Technical consultation on implementation of planning changes

A response by National Parks England

14 April 2016

National Parks England (NPE) supports the policy-making process by co-ordinating the views of the nine English National Park Authorities (NPAs) and the Broads Authority. It is governed by the Chairs of the ten authorities. Our response represents the collective view of officers who are working within the policies established by the NPAs and Broads Authority and follows internal consultation amongst the officers. ***It should be noted that all references to 'National Parks' in this response refer to the nine National Parks and the Broads.*** We are happy for our response to be made publicly available and would be happy to discuss any of the points we make further with officials if that would be helpful.

National Parks England – Summary Consultation Response

Planning fees - The proposal to increase planning application fees in line with the rate of inflation is welcomed. We would support measures to introduce local flexibility on fee setting if it would allow some National Parks to recover the full cost of providing their local planning services.

Permission in Principle – With the exception of the brownfield register (see below) we can see the merit of making permission in principle available to minor development on application. If it is to be introduced, however, we believe a number of points must be addressed. We object, for example, to the proposal that a LPA should undertake the Environmental Impact Assessment for those applications deemed to be EIA development. We propose an alternative arrangement in our full response. Secondly, LPAs – particularly those that are NPAs - should be able to consult on the technical details. There are benefits of process and fairness from allowing communities to participate and provide information that may be pertinent to the decision being taken, as acknowledged in current planning policy guidance.

Brownfield register - We have previously asked that National Parks be exempt from the proposed presumption in favour of housing on brownfield land and small sites. We do not therefore support the 'permission in principle' extending to brownfield registers as a 'qualifying document' within the National Parks.

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Small sites register - As the vast majority of sites that come forward for development within the National Parks are between one and four plots, the need to maintain a separate small sites register in addition to an up to date Local Plan seems unnecessarily burdensome.

Local Plans - We broadly support the proposals for Local Plans subject to points of clarification, outlined in our full response. We do believe the Government needs to distinguish between plan enabling (i.e. what is permitted) and plan delivery (what is actually built). If acceptable applications are not being received, a LPA cannot permit them and if the applications are out of line with local and national policy a LPA shouldn't permit them. In such cases measures against the LPA would be unjustified because the level of permissions could not have been higher. Similarly if applications are being received and approved, but houses are not being built, government intervention in plan making will not resolve this problem.

Neighbourhood Planning – NPAs have been strong supporters of the roll out of neighbourhood planning and welcome a number of the proposed changes. However, the various measures proposed for Secretary of State intervention late in the stage appear to us to be inconsistent with the thrust of the other changes to simplify and speed up the neighbourhood plan making process.

Planning Performance - We have concerns about some of the proposals to expand the approach to planning performance, especially in relation to the thresholds for major applications (of which relatively few are submitted in National Parks) and appeals overturned on applications for non-major development.

Testing competition - National Parks, as stand-alone LPAs, are rightly afforded a special status in planning law and practice and have a good track record in delivering timely and highly specialised planning services (in furtherance of the two statutory National Park purposes). We do not see any proven business case to compel National Parks to 'privatise' their planning functions. Indeed, this risks being perceived by some as undermining a manifesto commitment to maintain National Parks, AONBs and other environmental designations.

Information on financial benefits - National Parks already have a duty to foster the social and economic well-being of their local communities in pursuing the two National Park purposes. It therefore seems superfluous to require NPAs to list separately all the financial benefits that accrue from new development in their planning reports, especially when many of these benefits do not directly accrue to the National Parks e.g. council tax & business rate revenues or new homes bonus.

Consultation questions

Q1.1 Do you agree with our proposal to adjust planning fees in line with inflation, but only in areas where the local planning authority is performing well? If not what alternative would you suggest?

1. The proposal to adjust planning application fees in line with the rate of inflation is welcomed. We believe they should be increased annually in line with inflation across the National Parks and that there are other ways to deal with under-performing local authorities. An alternative is to allow National Parks to be able to recover the full cost of providing their local planning service by setting their own fees, adjusted locally as appropriate to fit local circumstance. In that scenario, full cost recovery could be linked to performance.

Q1.2 Do you agree that national fee changes should not apply where a local planning authority is designated as under-performing, or would you propose an alternative means of linking fees to performance? And should there be a delay before any change of this type is applied?

2. There is likely to be a correlation between lack of resources and poor performance so that poorly performing authorities will only be doubly disadvantaged if they do not receive increased fee levels. If local authorities are to become more efficient and market driven, they should be able to charge a fee which reflects the cost of delivering the service and this should be annually adjusted as in other areas. There are already consequences and remedies to address underperforming planning services and fees that do not in any case reflect the cost of the service being provided should not be linked to performance.

Q1.3 Do you agree that additional flexibility over planning application fees should be allowed through deals, in return for higher standards of service or radical proposals for reform?

3. Fast track services and more certainty over timescales are already available in National Parks through locally set Planning Performance Agreements, where increased resources can be delivered with the applicant covering the cost of additional staffing or consultancy. The transparency and consistency of the planning service should be maintained through an accepted level of application fees which should not be able to be varied.

Q1.4 Do you have a view on how any fast-track services could best operate, or on other options for radical service improvement?

4. Any fast-track service should not mean that public engagement is lost or compromised, especially so in protected landscapes like National Parks or Areas of Outstanding Natural Beauty (AONBs). One option would be to cut the statutory requirements for press notices and allow Local Planning Authorities (LPAs) to set their own public consultation procedures and timescales.

Q2.1 Do you agree that the following should be qualifying documents capable of granting permission in principle?
a) future local plans;
b) future neighbourhood plans;
c) brownfield registers.

5. In response to the earlier consultation on proposed changes to national planning policy, we have already asked that National Parks be exempt from the proposed presumption in favour of housing on brownfield land and small sites. It therefore follows that the National Parks do not agree that brownfield registers should be a qualifying document for permission in principle. Whilst this proposal has significant resource implications for local plan preparation, no objections are raised in principle to local and neighbourhood plans being included as qualifying documents.

Q2.2 Do you agree that permission in principle on application should be available to minor development?

6. With the exception of the brownfield register, we do not oppose that permission in principle should be available for minor development on application.

Q2.3 Do you agree that location, uses and amount of residential development should constitute 'in principle matters' that must be included in a permission in principle? Do you think any other matter should be included?

7. We agree that location, use, and amount of residential development should constitute 'in principle matters'. We do not believe it is necessary to include other matters.

8. Because permission in principle is housing led it would also be necessary for the 'use' to identify the minimum and maximum levels of non-residential uses (such as retail, community and commercial) in order to comply with local plan policies and to enable permission in principle to be granted.

Q2.4 Do you have views on how best to ensure that the parameters of the technical details that need to be agreed are described at the permission in principle stage?

9. We believe parameters should be set nationally. We suggest that on the granting of permission in principle and the issuing of a decision notice, LPAs are required to send a national application form for technical details consent and a nationally standardised checklist which the local planning authority would complete outlining the parameters which the technical details would need to cover. This would include a free text field 'other matters' to accommodate Local Plan requests and, or specific issues.

Q2.5 Do you have views on our suggested approach to a) Environmental Impact Assessment, b) Habitats Directive or c) other sensitive sites?

10. We agree with the suggested approach through qualifying documents as an assessment of impact on sensitive sites would take place during the allocations process.

11. However, we have significant concerns regarding the proposals for the screening process for Environmental Impact Assessment (EIA) development, and the suggestion in the consultation that the onus would be on the LPA to undertake the EIA if the application was deemed to be EIA development. This is not something which we support and is not something the LPA could do on behalf of the developer. Our suggested approach to overcome this issue would be to have a screening process that complies with current regulations. If an application is deemed to require an EIA then the application could not proceed to gaining permission in principle and a full application would be required. If an EIA is not required then the application can proceed to permission in principle. We do not expect many applications to be screened out as the permission in principle only relates to minor development applications.

12. We believe this suggested screening approach to EIA development would be applicable to the Habitats Regulations, and would recommend extending this suggested approach to cover these regulations.

13. The consultation is silent on how the process would deal with protected species in relation to permission in principle for minor development applications.

Q2.6 Do you agree with our proposals for community and other involvement?

14. We agree with the proposals for community and other involvement for qualifying documents. We also agree with the approach to set consultation requirements for permission in principle in line with the requirements for planning applications.

15. However, we have significant concerns regarding the proposed approach to applications for technical details consent. In our experience local communities, consultees and others would not accept that they would not have the opportunity to comment on the technical details. In National Parks, issues such as design, access, drainage, scale and massing, visual impact, and amenity issues are all important considerations. Planning Practice Guidance recognises that communities, consultees and others may be able to offer a particular insight or detailed information on that is relevant to the consideration of the application (Ref ID 15-007-20140306).

16. By not requiring LPAs to consult on technical details it would inevitably give rise to issues and concerns about consistency and fairness in the planning process. We suggest that consultation for technical consultation is mandatory, and consultation requirements are set in line with requirements for planning applications. Appropriate timescales for maximum determination periods would need to be amended to take account of statutory consultation requirements. These changes would enable particular insights or detailed information that is relevant to the consideration of the application from communities and consultees to be considered.

Q2.7 Do you agree with our proposals for information requirements?

17. We agree with the information requirements regarding permission in principle for allocated sites in qualifying documents.

18. As outlined in our response to question 2.5 applications for permission in principle will require information for screening of Environmental Impact Assessment and Habitats Directive assessment to be submitted as part of an application for permission in principle.

Q2.8 Do you have any views about the fee that should be set for a) a permission in principle application and b) a technical details consent application?

19. We agree with the suggestions as outlined in the consultation.

Q2.9 Do you agree with our proposals for the expiry of permission in principle on allocation and application? Do you have any views about whether we should allow for local variation to the duration of permission in principle?

20. We have no objections to the expiry of permission in principle on sites allocated in neighbourhood plans and local plans after five years, however a situation could arise where a site is allocated but does not benefit from permission in principle until a local plan review has been completed. We are not aware of any mechanism for neighbourhood plans to be reviewed during their plan period, so permission in principle may expire after five years and the allocation would remain valid for the plan period.

21. We have no preference over the options of expiry for permission in principle of applications. Setting the expiry date at a year for minor development would enable developers or applicants to gather necessary information to support an application for technical details. The shorter expiry period would encourage the faster delivery of housing sites.

Q2.10 Do you agree with our proposals for the maximum determination periods for a) permission in principle minor applications, and b) technical details consent for minor and major sites?

22. We do not support the proposals for maximum determination periods. To accommodate the statutory minimum consultation requirements of 21 days it would be necessary for permission in principle to have an eight week determination period.

23. For technical details consent on minor sites we also suggest the maximum determination is changed to eight weeks. As explained in our response to question 2.6 we believe it is necessary to make consultation on technical details statutory and for consultees to have the statutory minimum consultation requirements of 21 days to submit comments. An eight week maximum determination period would allow sufficient time for community and others consulted to make comments and for planning officers to consider these and determine the technical details consent.

24. We have no comments to make on the maximum determination period for technical details consent for major sites.

Q3.1 Do you agree with our proposals for identifying potential sites? Are there other sources of information that we should highlight?

25. Brownfield sites remain a scare resource within the National Parks and need to be utilised for a range of uses that support the National Park purposes and duty. Defra's recently published 8-Point Plan for National Parks sets out a clear strategic vision that looks to deliver a range of benefits to the nation, such as driving growth in international tourism, developing great food destinations and realising the immense potential for outdoor recreation. To realise these ambitions will require suitably serviced land and buildings, which are not reflected in the proposals for identifying potential sites.

Q3.2 Do you agree with our proposed criteria for assessing suitable sites? Are there other factors which you think should be considered?

26. As above. We also have concerns that the proposed approach lacks specific clear criteria to enable rigorous assessment. To refer to brownfield or previously developed land is vague. We suggest that clarity on definition is provided – either brownfield to be defined in regulation or the NPPF to be amended to refer to brownfield.

27. The consultation sets out an intention to require potential sites to be assessed against specific criteria, which are not provided. It is these criteria that will be essential for rigorous assessment.

28. It is essential for the proper planning of their area that LPAs must retain discretion and decision and we suggest the starting point must be the policies of an up to date Local Plan and agree that the evidence supporting allocation for uses other than housing is material, especially in a National Park context.

Q3.3 Do you have any views on our suggested approach for addressing the requirements of Environmental Impact Assessment and Habitats Directives?

29. No.

Q3.4 Do you agree with our views on the application of the Strategic Environment Assessment Directive? Could the Department provide assistance in order to make any applicable requirements easier to meet?

30. Yes and National Practice Guidance on the subject would be useful.

Q3.5 Do you agree with our proposals on publicity and consultation requirements?

31. Yes.

Q3.6 Do you agree with the specific information we are proposing to require for each site?

32. In rural areas not all land has a postal address and in this case it will not have a UPRN.

Q3.7 Do you have any suggestions about how the data could be standardised and published in a transparent manner?

33. We suggest that a national system is provided. This would achieve a standard approach and avoid delay, inconsistency and duplication of costly systems development by hundreds of LPAs. Each LPA could provide a link to the national system. If this is not the case it is essential that national guidance is provided on how data is held and made available and that sufficient time is allowed to enable LPAs to provide appropriate systems.

Q3.8 Do you agree with our proposed approach for keeping data up-to-date?

34. We consider that an annual review is appropriate.

Q3.9 Do our proposals to drive progress provide a strong enough incentive to ensure the most effective use of local brownfield registers and permission in principle?

35. Please refer to our answer to Q3.1.

Q4.1 – Q4.4 Small sites register

36. In its response to the earlier consultation on proposed changes to national planning policy, NPE asked that National Parks be exempt from the proposed presumption in favour of housing on small sites. As most housing sites in the

National Parks fall within one to four plots, we question the need for National Parks to maintain a separate register for small sites as such sites are already brought forward through Neighbourhood and Local Plans.

Q5.1 Do you support our proposals for the circumstances in which a local planning authority must designate all of the neighbourhood plan applied for?

37. No concern is raised regarding the removal of the statutory period for advertising the intent to designate a neighbourhood planning area (other than the exceptions to avoid clash with current proposals). However this stage does have value in specifying minimum standards of advertisement of intent to designate a neighbourhood plan area. If this stage is removed, it would be helpful to retain some minimum standards of advertising to the local resident and business community and statutory stakeholders. This would be part of the Statement of Community Involvement and enable the planning authority and plan inspectors to assess the strength of the plan making process at examination.

Q5.2 Do you agree with the proposed time periods for local planning authority to designate a neighbourhood forum?

38. The proposed time periods appear reasonable but there are circumstances outside of LPA control (e.g. Purdah periods of other councils in the case of cross boundary neighbourhood plan areas) when the determination of applications may be problematic for our neighbours and reduce or remove opportunities for them to process the application through the democratic channels of committees. This would impact negatively on National Parks as they could, by no fault of their own, be deemed, as a jointly responsible body, to be failing to reach a decision within statutory time periods.

39. In addition, the information required to determine an application for a neighbourhood forum may not be supplied by the applicant. In such cases, the local planning authority needs the ability to 'not register' the application. If the resolution of such matters takes a long time, it may be a strong indicator of the strength of feeling, level of resources, appetite/need for a neighbourhood plan. It is often the community level issues that set the timescale for this stage rather than the planning authority. It is a critical stage of the process if the Neighbourhood Plan is to be representative and ultimately effective, so we would urge caution in forcing this issue.

Q5.3 Do you agree with the proposed time period for the local planning authority to decide whether to send a plan or Order to referendum?

40. On the first exceptional circumstance proposed, this may result in a more precautionary approach than might otherwise be necessary. If a LPA suspects (but is unable to be sure within a strict deadline) that the neighbourhood plan is not in general conformity with their plan, they could, and arguably should apply for an extension as a precaution to enable wider consideration and if necessary Member involvement in the decision. To identify likely non conformity with the development plan without properly addressing it on the grounds there is insufficient time or resources could also store up problems in using the plans at a later date.

41. On the second exceptional circumstance proposed, it is important that the LPA has dispensation to seek an extension to a five week deadline (with or without the neighbourhood plan groups agreement). LPAs do not always employ neighbourhood planners, so the ability to deal with a five week timeline may be compromised by other work on Local Plan preparation, other neighbourhood plan work, processing of planning applications (with their own deadlines). Neighbourhood Plans' ultimate status as part of the development plan and their longevity as part of the development justifies caution at this stage.

Q5.4 Do you agree with the suggested persons to be notified and invited to make representations when a local planning authority's proposed decision differs from the recommendation of the examiner?

42. LPAs would expect that those making representations are kept informed of progress of a plan in the stages towards adoption. The value in re-opening consultation is however less clear at this stage because the inspector will have already heard from these people if they have made representations that the inspector considers should have been usefully expanded upon as part of the examination. We consider that government needs to clarify whether it means consultation or information at this stage, and if it means consultation, that it clarifies what value it sees in further consultation at this stage. In light of the concerns over timescales already cited, a re-opening of consultation and evidence gathering stages would have knock on effects on the timescales within which a LPA could move the process through to adoption.

Q5.5 Do you agree with the proposed time periods where a local planning authority seeks further representation and makes a final decision?

43. In some circumstances five weeks would be far too short to consider representations and get Member agreement to the officer response.

Q5.6 Do you agree with the proposed time period within which a referendum must be held?

44. The flexibility for the LPA and the neighbourhood plan group to agree the time period means that this target 10 weeks is reasonable as an outline expectation.

Q5.7 Do you agree with the time period by which a neighbourhood plan or Order should be made following a successful referendum?

45. No. The term 'as soon as reasonably practicable' is clear, and allows for circumstances beyond the control of planning authorities (Purdah periods, appointment of committee members, councillor training etc.). An eight week deadline serves no useful purpose since it could only be used by central government to force a neighbourhood plan to be 'made' outside the locally democratic stage of making part of its development plan. It is already possible to force plans through on the grounds that the LPA had not made the plan as soon as reasonably practicable, so we see no advantage from the change.

Q5.8 What other measures could speed up or simplify the neighbourhood planning process?

46. The requirements for sustainability appraisals and SEA are perhaps disproportionate to the scale of the plan being produced, with the statutory development plan picking these things up for the whole LPA area. In cases where a neighbourhood plan is triggered by pressure to develop a site, any application for the site would be subject to necessary appraisals so it seems onerous to expect appraisals of a type already done for the development plan or required by planning applications for a neighbourhood plan. In addition, the assessment of conformity would pick up any problems of potential adverse environmental impact or unsustainable development and screen this out.

Q5.9 Do you agree with the proposed procedure to be followed where the Secretary of State may intervene to decide whether a neighbourhood plan or Order should be put to a referendum?

47. This process seems to open up scope for actions (intended or unintended) on behalf of neighbourhood planning groups or stakeholders that would prevent a LPA taking a decision ahead of a deadline and trigger a mechanism to take the process out of the hands of the LPA at the end of the process.

48. It is unreasonable to insist on a LPA accepting all examiners recommendations until the LPA and the examiner are sure that there is understanding that has led to the recommendations. If there is a recommendation based on a misunderstanding, it is not appropriate to penalise a LPA for refusing to agree the recommendation, or penalise them by removing the scope for challenge to a recommendation.

49. It is more reasonable for the Secretary of State to intervene where a LPA is seeking to modify a plan or Order at the last stage in ways that an examiner has not recommended. However there may be changes to the development plan or indeed national policy at the last minute that have to be brought into the neighbourhood plan, especially as the timelines for different local and national policy changes will never coincide neatly with the neighbourhood plan processes.

50. We believe Secretary of State intervention to install another Inspector risks being perceived as a crude way of taking over the process and reducing the local legitimacy of the process.

51. The various measures within this intervention stage create more red tape rather than less, central control over local determination, and seem generally at odds with the thrust of these changes to simplify and speed up the neighbourhood plan making process.

Q5.10 Do you agree that local planning authorities must notify and invite representations from designated neighbourhood forums where they consider they may have an interest in the preparation of a local plan?

52. Yes providing that it is the responsibility of the neighbourhood forum to ensure the LPA has up to date contact details for the Forum. Unlike Parish Councils, neighbourhood forums do not have the same legal status or modus operandi, so it is more likely that their membership and leadership and way of

working will be less widely known. This clarification of responsibilities would make the suggestion workable.

Q6.1 Do you agree with our proposed criteria for prioritising intervention in local plans?

53. We have already responded to the consultation regarding the housing delivery test but the intent to use performance against this test is flawed in the context of planning for a National Park unless the determination is set against the context for planning in National Parks as established by the NPPF and the National Parks Vision and Circular. National Parks are seen as sensitive protected areas, and where it is not appropriate to have higher housing delivery in order to achieve national objectives. The other criteria for assessing progress seem sensible.

Q6.2 Do you agree that decisions on prioritising intervention to arrange for a local plan to be written should take into consideration a) collaborative and strategic plan making, and b) neighbourhood planning?

54. Collaborative and strategic plan making – National Parks already co-operate with constituent authorities but operate to different plan objectives (borne of their protected area status). Joint plans are sensible where the responsibilities and objectives of the LPAs are broadly the same, but are not appropriate where one area is seeking growth and another is seeking sustainable development in the context of protected area status.

55. Neighbourhood planning - This is sensible, provided it is used to help communities in areas where the demand for neighbourhood planning is high but the local plan presence is limited or non-existent. If there is no demand for neighbourhood planning in an area there may be less to be gained from intervening to write a local plan for the area.

Q6.3 Are there any other factors that you think government should take into consideration?

56. Government needs to distinguish between plan enabling (i.e. what is permitted) and plan delivery (what is actually built). If acceptable applications are not being received, a LPA cannot permit them and if the applications are out of line with local and national policy an LPA shouldn't permit them. In these cases measures against the planning authority is unjustified because the level of permissions could not have been higher.

57. Similarly if the applications are being received and approved, but houses are not being built, government intervention in plan making will not resolve this problem. In fact intervention in plan making would be to misunderstand where the blockage to housing delivery mainly lies. A quicker plan with easier routes to permissions will not necessarily lead to increased delivery of houses, as the drip feed of delivery in areas of high numbers of permissions demonstrates even in areas with up to date plans.

Q6.4 Do you agree that the Secretary of State should take exceptional circumstances submitted by local planning authorities into account when considering intervention?

58. These safeguards (consideration of exceptional circumstances without a tight definition of that term) are wholly necessary in the light of the response to the previous question and the need to understand fully the circumstances conspiring towards the local position on plan status and delivery.

Q6.5 Is there any other information you think we should publish alongside what is stated above?

59. Bullet point 3 c) would be more meaningful if the LPA was able to explain that. (e.g. resource diverted to neighbourhood plan work; resource diverted to respond to national changes to planning policy; purdah periods at councils when plan stages couldn't be progressed through committee; resource needed to consistently update Local Development Schemes).

Q6.6 Do you agree that the proposed information should be published on a six monthly basis?

60. Depending on the rigour of the data required this timescale looks reasonable and proportionate.

Q7.1 Do you agree that the threshold for designations involving applications for non-major development should be set initially at between 60-70% of decisions made on time, and between 10-20% of decisions overturned at appeal? If so what specific thresholds would you suggest?

61. With the caveat that a split appeal decision is counted as 50% dismissed and 50% allowed rather than the current method of counting a split appeal as wholly upheld – yes. The overall 70% broadly accords with the previous 65% & 80% targets for Minors and Others.

Q7.2 Do you agree that the threshold for designations based on the quality of decisions on applications for major development should be reduced to 10% of decisions overturned at appeal?

62. No, in almost any walk of life getting something 90% correct is good enough and a LPA which wins 90% of its major appeals should not be seen as failing - the threshold is too low.

Q7.3 Do you agree with our proposed approach to designation and de-designation, and in particular

(a) that the general approach should be the same for applications involving major and non-major development?

63. Yes, the current 'quality' dimension to assessing an Authority's planning service is based solely on major appeal performance. Having separate major and non-major assessments would protect the 'quality' of the non-major work of a planning service.

(b) performance in handling applications for major and non-major development should be assessed separately?

64. Yes, dealing with majors compared to other applications can be very different.

(c) in considering exceptional circumstances, we should take into account the extent to which any appeals involve decisions which authorities considered to be in line with an up-to-date plan, prior to confirming any designations based on the quality of decisions?

65. Yes, LPA's should not be penalised for following the general presumption of deciding applications in accordance with the development plan and where the key issue is weight to be given to other material considerations.

Q7.4 Do you agree that the option to apply directly to the Secretary of State should not apply to applications for householder developments?

66. Yes, it would be difficult to conceive that householder developments should gain equal priority over larger projects with a wider public interest.

Q8.1 Who should be able to compete for the processing of planning applications and which applications could they compete for?

67. LPAs already have the ability to 'outsource' the processing of planning applications. This option should remain at the LPA's discretion unless the LPA is designated as underperforming. There are already good examples of National Parks delivering shared planning services (New Forest NPA) and commissioning other LPAs to carry out the development management role on their behalf (South Downs NPA).

68. In the case of the South Downs, this work is only undertaken by those authorities who are actually situated within the National Park or at least partly. One would question the practicality of 'providers' carrying out a similar role more remotely from the area in question and whether this would inevitably result in complaints levied at the respective 'providers' as not understanding the local context or nature of an area.

69. We do not favour the compulsory tendering or outsourcing of the development management process, especially so where the National Park is meeting the required performance standards. Planning is the sole statutory function of National Parks and the main vehicle for delivering the two statutory purposes and associated duty. We do not see any compelling case to forcibly privatise the National Parks' planning functions. Indeed it could easily be perceived by some as undermining a manifesto commitment to maintain National Parks, AONBs and other environmental designations. It should be for National Parks to consider these matters as appropriate

Q8.2 How should fee setting in competition test areas operate?

69. It is considered that there should be the same fees across providers to ensure that there is equality both in resourcing and quality of service.

Q8.3 What should applicants, approved providers and local planning authorities in test areas be able to?

70. We believe that National Parks should not be chosen to pilot this proposal given the national prominence and value attached to the planning role within National Parks.

Q8.4 – 8.6

71. As 70 above.

Q9.1 Do you agree with these proposals for the range of benefits to be listed in planning reports?

72. No. The National Parks already make reference in their reports to any material considerations within an application including those of a socio-economic nature. They should not have a 'requirement' for local finance considerations to be listed, if there are clearly none. It would seem that this is almost seeking to place a higher weighting on beneficial financial considerations, where this must be surely balanced against other considerations (and it must be acknowledged in a National Park setting that the two statutory purposes are paramount, with a socio-economic duty placed upon us in meeting those two purposes).

73. It is considered that there is a lack of robust evidence that relevant financial matters (both positive and negative) are not currently assessed or presented to decision-makers, particularly for larger more significant applications.

74. There is a concern that any exaggerated emphasis on the financial benefits accruing from a development has the potential to create a misleading impression that these are somehow material to, or of a greater weight than other matters, when considering the decision to grant planning permission in each individual case. This could bring the local planning system into disrepute.

Q9.2 Do you agree with these proposals for the information to be recorded, and are there any other matters that we should consider when preparing regulations to implement this measure?

75. See above – we do not believe this information should be recorded.

National Parks England
14 April 2016