p>a) yes – to retain local input at the 'finer grain' of land-use and associated issues</p> <p>b) Parish and community groups would need support from the district council to place the evolving neighbourhood plan work on a digital platform.</p>
<p>14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?</p>	<p>Yes – developers should be required to build new homes within a year of the new 'fast-track' consent process – an incentive would be doubling the Infrastructure levy per dwelling beyond this.</p>
<p>15. What do you think about the design of new development that has happened recently in your area?</p>	<p>Developments in Houghton Regis North seldom improve on developers' standard house-types.</p>
<p>16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?</p>	<p>Reduced commuting – work from home or employment areas accessible by public transport, All new buildings to incorporate solar panels, water heating, water capture and high levels of insulation, electric car charging points plus garage space for bikes and scooters</p>
<p>17. Do you agree with our proposals for improving the production and use of design guides and codes?</p>	<p>Yes provided they respect local building traditions, details and materials</p>
<p>18. Do you agree that we should establish a new body to support design coding and</p>	<p>Yes</p>

building better places, and that each authority should have a chief officer for design and place-making?	
19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?	Not a priority for Homes England which should focus on enabling land to come forward for development and channelling funds and grants to support this.
20. Do you agree with our proposals for implementing a fast-track for beauty?	No – too vague and open to interpretation. Too often fine schemes are later ‘watered down’ to reduce costs.
21. When new development happens in your area, what is your priority for what comes with it?	Integrating the new development into the parish – good accessibility on foot to local facilities and by public transport to main centre for shopping, services and facilities.
22. (a) Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? (b) Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? (c) Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? (d) Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?	Yes Area -specific rates to recognise costs (SE England and London) within set bands More value to deliver facilities at good quality / above minimum standards Yes – as part of a bond scheme or similar
23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?	Yes - e.g. new flats in former office blocks require services and facilities like new housing schemes
24. (a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? (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? (c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? (d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?	Yes Yes Right to purchase for local authorities No Eliminate sub-letting and HIMOs

25 Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? (a) If yes, should an affordable housing 'ring-fence' be developed?	Yes Yes
26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?	Yes – the emphasis on delivering local plans and public accessibility will deny / limit so many groups within the community.

CHANGES TO THE CURRENT PLANNING SYSTEM

NALC is seeking responses to questions posed

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

<p>7. Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate? If not, please explain why. Are there particular circumstances which need to be catered for?</p>	<p>Yes</p>
<p>8. 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. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible): i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy. ii) Negotiation between a local authority and developer. iii) Other (please specify) With regards to current exemptions from delivery of affordable home ownership products:</p>	<p>The imbalances in the current housing market in England and the shift in mortgage affordability means that the provision of affordable housing (a range of types – not just a single generic type) as parts of new homes schemes is a key delivery vehicle.</p> <p>In high-priced areas e.g, London and the South-east) there will be pressure from developers to minimise the number and range of affordable homes in order to maximise the developments' profitability, and provide off-site contributions. This process only accelerates the social imbalances and consequent societal problems. It also fails sustainability tests – avoiding housing with a social mix means more travel to work.</p>
<p>9. Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to apply to this First Homes requirement?</p>	<p>Therefore on-site provision of affordable housing should be maintained, exemptions minimised.</p>
<p>10. Are any existing exemptions not required? If not, please set out which exemptions and why.</p>	
<p>11. Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.</p>	
<p>12. Do you agree with the proposed approach to transitional arrangements set out above?</p>	
<p>13. Do you agree with the proposed approach to different levels of discount?</p>	
<p>14. Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?</p>	<p>Yes</p>
<p>15. Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?</p>	<p>No – all sites should contribute to addressing the issues.</p>
<p>16. Do you agree that the First Homes exception sites policy should not apply in designated rural areas?</p>	<p>No – rural housing deprivation needs to be addressed</p>

17. Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?	
18. What is the appropriate level of small sites threshold? i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)	Up to 30 homes
19. Do you agree with the proposed approach to the site size threshold?	
20. Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?	No – the likely economic impacts are not equally spread across all parts of the economy. Combined with the time factors of land / site acquisition, options, etc there is no reason to raise the threshold for a temporary period.
21. Do you agree with the proposed approach to minimising threshold effects?	
22. Do you agree with the Government's proposed approach to setting thresholds in rural areas?	
23. Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?	
24. Do you agree that the new Permission in Principle should remove the restriction on major development?	This is a short-term sticking plaster to enable owners of commercial floorspace to change empty premises.
25. Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.	A better solution would be to factor in future commercial needs in an area, with land allocated through the local plan, before enabling vacant commercial premises to change.
26. Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?	
27. Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.	Yes – to avoid visual domination / overshadowing the locality – this will vary in each case.
28. Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be: i) required to publish a notice in a local newspaper? ii) subject to a general requirement to publicise the application or iii) both? iv) Disagree	There should be a legal requirement for the proposals to be advertised locally to give residents and property owners adequate notice – however the onus should be on the site developer, not the local authority.

29. Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?	Banded – no cap.
30. What level of flat fee do you consider appropriate, and why?	
31. Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.	
32. What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.	
33. What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?	
34. To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.	

TRANSPARENCY AND COMPETITION: DATA AND LAND CONTROL Summary The Ministry of Housing, Communities and Local Government has issued a call for evidence on data and land control. This call for evidence seeks views on proposals to require additional data from the beneficiaries of certain types of interests in land—rights of pre-emption, options and estate contracts. It also seeks views on the design of the policy and additional evidence on the impacts of the policy. The main document can be found [here](#). Consultation questions NALC will be responding to the consultation questions as follows:

1. The Public Interest Do you think there is a public interest in collating and publishing additional data on contractual controls over land?	Yes – but the process is likely to be of limited value if land-ownership is obscured through ‘paper companies’.
2. Rights of pre-emption and options (a) Do you think that the definition of rights of pre-emption and land options in the Finance Act 2003, s. 4616 is a suitable basis for defining rights of pre-emption and options that will be subject to additional data requirements? Please	

<p>give reasons. (b) Is the exemption for options and rights of pre-emption for the purchase or lease of residential property for use as a domestic residence sufficient to cover: • options relating to the provision of occupational housing and • shared ownership schemes? Please give reasons. (c) Are there any types of rights of pre-emption or options that do not fall under the scope of the definition in the Finance Act 2003, s. 46? Please give reasons</p>	
<p>3. Estate contracts Are the tests set out above sufficient to avoid inadvertently capturing transactions not related to the development of land? If not, please give examples.</p>	
<p>4. Other contractual controls (a) Are there any contractual arrangements by which control can be exercised over the purchase or sale of land, which should be included within this regime and which are not rights of pre-emption, options or estate contracts? Please give examples. 2 (b) If so, do you consider them (i) an interest in land (interests that are capable of being protected by way of a notice on the land register); or (ii) not an interest in land? Please give reasons.</p>	
<p>5: Data requirements (a) Are there any data fields that (i) should; or (ii) should not be subject to additional data requirements? Please give reasons. (b) Are there any data fields that (i) should; or (ii) should not be placed on the land register? Please give reasons. (c) Are there any data fields that (i) should; or (ii) should not be included in a contractual control interest dataset? Please give reasons. (d) Are there other data fields that should be collected? Please give reasons. (e) Do any of the data fields give rise to privacy risks? Please give reasons.</p>	
<p>6. Contractual conditions (a) Are there any data fields that (i) should; or (ii) should not be subject to additional data requirements? Please give reasons. (b) Are there any data fields that (i) should; or (ii) should not be placed on the land register? Please give reasons. (c) Are there any data fields that (i) should; or (ii) should not be included in a contractual control interest dataset? Please give reasons.</p>	
<p>7. Legal Entity Identifiers Should legal entities that are beneficiaries of contractual arrangements be asked to provide a Legal Entity Identifier? Please give reasons</p>	

<p>8. Data currency (a) Should beneficiaries be required to provide updated information on: • variation • termination, or • assignment or novation? Please give reasons. (b) Are there other ways in which data currency could be maintained?</p>	
<p>9. Accounting treatment 3 If your organisation is required to produce annual accounts, when are: (i) rights of preemption; (ii) options; and (iii) estate contracts recognised on the balance sheet? Please give reasons and state the accounting standard used.</p>	
<p>10. Existing contractual control interests (a) Should the requirement to supply additional data be limited to: (i) new contractual control interests only; or (ii) all extant interests? Please give reasons. (b) How long should beneficiaries of an extant contractual control interests that is varied, assigned or novated be given to provide additional data before losing protection: (i) three months; or six months?</p>	
<p>11. Current beneficiaries What are the best ways of informing current beneficiaries of the need to provide additional data? Please give reasons.</p>	
<p>12. A digital process? Should the provision of additional data prior to the application process for an agreed notice be exclusively digital (with assisted digital support if required)? Please give reasons.</p>	<p>As with several of the proposals to move to digital platforms, there is a real risk of hacking to disrupt the process or use the information for illegal purposes.</p>
<p>13. Certification Should beneficiaries of contractual control interests with a duty to produce annual accounts be required to certify that all relevant interests have been noted? Please give reasons.</p>	
<p>14. Restrictions (a) Should beneficiaries of contractual control interests be required to obtain an agreed notice before they could apply for a restriction? Please give reasons. (b) Should the protections of restrictions placed on an un-noted contractual control interest be (i) limited; or (ii) removed? Please give reasons. c) If the Government accepts the Law Commission's recommendation on restrictions, should contractual control interest fall into the category of interest that cannot be capable of protection by way of a restriction? Please give reasons.</p>	
<p>15. Alternative options 4 (a) Should a mandatory system be introduced whereby the beneficiary of a contractual control interest</p>	

would, where it is possible to do so, be required to note their interest with HMLR? Please give reasons. (b) If so, how should the system be enforced? Please give reasons.	
16. Current practice (a) If you are a beneficiary of a right of pre-emption, option or estate contract, please indicate how you protect your interest. Notice Restriction Other Do not protect Agreed Unilateral Right of preemption Option Estate contract (b) What factors influence your choice? Please give reasons.	
17. Data collation and provision (a) Are there any data fields in Annex A that contracting parties would not have readily to hand? Please list them. (b) What is your estimate of the time needed to provide the additional data? (c) Does your entity hold a Legal Entity Identifier?	
18. Data currency What additional work (over and above the time and cost of preparing annual accounts) would your organisation need to undertake to identify contractual control interests that needed to be updated?	
19. Certification What additional work (over and above the time and cost of preparing annual accounts) would your organisation need to undertake to certify in your organisation's annual accounts that all relevant contractual control interests had been noted on the land register where the land is registered?	
20. Economic impact 5 What impact, if any, do you think that these proposals will have on the English land market (residential and commercial)? Please describe the effects and provide evidence.	
21. Costs What impact, if any, do you think that these proposals will have on the costs incurred by participants in the English land market (residential and commercial)? Please describe the effects and provide evidence.	
22. Identifying and understanding contractual control interests (a) Can you estimate the amount of (i) time and (ii) money that you have spent on identifying land affected by a contractual control interest? (b) What is the source of your information? (c) Can you estimate the amount of (i) time and (ii) money that you have spent on seeking professional advice on exactly how a contractual control interest affects a piece of land?	
23. Market impact (a) If you are a small or medium enterprise (SME) builder or developer,	

<p>do contractual controls hinder your ability to assess the viability of a local market? Please give reasons. (b) If you are an SME builder or developer, does a lack of freely accessible and understandable data act as a barrier to you entering the market? Please give reasons.</p>	
<p>24. Trust in the planning system (a) Do you think that a lack of accessible and understandable data on contractual controls makes it more difficult for local communities to understand the likely pattern of development? Please give reasons. (b) If so, to what extent does it undermine trust and confidence in the planning system: (i) not much; (ii) somewhat; (ii) a great deal? Please give reasons.</p>	
<p>25. Public Sector Equality Duty What impact, if any, do you think that these proposals will have on people who share protected characteristics? Please describe the effects and provide evidence.</p>	