

APPENDIX 2

Government Question	Proposed Response
<p><b>Chapter 1: Plan content</b></p>	
<p>Question 1: Do you agree with the core principles for plan content? Do you think there are other principles that could be included?</p>	<p>Yes, broadly we agree with the “additional core principles” referred to at paragraphs 19-24.</p> <p>(It would be helpful to clarify the relationship between the “key diagram” (paragraph 23) and the “policies map” (paragraph 24); and to clarify the relationship between the policies map and the plan itself (paragraph 15 seems to indicate that the map is separate from (“in addition” to) the plan).</p> <p>The term “golden thread” (paragraph 21), as in the NPPF, is perhaps rather unclear and not particularly helpful.)</p>
<p>Question 2: Do you agree that plans should contain a vision, and with our proposed principles [for] preparing the vision? Do you think there are other principles that could be included?</p>	<p>The proposals regarding “visions” could potentially be valuable, and the “principles” referred to at paragraph 25 are appropriate.</p> <p>Further clarification of the proposals and principles would be helpful, including via the “template” referred to at paragraph 28.</p> <p>Clarification might include whether the reference at paragraph 26 to visions being “able to respond” suggests that they might be amended after the plan has been adopted.</p> <p>Clarification might also include the relationship between the “key diagram” (paragraph 26) and policies map.</p> <p>(With regard to paragraph 25, it may be helpful for forthcoming guidance to recognise the difficulties with ensuring that plans “sufficiently capture” the “views of the communities”, unless the plans propose very little development; and the difficulties of reflecting the views of</p>

	various “communities” with different interests.)
Question 3: Do you agree with the proposed framework for local development management policies?	Broadly yes.
Question 4: Would templates make it easier for local planning authorities to prepare local plans? Which parts of the local plan would benefit from consistency?	<p>Yes, the use of “templates” could be valuable. Helping users to “navigate and engage with” plans (paragraph 33) is important and all parts of the local plan might benefit from consistency.</p> <p>However, a lot will depend on the details of these “templates”. ‘Suggestions’ (paragraph 35) would be welcome and “flexibility” (paragraph 36) would be important; however, there appears to be a risk of over-emphasis on ‘standardisation’ (paragraph 34), as local variations could well be appropriate.</p>
Question 5: Do you think templates for new style minerals and waste plans would need to differ from local plans? If so, how?	Broxtowe is not a minerals or waste planning authority and we do not have any comments on this question.
<b>Chapter 2: The new 30 month plan timeframe</b>	
Question 6: Do you agree with the proposal to set out in policy that planning authorities should adopt their plan, at the latest, 30 months after the plan preparation process begins?	<p>Other things being equal, quicker plan preparation benefits everyone. However, the 30-month period does not appear to make sufficient allowance for factors which are mainly out of the control of authorities, such as changes to government policy, or the examination taking longer than expected.</p> <p>As suggested at paragraph 45, it would not be helpful if timings were to be rigidly imposed. For example, it would be very counter-productive if the plan-making process was required to ‘start again’ if the 30-month (or 34-month) period expired when a plan was about to be submitted, or when an inspector was preparing a report.</p> <p>Consistency of approach at government level would help in avoiding delays, as</p>

	<p>would the removal of, arguably, excessive requirements for evidence. (The use of the term “proportionate evidence” in Figure 1, as also used in NPPF paragraph 35, does not in itself help in this regard.)</p>
<p>Question 7: Do you agree that a Project Initiation Document will help define the scope of the plan and be a useful tool throughout the plan making process?</p>	<p>This approach could be valuable, depending on the subsequent details.</p> <p>It would be helpful if subsequent policy and guidance made government expectations clear, minimising the use of terms such as “might” (as in paragraph 51 of the consultation document).</p>
<p><b>Chapter 3: Digital plans</b></p>	
<p>Question 8: What information produced during plan-making do you think would most benefit from data standardisation, and/or being openly published?</p>	<p>Relevant information includes the policies map, site allocations, SHLAA/SHELAA and monitoring.</p> <p>Data standardisation is a long overdue requirement but will need to include schemas and capture scale to produce data that can be aggregated between systems and planning authorities easily.</p> <p>Open data released should adhere to international formats for structure and metadata and only be data that isn’t available from other open data sources.</p> <p>Not all data on plans is from the Local Planning Authority, so guidelines will need to include information for these circumstances and how to handle licences / memorandums of understanding.</p> <p>Any data that would aid evidence gathering and monitoring within the minimum requirements mandated for planning authorities should also be considered, even if not held by planning authorities.</p>
<p>Question 9: Do you recognise and agree</p>	<p>With regards to plans being static etc</p>

<p>that these are some of the challenges faced as part of plan preparation which could benefit from digitalisation? Are there any others you would like to add and tell us about?</p>	<p>(paragraph 71), this is not a problem for plan preparation but, yes, they do go out of date quickly; yet the snapshot in time can be useful and some organisations and demographics want printed plans even if there is an interactive option available. Digital first but not digital only is less likely to discriminate against certain demographics. If plans are more frequent some of the concern around currency has less of an impact.</p> <p>General lack of investment in data and system experts within planning departments may hinder adoption of digital first plans and the efficiencies that digital / machine readable formats could provide.</p> <p>National geospatial agreements and licences need to be considered when determining what data to release and, also, whether conflict between laws and licences will have an impact on release.</p> <p>We agree with the third bullet point of paragraph 71 regarding “fear of challenge at examination” driving “over production of evidence”; and with the sixth bullet point regarding the importance of monitoring and feedback.</p>
<p>Question 10: Do you agree with the opportunities identified? Can you tell us about other examples of digital innovation or best practice that should also be considered?</p>	<p>Broadly yes, we agree.</p> <p>The links between evidence, plan and monitoring should be part of the same system so that a continuous data loop is formed with everything kept in machine readable format, utilising the tools available – i.e. consultation responses could be in csv to be imported into a system that can then be searched. This sort of machine readable format should persist and be acceptable across the process – standardisation of schemas and data captured could then ensure that data is passed in those formats to other interested organisations for use within their processes – consultees, inspectorate etc.</p>

<p>Question 11: What innovations or changes would you like to see prioritised to deliver efficiencies in how plans are prepared and used, both now and in the future?</p>	<p>Please see our response to question 10.</p> <p>We agree with the reference in Figure 2, part 7, to the potential for “automation tools to speed up labour intensive tasks such as processing feedback from consultations”. However, this would need to be done in a way that did not over-simplify important points made by consultees.</p>
<p><b>Chapter 4: The local plan timetable</b></p>	
<p>Question 12: Do you agree with our proposals on the milestones to be reported on in the local plan timetable and minerals and waste timetable, and our proposals surrounding when timetables must be updated?</p>	<p>Depending on the subsequent details, these appear to be helpful proposals.</p>
<p>Question 13: Are there any key milestones that you think should automatically trigger a review of the local plan timetable and/or minerals and waste plan timetable?</p>	<p>The three “gateways” (as referred to at paragraph 79) would probably be the most relevant “milestones”.</p>
<p><b>Chapter 5: Evidence and the tests of soundness</b></p>	
<p>Question 14: Do you think this direction of travel for national policy and guidance set out in this chapter would provide more clarity on what evidence is expected? Are there other changes you would like to see?</p>	<p>Potentially yes, this could be helpful.</p> <p>It is unclear how the removal of the ‘justified’ soundness test (referred to at paragraph 87) would help, as it is this test that already expects evidence to be “proportionate”. However, clarification of the term “proportionate” (referred to at paragraph 89), could be helpful. This could include guidance on the extent to which transport modelling is needed and the extent to which consultants’ advice on retail / town centre issues is needed.</p>
<p>Question 15: Do you support the standardisation of evidence requirements for certain topics? What evidence topics do you think would be particularly important or beneficial to</p>	<p>We agree that some standardisation could be helpful. This could include (as mentioned at paragraph 95) economic development needs assessments, HELAAs and transport assessments.</p>

<p>standardise and/or have more readily available baseline data?</p>	<p>Housing need assessments and Environmental Outcome Reports would also benefit from standardisation.</p>
<p>Question 16: Do you support the freezing of data or evidence at certain points of the process? If so which approach(es) do you favour?</p>	<p>It would certainly be helpful to ‘freeze’ the evidence at the point of publication of the plan (paragraph 97, third bullet point).</p> <p>The other two approaches referred to at paragraph 97 may also be helpful, depending on what the government has in mind regarding “certain evidence topics or documents”.</p>
<p>Question 17: Do you support this proposal to require local planning authorities to submit only supporting documents that are related to the soundness of the plan?</p>	<p>Yes, this is a helpful proposal, particularly as regards the move from evidence that is “relevant” to that which is “necessary” (paragraph 99).</p>
<p><b>Chapter 6: Gateway assessments during plan-making</b></p>	
<p>Question 18: Do you agree that these should be the overarching purposes of gateway assessments? Are there other purposes we should consider alongside those set out above?</p>	<p>Yes, these purposes could result in the “gateways” being a valuable part of the plan-making process.</p> <p>We have no suggestions for other purposes.</p>
<p>Question 19: Do you agree with these proposals around the frequency and timing of gateways and who is responsible?</p>	<p>It would seem to be helpful if the first “gateway”, as well as the second and third, definitely involved planning inspectors (from PINS).</p> <p>Otherwise, the proposals seem likely to be helpful.</p> <p>(Incidentally, there appears to be some inconsistency between Figure 4 and paragraph 111 regarding whether inspectors would “always” conduct “Gateway 2” assessments.)</p>
<p>Question 20: Do you agree with our proposals for the gateway assessment process, and the scope of the key topics? Are there any other topics we should consider?</p>	<p>Yes, we agree with the proposals and no, we do not think that there are other topics that should be considered.</p>

<p>Question 21: Do you agree with our proposal to charge planning authorities for gateway assessments?</p>	<p>No, we do not agree. As this would appear to be an ‘additional burden’, it would seem to be appropriate for the costs to PINS of the “gateways” to be funded by the government (or for the government to refund LPAs for the costs).</p>
<p><b>Chapter 7: Plan examination</b></p>	
<p>Question 22: Do you agree with our proposals to speed up plan examinations? Are there additional changes that we should be considering to enable faster examinations?</p>	<p>Yes, we agree with the proposals and no, we do not propose additional changes.</p>
<p>Question 23: Do you agree that six months is an adequate time for the pause period, and with the government’s expectations around how this would operate?</p>	<p>Yes, six months seems reasonable, provided it is made clear that this would add 6 months on to the 30-month period.</p> <p>However, a required recommendation to withdraw a plan after that time (paragraph 124) seems bound to slow down, rather than speed up, the plan-making process.</p>
<p><b>Chapter 8: Community engagement and consultation</b></p>	
<p>Question 24: Do you agree with our proposal that planning authorities should set out their overall approach to engagement as part of their Project Initiation Document? What should this contain?</p>	<p>Yes, we agree with this proposal.</p> <p>The contents suggested at paragraph 139 seem appropriate.</p>
<p>Question 25: Do you support our proposal to require planning authorities to notify relevant persons and/or bodies and invite participation, prior to commencement of the 30 month process?</p>	<p>Yes, the proposals are likely to be an improvement on the current Regulation 18 requirements.</p> <p>(It is nevertheless, unfortunately, unlikely that ‘notification’ and ‘invitation’ will generate a great deal of useful input at the earliest stages of plan preparation.</p> <p>It may be helpful to amend references to the “30 month process” (paragraph 143) and the “30 month timeframe” (paragraph 148), as the “early participation” is in addition to the 30 months.)</p>

<p>Question 26: Should early participation inform the Project Initiation Document? What sorts of approaches might help to facilitate positive early participation in plan-preparation?</p>	<p>Yes, if constructive early responses are received, these could inform the Project Initiation Document.</p> <p>(Experience at Broxtowe unfortunately suggests that any arrangements may struggle to generate “positive early participation” before draft policies and proposals emerge.)</p> <p>There could be a section in the Project Initiation Document on the sorts of responses received and how the authority has considered these, although this could be a lengthy exercise.</p> <p>A number of approaches could be used (all with varying degrees of resources needed in terms of both time and finances, which will need to be considered) – such as in person workshops, online workshops, leaflets, social media, letters to residents.</p>
<p>Question 27: Do you agree with our proposal to define more clearly what the role and purpose of the two mandatory consultation windows should be?</p>	<p>Yes, we agree that the role and purpose should be clearly defined.</p> <p>(Although it may be doubtful whether many helpful responses will be received at the first “window” (paragraph 153) regarding the “vision” and “broad options”.)</p>
<p>Question 28: Do you agree with our proposal to use templates to guide the form in which representations are submitted?</p>	<p>Yes, we agree with this proposal, as it may streamline the process and make it easier to collate and evaluate responses, saving a lot of time.</p> <p>However, it would be essential that the ‘machine reading’ used (paragraph 155) were able to genuinely pick up the key points made in representations (rather than, for example, simply recording ‘votes’ for or against a particular policy or proposal).</p>
<p><b>Chapter 9: Requirement to assist with certain plan-making</b></p>	



<p>Question 29: Do you have any comments on the proposed list of prescribed public bodies?</p>	<p>The most important bodies of those listed in Table 2 would include the Environment Agency, “Heritage England” (should this read ‘Historic England’?), Natural England, “Homes and Communities Agency” (now ‘Homes England’?), Integrated Care Boards, Highway Authority, Local Nature Recovery Strategy responsible authorities, Lead Local Flood Authority, Sport England, Energy Undertakers, Water and Sewerage Undertakers, County Councils and the Coal Authority.</p>
<p>Question 30: Do you agree with the proposed approach? If not, please comment on whether the alternative approach or another approach is preferable and why.</p>	<p>Yes.</p>
<p><b>Chapter 10: Monitoring of plans</b></p>	
<p>Question 31: Do you agree with the proposed requirements for monitoring?</p>	<p>Yes.</p>
<p>Question 32: Do you agree with the proposed metrics? Do you think there are any other metrics which planning authorities should be required to report on?</p>	<p>Generally, the proposed metrics in Table 3 are reasonable. However: monitoring “net change in employment floorspace” has been made difficult or impossible as a result of the introduction of Use Class E, which combines some ‘employment’ uses (former Class B1) with a wide range of other uses; “net change in designated open space” is largely beyond the influence of local plans; and, as noted in the Table, further thought will be needed regarding “progress toward net zero emissions from buildings”.</p> <p>We do not think there are other metrics which authorities should be required to report on.</p>
<p><b>Chapter 11: Supplementary plans</b></p>	
<p>Question 33: Do you agree with the suggested factors which could be taken into consideration when assessing whether two or more sites are ‘nearby’ to</p>	<p>The suggested factors, in themselves, seem reasonable.</p> <p>However, the concept that supplementary</p>

<p>each other? Are there any other factors that would indicate whether two or more sites are 'nearby' to each other?</p>	<p>plans should be “site specific or relate to two or more sites which an authority consider nearby to each other” (paragraph 188) is unclear and potentially problematic. Supplementary plans could be valuable with regard to “unforeseen circumstances” (paragraph 175) which relate to a part of the authority’s area which is limited in extent but which might not be readily described as being one or more “sites”. This might apply, for example, to emerging issues with HMOs.</p> <p>It will be important that forthcoming regulations, policy and guidance allow authorities flexibility, with regard to location and subject matter, to introduce supplementary plans in such circumstances.</p>
<p>Question 34: What preparation procedures would be helpful, or unhelpful, to prescribe for supplementary plans? e.g. Design: design review and engagement event; large sites: masterplan engagement, etc.</p>	<p>The appropriate types of preparation procedures are likely to vary with the particular plan (as mentioned at paragraph 191), so it seems unlikely to be helpful for fixed procedures to be prescribed. Examples could however be provided in practice guidance, including those referred to in the question.</p>
<p>Question 35: Do you agree that a single formal stage of consultation is considered sufficient for a supplementary plan? If not, in what circumstances would more formal consultation stages be required?</p>	<p>Yes, a single formal stage of consultation would be appropriate. No further consultations would be necessary.</p>
<p>Question 36: Should government set thresholds to guide the decision that authorities make about the choice of supplementary plan examination routes? If so, what thresholds would be most helpful? For example, minimum size of development planned for, which could be quantitative both in terms of land use and spatial coverage; level of interaction of proposal with sensitive designations, such as environmental or heritage.</p>	<p>Yes. Although thresholds are likely to be difficult to define, it would be helpful for guidance or policy to try to do so, at least in broad terms. Some less complex and/or less controversial supplementary plans, such as those with low “level of interaction of proposal with sensitive designations” (question 36), would be likely to be suitable for examination by “an examiner of the authority’s choosing” (paragraph 197), rather than by the Planning Inspectorate.</p>
<p>Question 37: Do you agree that the approach set out above provides a proportionate basis for the independent</p>	<p>Yes, the approach set out is broadly appropriate (subject to the points made regarding questions 33 and 36).</p>

<p>examination of supplementary plans? If not, what policy or regulatory measures would ensure this?</p>	<p>However, it is likely that the proposed approach will have significant time and resource implications for preparing supplementary plans. There is a need to ensure that the requirements do not result in a level of burden on local authorities which would prevent them coming forward.</p>
<p><b>Chapter 12: Minerals and waste plans</b></p>	
<p>Question 38: Are there any unique challenges facing the preparation of minerals and waste plans which we should consider in developing the approach to implement the new plan-making system?</p>	<p>Broxtowe is not a minerals or waste planning authority and we do not have any comments on this question.</p>
<p><b>Chapter 13: Community Land Auctions</b></p>	
<p>Question 39: Do you have any views on how we envisage the Community Land Auctions process would operate?</p>	<p>The principle of “Community Land Auctions” is fundamentally wrong.</p> <p>They will provide a strong, perverse, financial incentive, to both landowners and authorities, for land to be allocated for development in the least appropriate locations, where ‘hope value’ is very low (because, for example, the land concerned is relatively remote from services and facilities, and/or because it is in a location that is particularly valuable for landscape or wildlife, etc) and therefore where financial benefits, for landowners and authorities, are potentially very high.</p> <p>Although paragraph 221 refers to the continuing requirement to “prepare local plans with the objective of contributing to the achievement of sustainable development”, in the context of “Community Land Auctions” the concept of “sustainable development” will have become all but meaningless.</p>
<p>Question 40: To what extent should</p>	<p>To no extent at all.</p>

<p>financial considerations be taken into account by local planning authorities in Community Land Auction pilots, when deciding to allocate sites in the local plan, and how should this be balanced against other factors?</p>	<p>Please see our response to question 39.</p>
<p><b>Chapter 14: Approach to roll out and transition</b></p>	
<p>Question 41: Which of these options should be implemented, and why? Are there any alternative options that we should be considering?</p>	<p>The ‘proposed approach’ (paragraphs 243-246) seems preferable.</p> <p>However, it should be made clear how current two-part plans will be addressed.</p> <p>Two-part plans work well, as in Greater Nottingham. Mechanisms must be in place, through forthcoming regulations, policy and guidance, to ensure that two-part plans can continue. Without them, cross-boundary planning and genuinely strategic planning are likely to be made much more difficult, or impossible.</p>
<p><b>Chapter 15: Saving existing plans and planning documents</b></p>	
<p>Question 42: Do you agree with our proposals for saving existing plans and planning documents? If not, why?</p>	<p>Yes.</p> <p>However, it should be made clear how current two-part plans will be addressed.</p>
<p><b>Equalities impacts</b></p>	
<p>Question 43: 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?</p>	<p>We are not aware of any potential adverse impacts.</p>