

LGA response to the MHCLG consultation 'Planning Reform: Supporting the high street and increasing the delivery of new homes'

December 2018



The Local Government Association (LGA) is the politically led cross-party national voice of local government. We work with councils to support, promote and improve local government.

Key messages

- Councils are approving 9 in 10 planning application and in almost 70 per cent of planning appeal cases the Planning Inspectorate uphold councils' decisions.
- Councils across the country are implementing plans to effectively manage change in our high street and town centres. The responses will need to be different depending on the size, location and demographics of a place.
- The government should resist tinkering further with the Use Classes Order. Instead it should undertake a wholesale review of the Order to consider whether it is still fit-for-purpose and in the meantime give councils greater local discretion to manage change of use in their city and town centres
- The government should also resist introducing additional permitted development rights which have unintended consequences at a local level and undermine the government's current focus on quality and well-designed places.
- We have serious concerns about the negative impacts of permitted development rights enabling change of use into residential homes – we strongly oppose proposals for new permitted development rights allowing upwards extensions and demolition of commercial buildings and rebuild as residential, without the need for planning permission.
- We welcome the proposals for removal of permitted development rights for the installation of public call boxes and deemed consent allowing advertisement on them. The proposals will ensure that in future all material considerations can be considered through a full planning application process.
- We consider that the undervalue threshold for disposal of local authority land should be removed completely so that local authorities can dispose of land at any undervalue without seeking consent from the Secretary of State, which will streamline and speed-up the existing process.
- In principle we support the proposals for listed building consent for works undertaken by the Canal & River Trust. However it will be important that the safeguards are implemented properly and ensure that appropriate protection is maintained for listed buildings and their settings.

Briefing

18 Smith Square, London, SW1P 3HZ
Email info@local.gov.uk
Tel 020 7664 3000 Fax 020 7664 3030
www.local.gov.uk

Allow greater change of use to support high streets to adapt and diversify

Question 1.1: Do you agree that there should be a new permitted development right to allow shops (A1) financial and professional services (A2), hot food takeaways (A5), betting shops, pay day loan shop and launderettes to change to office use (B1)? Please give your reasons.

Question 1.2: Do you agree that there should be a new permitted development right to allow hot food takeaways (A5) to change to residential use (C3)? Please give your reasons.

Question 1.3: Are there any specific matters that should be considered for prior approval to change to office use?

No, we do not agree with the proposals outlined above.

Firstly, the consultation rightly points out that high streets and town centres are already providing a wider range of services and uses alongside the traditional shops and services. Councils are also approving almost 9 in 10 planning applications, including change of use applications, therefore we do not consider that the above proposals are necessary. In addition, the Planning Inspectorate uphold the decision of the local planning authority in almost 70 per cent of section 78 planning appeal cases.

Councils up and down the country are implementing plans to lead a revival of their local town and city centres. Time and creative local leadership are critical for the physical aspects of our town centres to adapt to the massive changes in shopping habits, global trends and what attracts people to town centres.

The responses required for managing this change are necessarily complex and will need to be different depending on the size, location and demographics of a place.

Part of the response to town centre revitalisation requires big thinking – avoiding the traps of having a narrow focus on, for example, retail, one particular street or block or single issues such as parking, anti-social behaviour or business rates.

Key to success is a strong evidence base, meaningful engagement with the town's stakeholders and embracing new technology.

These proposed new permitted development rights, which remove the need for planning permission for change of use in the proposed categories, would undermine the strategic approach that councils are undertaking to find a new purpose for town centres – rebalancing the functions they serve including employment, commercial, leisure, community housing, healthcare and educational uses.

Rather than further tinkering of permitted development rights, the government should instead do more to promote best practice and innovation in how councils are supporting town centre and high street adaptation. The LGA's '[Revitalising town centres](#)' toolkit provides practical guidance and resources to assist councils in taking a strategic and evidence-based approach to

revitalising town and city centres.

We do not support the proposal to extend permitted development rights allowing change of use from hot food takeaway uses into residential. Our [survey](#) of councils on the impacts of permitted development highlighted a number of serious concerns.

These include:

- **92%** were moderately or very concerned about the quality/design of housing resulting from permitted development orders (PDOs);
- **89%** were moderately or very concerned about the appropriateness of the location of housing resulting from PDOs;
- **78%** were concerned about the size of housing resulting from PDO
- **75%** were concerned about access to open space from housing resulting from PDO
- **59%** were concerned about safety of the housing resulting from PDOs
- **50%** of respondent authorities agreed that PDO changes had resulted in the loss or relocation of businesses as offices were converted to housing;
- **69%** thought that changes to the PDO had reduced the availability of office space, **35%** likewise agricultural buildings, **25%** storage/distribution space, and **20%** retail space;
- **65%** reported that contributions to affordable housing through section 106 agreements had reduced, and **66%** that contributions for other infrastructure through section 106 agreements had reduced;
- Only **24%** thought that local businesses were very or fairly supportive of changes of use to residential, **10%** likewise local residents, and **11%** their council's elected members;

The LGA also [estimates](#) that more than 10,000 affordable homes have been lost over the last 3 years from permitted development rights allowing change of use from office to residential alone. Further permitted development rights would exacerbate this further.

We consider that there should be an independent review of the wide-ranging impacts of permitted development rights allowing change of use into residential homes.

Question 1.4: Do you agree that the permitted development right for the temporary change of use of the premises listed in paragraph 1.9 should allow change to a public library, exhibition hall, museum, clinic or health centre?

Question 1.5: Are there other community uses to which temporary change of use should be allowed?

Question 1.6: Do you agree that the temporary change of use should be extended from 2 years to 3 years?

No. We do not support the proposals above.

As our response Questions 1.1-1.3 illustrates, councils need all the tools at their disposal to support town centre revitalisation and refocus their purpose, where this is appropriate and necessary. Libraries, museums, exhibition halls and health clinics have an important role in this. However, this requires different responses in different areas. We consider that rather than a national permitted development right, which can have unintended consequences at a local level, that it should be discretionary for local authorities to extend the

existing permitted development rights for temporary change of use (the length of time the use can change for and/or the type of use that buildings can be changed to) - to reflect local market conditions and the strategic approach being taken by the local authority to manage town centre change.

We are unclear on the evidence base that supports the proposals and would like to understand the impact that the existing temporary change of use flexibilities have had on town centres and their high streets.

Question 1.7: Would changes to certain of the A use classes be helpful in supporting high streets?

Question 1.8: If so, which would be the most suitable approach:

a. that the A1 use class should be simplified to ensure it captures current and future retail models; or,

b. that the A1, A2 and A3 use classes should be merged to create a single use class?

Please give your reasons.

No.

There is a broad recognition that the current Use Classes Order has failed to keep up and reflect the changes in business typology that have emerged over the last few years. There have been a number of piecemeal changes to the Order over that time, in order to try and mitigate a number of unintended consequences emerging from the current flexibility that the Order provides. This includes clustering of certain types of business e.g. betting shops. Given the significant pressures facing town centres in the current climate and the increasingly strategic approach that councils are taking to repurpose town centres, we consider that the government should resist making further piecemeal changes to the Use Classes Order. Instead it should undertake a wholesale review of the Order to consider whether it is still fit-for-purpose and in the meantime give local authorities greater local discretion to manage change of use in their city and town centres. This could include local permitted development rights allowing a broader range of change of uses to help retailers and service providers keep up with modern consumer habits. This would enable councils to provide increased flexibility at a local level where appropriate, and at the same time enabling them to safeguard against potential unintended consequences (for example impact on neighbouring residents and businesses), which could arise from a nationally implemented regime.

Question 1.9: Do you think there is a role for a permitted development right to provide additional self-contained homes by extending certain premises upwards?

Question 1.10: Do you think there is a role for local design codes to improve outcomes from the application of the proposed right?

No. We do not support the proposal for a permitted development right to provide additional self-contained homes by extending certain premises upwards.

The proposed approach would undermine the role of local communities and local authorities in the planning process and would simply extend the delivery of the unaffordable, low-quality housing that have become the hallmark of permitted development. Allowing upwards extensions without the need for

planning permission is a significant and unwelcome step-change from the existing permitted development rights allowing change of use to residential, which as we have already outlined, have had significant negative impacts. The government is effectively removing the ability of local planning authorities to ensure good design through the appropriate application of Local Plan policies, which also risks undermining the government's current focus on quality. If the government are truly committed to tackling the issues of poor quality design and build of new homes as outlined in the terms of reference of the Building Better, Building Beautiful commission launched in November, then these proposals should absolutely not be taken forward.

As the consultation rightly points out, additional new homes are already being brought forward using airspace above existing buildings and being approved through the planning application process.

The revised NPPF (Paragraph 118) is also clear that planning policies and decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes.

In addition, the local planning system exists for a reason so that when new development is being proposed, all relevant material planning considerations can be taken into account in deciding whether to grant or refuse planning permission.

Our response to Questions 1.1.-1.3 also outlines a number of concerns that have been raised about the housing resulting from permitted development rights, most of which would remain relevant in relation to this proposals for upwards extensions.

Finally, we are concerned that the government has brought forward this proposed national permitted development right, when more than half of the respondents did not support the proposal for a London permitted development right, allowing upwards extension, in the '[Upwards extensions in London](#)' consultation – with 'a one-size-fits-all permitted development right approach considered unworkable' and 'the complex prior approval that would be required to protect neighbours and the character and amenity of an area would result in a permitted development right that is no less onerous than a planning application.'

Question 1.11: Which is the more suitable approach to a new permitted development right:

- a. that it allows premises to extend up to the roofline of the highest building in a terrace; or**
- b. that it allows building up to the prevailing roof height in the locality?**

Question 1.12: Do you agree that there should be an overall limit of no more than 5 storeys above ground level once extended?

Question 1.13: How do you think a permitted development right should address the impact where the ground is not level?

Question 1.14: Do you agree that, separately, there should be a right for additional storeys on purpose built free standing blocks of flats? If so, how many storeys should be allowed?

We do not support the proposal for a permitted development right for upwards extensions for new homes for the reasons outlined in questions 1.1-1.3 and question 1.10.

The locally-led planning system exists for a reason, to ensure that future development of an area addresses needs and opportunities relating to housing, the economy, community facilities and infrastructure – ultimately leading to the achievement of well-designed places. These proposals undermine this ambition.

Further, in practical terms, as the existing permitted development rights allowing change of use into residential have clearly illustrated, it is extremely difficult for government to set national rules that work effectively in local areas. Simple national solutions risk unintended consequences including poor quality homes built in the wrong places and which do not meet the needs of local communities. Conversely, complex national solutions risk increased bureaucracy.

Therefore, we consider that proposals for upwards extensions should continue to be considered through the local planning system so that all relevant material planning considerations can be taken into account in deciding whether to grant or refuse planning permission.

However, notwithstanding our view above, and recognising that the proposals will likely mean that buildings do not fall under the new regulatory framework (which will apply to buildings 10 storeys or more), proposed by the [Independent Review of Building Regulations and Fire Safety](#), the government should ensure, if they are minded to take these proposals forward, that there are appropriate safeguards in place to ensure the safety of the residents who will be living in the new homes created.

Separately, the LGA has called for the new regulatory framework to apply to buildings over 11 metres (the proposed new definition of high rise for building regulations in Scotland). It should also apply to all buildings where vulnerable people sleep (except private dwellings) and Houses in Multiple Occupation.

We also consider that the government should review the existing building regulations to ensure they are sufficiently robust in respect of upwards extensions to existing buildings, so that, for example, structural safety can be guaranteed.

Question 1.15: Do you agree that the premises in paragraph 1.21 would be suitable to include in a permitted development right to extend upwards to create additional new homes?

No. We do not support permitted development rights allowing change of use into new homes.

Question 1.16: Are there other types of premises, such as those in paragraph 1.22 that would be suitable to include in a permitted development right to extend upwards to create additional new homes?

No. We do not support permitted development rights allowing change of use into new homes.

Question 1.17: Do you agree that a permitted development right should allow the local authority to consider the extent of the works proposed?

We do not support permitted development rights allowing change of use into new homes.

Proposals for change of use into new homes should go through a full planning application process so that all material planning considerations can be taken into account when deciding to grant or refuse planning permission. This would also allow appropriate planning conditions to be put in place, to mitigate any adverse impacts of the development, where it would otherwise have been necessary to refuse planning permission.

Question 1.18: Do you agree that in managing the impact of the proposal, the matters set out in paragraphs 1.25 -1.27 should be considered in a prior approval?

Question 1.19: Are there any other planning matters that should be considered?

We do not support permitted development rights allowing change of use into new homes.

Proposals for change of use into new homes should go through a full planning application process so that all material planning considerations can be taken into account when deciding to grant or refuse planning permission.

Notwithstanding our view above, if the government is minded to take forward the proposals, consideration must be given to the overall impact on those areas that have historic frontages and a heritage aspect to them. £55 million of the government's Future High Streets Fund has been committed to that, so any new planning policy needs to be fully aligned with that policy ambition.

More generally, we would also like to see greater protections on five-year land supply assessments. This would reduce the opportunity for developers to appeal and the risk of inappropriate development outside the Local Plan to be approved.

Question 1.20: Should a permitted development right also allow for the upward extension of a dwelling for the enlargement of an existing home? If so, what considerations should apply?

No. Proposals should go through a full planning application process so that all material planning considerations can be taken into account when deciding to grant or refuse planning permission. This would also allow appropriate planning conditions to be put in place, to mitigate any adverse impacts of the development, where it would otherwise have been necessary to refuse planning permission.

The permitted development right to install public call boxes and associated advertisement consent

Question 1.21: Do you agree that the permitted development right for public call boxes (telephone kiosks) should be removed?

Question 1.22: Do you agree that deemed consent which allows an advertisement to be placed on a single side of a telephone kiosk should be removed?

Yes we agree to both question 1.21 and 1.22. We are pleased that the government has listened to councils' concerns relating to the proliferation of telephone kiosks in our town and city centres, which has been impacting upon councils' local economic growth ambitions and the pedestrian experience of their residents and visitors. The proposals will ensure that future applications for public call boxes can be considered through a full planning application process, so that all material planning considerations can be taken into account when deciding to grant or refuse planning permission.

The LGA would also like to see changes to the current legislation to:

1. Remove any compensation liability payable by the local planning authority where they subsequently refuse an application for planning permission, or grant permission subject to conditions, for the development which previously benefitted from permitted development rights.
2. Empower councils to require the removal of kiosks where they are likely to impede public works including those necessary for regeneration, or where they are causing nuisance or antisocial behaviour issues.
3. Empower councils to require the removal of kiosks if they are persistently not in working order or have consistent low levels of use. This would require code operators to provide clear, transparent data to local authorities on the number of calls made from each kiosk.

Finally, Committee of Advertising Practice (CAP) code rules which state that adverts from products high in fat, sugar and salt (HFSS) should not be placed in areas where the audience is likely to be disproportionately made up of children, are not fit for purpose. Brands are simply flouting the voluntary rules, hoping no-one will bother to complain, and safe in the knowledge there are no meaningful sanctions for non-compliance anyway. Children's exposure to unhealthy food marketing should not be dependent on organisations' and members of the public lodging ad-hoc complaints. Clear guidance about what constitutes an HFSS advert and a stronger legislative framework to restrict food marketing are needed if we are to adequately protect children from obesity. Councils are calling for greater powers to limit the placing of advertising from products high in fat, sugar and salt on bus stops, telephone boxes and billboards in areas in close proximity to, for example, schools, nurseries and youth centres.

Increasing the height threshold for the permitted development right for electric vehicle charging points in areas used for off-street parking

Question 1.23: Do you agree with the proposed increased height limit for an electrical vehicle charging point upstand in an off-street parking space that is not within the curtilage of a dwellinghouse?

The LGA is supportive of moves to make electric charging easier and more effective. However, councils are keen to ensure that the roll out of this type of technology maximises the benefits for their communities while mitigating the

risks inherent in major technological change. We consider that increasing the existing height limit to 2.3 metres high could, in some areas have a significant impact on the amenity and character of that area. We also consider that the proposal risks slowing down innovation in the market to deliver smaller charging units, which could in the future be placed in locations that reduce overall street clutter and improve the pedestrian experience of councils' residents and visitors. We therefore consider that councils' should be able to decide locally whether to allow the increased height limit – either across an area or in designated areas.

Question 1.24: Do you agree that the existing time-limited permitted development right for change of use from storage or distribution to residential is made permanent?

No.

We do not support permitted development rights allowing change of use into new homes.

Proposals for change of use into new homes should go through a full planning application process so that all material planning considerations can be taken into account when deciding to grant or refuse planning permission.

Existing permitted development rights allowing change of use into homes have had a number of unintended consequences (see answers to questions 1.1-1.3).

Question 1.25: Do you agree that the time-limited permitted development right for larger extensions to dwellinghouses is made permanent?

Question 1.26: Do you agree that a fee should be charged for a prior approval application for a larger extension to a dwellinghouse?

We recognise that this has been a popular permitted development right with homeowners, however we would question how many of these are additional to those which would have come forward anyway had the permitted development right not existed

We do not consider that the time-limited right should be made permanent until an independent review is undertaken of its impact – both on neighbouring residents/businesses but also the capacity of local planning authorities.

Our survey on the impact of permitted development rights earlier this year highlighted a number of concerns cited by residents in response to neighbour consultations. The two most common were overshadowing/loss of outlook (70 per cent) and overlooking and loss of privacy (67 per cent). These were followed by loss of sunlight (48 per cent) and design (36 per cent).

A half of respondents thought that their authority's ability to deliver planning services had been affected by the lack of a prior notification fee for larger household extensions.

The two main effects on planning services of the introduction of the prior notification scheme for larger household extensions were an increased workload and loss of income (both 64 per cent).

Councils have also raised concerns previously that the current process means that they have a limited opportunity to consider the impact of larger household extensions on the local area and immediate neighbours did not always object where a development could have an impact.

Notwithstanding our view above, if the government is minded to take forward the proposal, we welcome the introduction of a fee, although further testing should be done with local planning authorities to ensure it is set at a level that enables full cost recovery.

Supporting housing delivery by allowing for the demolition of commercial buildings and redevelopment as residential

Question 1.27: Do you support a permitted development right for the high quality redevelopment of commercial sites, including demolition and replacement build as residential, which retained the existing developer contributions?

Question 1.28: What considerations would be important in framing any future right for the demolition of commercial buildings and their redevelopment as residential to ensure that it brings the most sites forward for redevelopment?

No we do not support a permitted development right for the demolition of commercial buildings and replacement build as residential.

The proposed approach would undermine the role of local communities and local authorities in the planning process and would simply extend the delivery of the unaffordable, low-quality housing that have become the hallmark of permitted development. Allowing demolition of commercial buildings and their redevelopment as residential without the need for planning permission is a significant and unwelcome step-change from the existing permitted development rights allowing change of use to residential, which as we have already outlined, have had significant negative impacts.

The government is effectively removing the ability of local planning authorities to ensure good design and effective place-management through the appropriate application of Local Plan policies, which also risks undermining the government's current focus on quality and well-designed places. If the government are truly committed to tackling the issues of poor quality design and build of new homes as outlined in the terms of reference of the Building Better, Building Beautiful commission launched in November, then these proposals should absolutely not be taken forward.

Proposals for redevelopment should go through a full planning application process so that all material planning considerations can be taken into account when deciding to grant or refuse planning permission. This would also allow appropriate planning conditions to be put in place, to mitigate any adverse impacts of the development, where it would otherwise have been necessary to refuse planning permission.

We consider that the complex prior approval that would be required to protect neighbours and the character and amenity of an area would result in a permitted development right that is no less onerous than a planning application.

Notwithstanding our view above, if the government is minded to take this proposal forward, local policy compliant affordable housing and other section 106 contributions (which would have ordinarily been secured through a full planning application process) and CIL requirements should be provided by the developer.

Further, if the government is minded to take these proposals forward (and we consider that they should not), any buildings that would, when built, fall under the new regulatory framework (10 storeys or more), proposed by the [Independent Review of Building Regulations and Fire Safety](#), should be considered through that regime. For buildings that fall outside of scope of the new regulatory framework, there should be appropriate safeguards in place to ensure the safety of the residents who will be living in the new homes created.

Separately, the LGA has called for the new regulatory framework to apply to buildings over 11 metres (the proposed new definition of high rise for building regulations in Scotland). It should also apply to all buildings where vulnerable people sleep (except private dwellings) and Houses in Multiple Occupation.

Part 2: Disposal of local authority land

Question 2.1: Do you think that the threshold for the existing general consent for the disposal of land held for purposes other than planning or housing at undervalue (under section 123 of the Local Government Act 1972) should:

- a. remain at the current level?
- b. be increased?
- c. be removed completely?

Question 2.2: If you consider it should be increased, do you think the new threshold should be:

- a. £5 million or less?
- b. £10 million or less?
- c. other threshold? (please state level)

We consider that the threshold should be removed completely so that local authorities can dispose of land at any undervalue without seeking consent from the Secretary of State, which will streamline and speed-up the existing process.

More generally, we welcome the proposals to align the section 123 and 233 powers in the interests of consistency.

Question 2.3: Do you agree that the Secretary of State should issue a new general consent under section 233 of the Town and Country Planning Act 1990 for the disposal of land held for planning purposes?

Yes. We welcome this proposal which will streamline the existing process, speeding up land disposals and enabling land for development schemes to be brought forward more quickly.

Question 2.4: If yes, do you think any new general consent should apply to:

- a. disposals at an undervalue of £2 million or less?
- b. disposals at an undervalue of £5 million or less?
- c. disposals at an undervalue of £10 million or less?

- d. disposals at some other undervalue threshold? (please state level)
- e. all disposals regardless of the undervalue?

We consider that the new general consent should apply to e) all disposals, regardless of the undervalue.

Question 2.5: Do you agree that the economic, social or environmental well-being criteria which apply to the existing general consent should also apply to any new general consent for the disposal of land held for planning purposes?

Yes we consider that this is an appropriate safeguard.

Question 2.6: Do you have any additional comments about the current system governing disposals of land at an undervalue by local authorities, and our proposals to amend it?

No

Question 2.7: Do you consider that the current £10m threshold contained in the general consent governing disposals by the Greater London Authority remains appropriate?

No comment.

Question 2.8: If you consider the current threshold is no longer appropriate, or that the limit should be removed completely, please specify what you think the alternative should be and give reasons.

No comment.

Question 2.9: Do you have any views about the implications of our proposed changes on people with protected characteristics as defined in the Equality Act 2010?

No comment.

Part 3. Canal & River Trust: Draft listed building consent order

Question 3.1: Do you agree that the types of work set out in paragraph 3.8 should be granted a general listed building consent?

Yes, in principle we support these proposals on the basis that they are intended for routine, minor works to listed waterways structures maintained by the Canal & River Trust. However it will be important that the safeguards are implemented properly and ensure that appropriate protection is maintained for listed buildings and their settings.

Question 3.2: Do you agree that the safeguards mentioned included in the order are appropriate?

Yes.

Question 3.3: Do you consider that any additional safeguards are required?

We also consider it would be appropriate for the Canals and Rivers Trust to share details on the work it has undertaken with the relevant local planning authority on an annual basis.

It would also be helpful, for the Canals and Rivers Trust to notify the relevant local planning authority that work is due to be undertaken on particular structures under the general listed building consent. In particular, this would assist local planning authorities to respond to any queries from the public regarding activity on waterways structures, as well as provide an additional safeguard that work was not being undertaken on structures where the consent order had been removed.

We also consider that the final listed building consent order should also include powers for local planning authorities to direct that specific listed buildings, or listed buildings of a certain description make a direction enabling them to remove the general listed building consent order for specific structures.

There should be a transition period before the Order is introduced to enable relevant directions removing the general listed building consent order for specific structures to be introduced. This should be a simple, streamlined process.

Finally, we consider that the first review should take place 1 year after the order comes into effect, to ensure that any unintended consequences of introducing the general listed building consent order are picked up quickly and amendments (or cancellation) to the order made as appropriate. As the consultation rightly recognises this is the first use of the Secretary of State's powers to issue listed building consent orders, so it is important that proper evaluation is undertaken.

Question 3.4: Do you have any views about the implications of our proposed changes on people with protected characteristics as defined in the Equality Act 2010?

No comment.

Part 4. New town development corporations: Draft compulsory purchase guidance

Question 4.1: Do you have any comments on the draft text at Annex D of the consultation document?

We have previously stressed the importance of the government providing clear guidance and policy support for councils looking to establish successful Development Corporations.

We therefore welcome the additional guidance for compulsory purchase powers for new town development corporations being brought forward. We also agree that it would be sensible to incorporate the final guidance into the existing guidance on the compulsory purchase process.

The final guidance should be reviewed by the government after the first year of its introduction, in consultation with local authorities and other stakeholders. This will provide an opportunity to ensure it is fit-for-purpose and provides

local authorities with the necessary certainty they need for them to promote and take forward locally-led new town development corporations.

We welcome the recognition in the guidance that it will not always be possible or desirable for new town development corporations to have detailed development proposals which have secured approval, prior to proceeding with a compulsory purchase order.

It would be helpful for the guidance to confirm the target timescales for the Secretary of State to decide a compulsory purchase order for a new town development corporation to acquire land compulsorily using this procedure.

The guidance should also clarify whether the criteria on which the Secretary of State will consider in deciding whether to delegate a decision on a compulsory purchase order to an inspector, are the same as those that currently exist in the current compulsory purchase [guidance](#).

Question 4.2: Do you have any views about the implications of the proposed guidance on people with protected characteristics as defined in the Equality Act 2010?

No comment.