



Ministry of Housing,
Communities &
Local Government

Technical consultation on updates to national planning policy and guidance



© Crown copyright, 2018

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

This document/publication is also available on our website at www.gov.uk/mhclg

If you have any enquiries regarding this document/publication, complete the form at <http://forms.communities.gov.uk/> or write to us at:

Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF
Telephone: 030 3444 0000

For all our latest news and updates follow us on Twitter: <https://twitter.com/mhclg>

October 2018

ISBN: 978-1-4098-5346-6

Contents

Scope of the consultation	4
Introduction	6
Local housing need assessment	7
Housing land supply	14
The definition of deliverable	15
Development requiring a Habitats Regulations Assessment	16
About this consultation	17
Annex A	18

Scope of the consultation

Topic of this consultation:	This consultation seeks views on: <ul style="list-style-type: none"> • Changes to planning practice guidance relating to the standard method for assessing local housing need • Policy clarifications relating to housing land supply, the definition of deliverable and appropriate assessment.
Scope of this consultation:	The Ministry of Housing, Communities and Local Government is consulting on changes to planning practice guidance and policy clarifications, which will involve amendments to the National Planning Policy Framework.
Geographical scope:	These proposals relate to England only.
Impact Assessment:	N/A

Basic Information

To:	This consultation is open to everyone. We are keen to hear from a wide range of interested parties from across the public and private sectors, as well as from the general public.
Body/bodies responsible for the consultation:	Ministry of Housing, Communities and Local Government
Duration:	This consultation will begin on Friday 26 October 2018 and will close at 23.45 on Friday 7 December 2018.
Enquiries:	For any enquiries about the consultation please contact: planningpolicyconsultation@communities.gov.uk
How to respond:	<p>Consultation responses should be submitted by online survey: https://www.surveymonkey.co.uk/r/technicalplanningconsultation</p> <p>We strongly encourage responses via the online survey, particularly from organisations with access to online facilities such as local authorities, representative bodies and businesses. Consultations on planning policy receive a high level of interest across many sectors. Using the online survey greatly assists our analysis of the responses, enabling more efficient and effective consideration of the issues raised for each question.</p>

We have listened to concerns about the use of online surveys in the past and have made a number of adjustments ahead of this consultation. The online survey will allow respondents to: save and return to the survey later; and submit additional information or evidence to support their response to this consultation.

Further advice on how to use these new features is available on the home page of the online survey. Should you be unable to respond via the online survey we ask that you complete the pro forma found on the webpage. Additional information or evidence can be provided in addition to your completed pro forma.

In these instances you can email your pro forma to:
planningpolicyconsultation@communities.gov.uk

Or send to:
Planning Policy Consultation Team
Ministry of Housing, Communities and Local Government
3rd floor, South East Fry Building 2 Marsham Street LONDON
SW1P 4DF

Introduction

1. This consultation is seeking views on changes to planning practice guidance on the standard method for assessing local housing need.
2. The Government's priorities are to deliver more and better-designed homes, and to do so faster. This has been the theme of reforms undertaken over the last 18 months, from the White Paper [Fixing the broken housing market](#), to the revision of the [National Planning Policy Framework](#), which have been about delivering the homes this country needs, in the places people want to live. This includes supplying homes to meet the diverse needs of our communities, such as homes for first time buyers, homes suitable and accessible for older people, high quality rental properties and well designed social housing.
3. A key aim of these reforms is to ensure local planning authorities plan for the right homes in the right places, in an open, transparent and sustainable way, and to ensure the debate in each area can focus on how to deliver more, better homes, rather than spending unnecessary time on how many homes are needed. To do so the Government introduced a standard method for assessing housing need to ensure local authorities and the communities they serve have a consistent starting point when understanding how many homes are needed in their local area.
4. Last year over 217,000 new homes were supplied, the highest number for more than ten years. This is a good start, and means more people have a choice when it comes to deciding where to live. But more must be done. The average house in England costs almost eight times average earnings, making home ownership unaffordable for many people.
5. The recent household projections release, published by the Office of National Statistic (ONS), has led some areas to reconsider the number of homes they were planning for. However, as the ONS has [confirmed](#), lower household projections do not mean fewer homes need to be built. If more homes are planned for and delivered, more people will be able to own or rent their own home. This consultation therefore proposes changes to the standard method to ensure consistency with the objective of building more homes, whilst providing the stability communities need.
6. This consultation also proposes minor clarifications to national planning policy on housing land supply, the definition of deliverable sites and appropriate assessment for habitats sites.

Local housing need assessment

Revising the standard method for assessing housing need to be consistent with increasing housing supply

7. At Budget 2017 the Government announced that it would enable the housing market to deliver 300,000 homes a year on average by the mid-2020s. In March 2018 the draft National Planning Policy Framework was published for consultation. This included a proposal for a standard method of assessing local housing need. Using data published in September 2017 as part of the [Planning for the right homes in the right places](#) consultation, this would, in aggregate, plan for around 266,000 homes across England (based on 2014 household projections and Spring 2017 local ratios of median house prices to median earnings). The draft Framework also made clear that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed¹.
8. In October 2017 the ONS published new national population projections, based on the latest data for mortality, fertility and migration. These project that, nationally, the population of England will grow less rapidly (3.0 million between 2018-19 and 2028-29) than forecast in 2014 (3.8 million 2018-19 to 2028-29). This suggested that the Government might need to review both its aspirations for housing supply and how this is reflected in planning policy.
9. The final version of the revised National Planning Policy Framework, published in July this year, confirmed that strategic policies should be informed by a local housing need assessment conducted using the standard method. The method is set out in [planning practice guidance](#) published alongside the revised Framework. Given that the ONS would need to produce new local authority level household projections based on the 2016 population projections, the Government's response to the consultation on the draft Framework included a clear commitment to keep the standard method under review;

"In the housing White Paper the Government was clear that reforms set out (which included the introduction of a standard method for assessing housing need) should lead to more homes being built. In order to ensure that the outputs associated with the method are consistent with this, we will consider adjusting the method after the household projections are released in September. We will consult on the specific details of any change at that time. It should be noted that the intention is to consider adjusting the method to ensure that the starting point in the plan-making process is consistent in aggregate with the proposals in Planning for the right homes in the right places consultation and continues to be consistent with ensuring that 300,000 homes are built per year by the mid 2020's."

¹ Paragraph 60: [National Planning Policy Framework: Draft text for consultation](#)

10. The ONS published the latest household projections on 20 September 2018. These reduce the projected rate of household formation compared to the previous projections by 53,000 a year between 2018 and 2028². These lower projections of household growth result in the national minimum annual housing need calculated using the standard method falling significantly; from approximately 269,000 homes prior to the publication of the updated household projections, to approximately 213,000 based on the updated data. This is below the 217,350 homes delivered last year³.
11. The Government has considered whether it needs to change its aspirations for housing supply in light of the new household projections, and in particular whether these imply that 53,000 fewer homes are needed each year than previously thought. It has decided it is not right to change its aspirations. First, the annual change in household projections comprises two aspects: a reduction of 29,000 arising from the lower population projections, and a reduction of 23,000 arising from changes in the method for converting population change into estimates of household formation – (reducing the historic period of household formation on which the projections are based from five census points to two, which focuses it more acutely on a period of low household formation where the English housing market was not supplying enough additional homes). Methodological changes are not a reason why the Government should change its aspirations. In addition;
1. Household projections are constrained by housing supply. If new, additional homes are not supplied, then households cannot form as there would be nowhere for them to live. This means that actual household growth cannot exceed the number of additional homes which are actually supplied. The ONS household projections show that the average household size is projected to be 2.33 by 2028 compared to 2.27 in the 2014 based household projections; this means that in order to just keep household size constant at the 2014 based projected level, 64,000 additional homes per year would be needed in excess of the current projections;
 2. The historic under-delivery of housing means there is a case for public policy supporting delivery in excess of household projections, even if those projections fall. Cheshire⁴ estimated that “between 1994 and 2012, building fell short of what was needed by between 1.6 and 2.3 million houses”. Given that households cannot form if new houses are not built for them to move into, this undersupply will have resulted in pent-up demand;
 3. Other things being equal a more responsive supply of homes through local authorities planning for more homes where we need them will help to address the effects of increasing demand, such as declining affordability, relative to a housing supply that is less responsive. Published econometric research⁵ consistently finds that in the UK supply is less responsive to demand relative to other countries.
 4. The above factors have led to declining affordability, as evidenced by the decrease in the number of people living in an area with an affordability ratio of 4

² [2016-based household projections in England](#)

³ [Housing supply: net additional dwellings](#)

⁴ [Turning houses into gold: the failure of British planning](#)

⁵ [The Barker Review of Housing Supply](#), Interim Report

or less: from 23 million (47% of the population) in 2000, to 395,000 (less than 1% of the population) in 2017. Similarly, there has been an increase in those living in areas with an affordability ratio of more than 8: from 2.8 million (around 6% of the population) to 28 million (nearly 50% of the population) over the same period. This indicates that the Government should not be less ambitious for housing supply.

12. Furthermore, population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government's judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the [housing White Paper](#) that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.

13. The ONS has made the following statements about the updated household projections:

“They do not take account of how many people may want to form new households, but for whatever reason aren't able to, such as young adults wanting to move out of their parents' house, or people wanting to live on their own instead of in a house share. Therefore, household projections are not a measure of how many houses would need to be built to meet housing demand; they show what would happen if past trends in actual household formation continue.”

“Although the latest household projections are lower than the previously published projections, this does not directly mean that fewer houses are needed in the future than thought. This is because the projections are based on recent actual numbers of households and are not adjusted to take account of where homes have been needed in recent years but have not been available. Therefore, if more homes are built, the increased availability of homes may result in more households forming. The opposite is also true – if fewer homes are built then fewer households are able to form.”⁶

14. There is wider consensus that a significant increase in housing delivery compared to current levels is required. KPMG and Shelter⁷ reported that to just meet rising future demand a minimum of 250,000 new homes are needed per year. The House of Lords Select Committee on Economic Affairs report '*Building more homes*'⁸ found that “to meet this demand and have a moderating effect on house prices, at least 300,000 homes a year need to be built for the foreseeable future”. The Chartered Institute for Housing report that ‘the current backlog of households with housing need is four million in England’.⁹

⁶ [What our household projections really show](#)

⁷ [KPMG and Shelter, Building the homes we need](#)

⁸ [The House of Lords Select Committee on Economic Affairs report 'Building more homes'](#)

⁹ [Chartered Institute of Housing:2018 UK Housing Review](#)

15. The issue then arises of how the Government supports delivery of this through planning policy. The standard method for assessing minimum housing need was designed to identify an appropriate level of need in a straightforward, transparent way. It does not represent a mandatory target for local authorities to plan for, but the starting point for the planning process. Local planning authorities may decide that exceptional circumstances justify the use of an alternative method, but they will need to identify these reasons and can expect them to be tested by the Planning Inspectorate during the examination of their plans. Local authorities may also not be able to meet their identified housing need in full, for example because of land constraints (such as Green Belt) in their area and it may be that need is better met elsewhere.
16. Given the projected household growth and local affordability pressures at the time, the *Planning for the right homes in the right places* consultation specified that the affordability adjustment at the level proposed ‘achieves the overall level of delivery that most external commentators believe we need, while ensuring it is delivered in the places where affordability is worst’. It was specified that the uplift for affordability was applied to be consistent with the level of delivery identified in the [housing White Paper](#).
17. In view of the forthcoming revisions to household projections a commitment to ensuring that this remained the case was made in the [Government response](#) to the *Planning for the right homes in the right places* consultation as follows:
- ‘The standard method is a key part of the Government’s ambition to deliver the right number of homes in the right places. The methodology is based on population growth projections which can change. We propose to keep the methodology under review to ensure that quantity and approximate distribution of need that is established by the standard methodology remains appropriate.’*
18. As noted above, this commitment was reiterated in the Government’s response to the consultation on the draft National Planning Policy Framework. Given this, the Government considers that planning policy should respond flexibly and support the aspiration of supporting a market that delivers 300,000 homes. In doing so its principles are:
- providing stability and certainty for local planning authorities and communities;
 - ensuring that planning responds not only to movements in projected households but also to price signals; and
 - ensuring planning policy supports a housing market that works for everyone.

The Government’s proposed approach

19. The Government considers that the best way of responding to the new ONS household projections and delivering on the three principles in paragraph 18 above is to make three changes:
1. For the short-term, to specify that the 2014-based data will provide the demographic baseline for assessment of local housing need.

2. To make clear in national planning practice guidance that lower numbers through the 2016-based projections do not qualify as an exceptional circumstance that justifies a departure from the standard methodology; and
 3. In the longer term, to review the formula with a view to establishing a new method that meets the principles in paragraph 18 above by the time the next projections are issued.
20. All other elements of the standard method of assessing housing need would, for now, remain unchanged. The use of the standard method applies to plan-making for plans submitted on or after the 24 January 2019. Any period specified for using the 2014-based projections would use this as the start date. As specified in existing planning practice guidance the relevant housing need figure can be relied upon for the purposes of plan examination for 2 years. For decision making, any proposed revisions would apply from the day of publication of the revised planning practice guidance, unless otherwise stated. This change can be implemented by changes to national planning practice guidance.

Stability and certainty

21. This approach meets the principles above as follows. In terms of stability and certainty, based on published Local Development Schemes there are approximately 50 plans that will be submitted for examination in 2019. Any of these plans that are submitted on or after the 25 January 2019 will be required to use the standard method to inform strategic housing policy. The proposed change would provide certainty and stability to these authorities and avoid the need to restart the planning process. The Government has heard from a number of authorities that the extent of change associated with 2016-based household growth projections, when compared to 2014-based projections, is already resulting in delays and uncertainty in the plan-making process.
22. There are also 62 strategic plans currently at examination. Under the transitional arrangements set out in the revised National Planning Policy Framework, these plans do not need to be informed by a housing need assessment using the standard method. However, in cases where the minimum annual housing need figure calculated using the standard method, is identifying a number below the proposed figures being taken forward by plan-making authorities, the standard method is being used as the basis to challenge previous conclusions. Considering this challenge is likely to have resource implications and has the potential to cause delays.
23. The Government notes that using the new household projections and leaving the formula unchanged means that 146 local authorities would see changes in their local housing need of more than 20 per cent (when compared to the figures at the point of consultation in September 2017). By adopting the approach above only 16¹⁰ authorities see their local housing need change by more than 20%.

¹⁰ Based on comparing the 2014-based consultation figures to the updated plan numbers and affordability ratio and 2014-based figures.

Maintaining price signals

24. In terms of maintaining price signals, this approach retains all other elements of the standard method of assessing housing need established in planning guidance. Where affordability as specified by the ratio of local median house prices to local median earnings exceeds four, the formula will continue to increase local housing need above household projections.

Consistency with our aspirations

25. In terms of consistency with the Government's aspirations for housing supply, using the 2014-based population projections, current affordability estimates and current plan status, the Government estimates that it would deliver 269,000 homes – within 3,000 of the estimates produced by the previous formula. The Government notes that the number of homes delivered through the standard methodology is lower than its aspirations for 300,000 homes. However, the number of homes permitted generally exceeds that provided for in plans, while the gap can also be bridged by ambitious authorities going above their local housing need, including through housing deals with the Government, in regions like the Cambridge-Milton Keynes-Oxford corridor where significant national infrastructure investment to support productivity growth should also enable increased housing supply and through homes delivered through permitted development rights.

Q1: Do you agree that planning practice guidance should be amended to specify that 2014-based projections will provide the demographic baseline for the standard method for a time limited period?

26. Options for changing the standard method using the 2016-based data have been considered. However all options that rely on the 2016-based data as the demographic baseline would lead to significant change at a local level (when compared to using the 2014-based data as the baseline). The Government considers that the impact this will have in delaying plan-making would represent an unacceptable consequence and therefore short term options relying on the use of the 2016-based data have been discounted.

Clarifying that 2016-based projections are not a justification for lower housing need

27. The Government considers that this is a reasonable approach in the short term because:
1. Basing the assessment of local housing need on 2016-based household projections, would either not support the Government's objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates). For example, if the Government were to change the parameters of the formula to ensure the level of minimum local

housing need is consistent with previous levels¹¹ 151 local authorities would see changes in excess of 20%.

2. Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning; and
3. Local housing need does not represent a mandatory target – it is simply a starting point for planning, and local authorities may either choose to plan in excess of this or to conclude that they are not able to meet all housing need within their boundaries, for example due to constraints such as protected designations and Green Belt, or whether that need is better met elsewhere. This means there is flexibility for local authorities to manage movements in local housing need locally.

Q2: Do you agree with the proposed approach to not allowing 2016-based household projections to be used as a reason to justify lower housing need?

Applying the cap to spatial development strategies

28. Where the standard method for assessing local housing need is used to calculate the minimum housing need for the purposes of informing a spatial development strategy, current planning practice guidance does not specify how the cap in the standard method should be applied.
29. It is proposed to clarify in guidance that the cap should be applied to the total plan requirement figure, as opposed to capping based on the requirement figure of the individual constituent local authorities. Applying the cap to a single figure increases the simplicity of calculation.

Q3: Do you agree with the proposed approach to applying the cap to spatial development strategies?

¹¹ For example, by adjusting the affordability adjustment factor from 0.25 to 0.55 and the cap from 40% to 75%

Housing land supply

30. The revised National Planning Policy Framework uses the standard method for assessing local housing need as the baseline for housing land supply calculations where plans are considered to be out of date, as well as providing the foundation for plan-making. Minor clarifications to the relevant policy wording in the Framework, and to the glossary, are proposed to remove any ambiguity about how this aspect of national policy is intended to be applied.
31. Subject to the outcome of this consultation, the Government intends to publish updated planning guidance on housing need assessment, and a new version of the National Planning Policy Framework incorporating the policy clarifications that are proposed (including those on the definition of deliverable and appropriate assessment set out later in this consultation).
32. The basis for determining an authority's five year housing land supply requirement (as set out in paragraph 73 of the Framework) is either:
- an up to date housing requirement set out in strategic policies (where these are less than five years old, or older if they have been reviewed within the five years and do not need updating); or
 - local housing need. Using this as the baseline where policies are out of date is intended to simplify the planning application and appeals process by ensuring a consistent approach.
33. Paragraph 60 of the Framework and the definition of 'local housing need' in the glossary allow authorities to use a justified alternative approach to the standard method for calculating housing need, in exceptional circumstances. This is intended to apply only when strategic policies are being produced, rather than inviting alternative approaches and calculations of need in the determination of applications and appeals where housing land supply is a relevant matter.
34. To make this clear, we propose making two minor amendments to the text of the Framework, as follows:
- Amend footnote 37, to add at the end: "Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance".
 - Amend the definition of local housing need in the glossary to: "The number of homes identified as being needed through the application of the standard method set out in national planning guidance (or, in the context of preparing strategic policies only, this may be calculated using a justified alternative approach as provided for in paragraph 60 of this Framework)".

Q4: Do you agree with the proposed clarifications to footnote 37 and the glossary definition of local housing need?

The definition of deliverable

35. Paragraph 73 of the Framework expects local planning authorities to identify and update annually a supply of specific 'deliverable' sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.
36. The new Framework published in July this year set out a revised definition of 'deliverable' (contained in the glossary at Annex 2 of the Framework). Early experience of applying this definition has suggested that it would benefit from some clarification of the wording. In particular, the existing text could be clearer that sites that are not major development, and which have only an outline planning consent, are in principle considered to be deliverable. The relationship between the first sentence of the definition (which sets out general considerations in terms of deliverability), and the remainder that explains how particular circumstances should be approached, also needs to be clear. The specific circumstances cited in the definition are intended to indicate how the general considerations in the first sentence apply to the types of development referred to in the text that follows.
37. Consequently, we propose to amend the definition of deliverable to clarify its intended application. The revised definition would be:

Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).
 - b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.
38. To further support the application of this policy, and subject to the outcome of the present consultation, we will produce additional national planning guidance to provide further information on the way that sites with different degrees of planning certainty may be counted when calculating housing land availability.

Q5: Do you agree with the proposed clarification to the glossary definition of deliverable?

Development requiring Habitats Regulations Assessment

39. Following the ruling of the European Court of Justice on case C323/17 (*People over Wind, Peter Sweetman v Coillte Teoranta*), we propose to make one additional clarification to national planning policy.
40. The effect of the ruling is that appropriate assessment of habitats impacts is required in plan-making and decision-making whenever there is a potential impact on a habitats site, regardless of any mitigation measures proposed.
41. One of the measures which the National Planning Policy Framework takes to protect habitats sites is to disengage the presumption in favour of sustainable development where there is potential for harm to these sites. However the judgment means that sites with suitable mitigation are now excluded from the application of the presumption, which was not the intention of the policy.
42. To rectify this we propose to amend paragraph 177 of the Framework to make clear that the presumption is disapplied only where an appropriate assessment has concluded that there is no suitable mitigation strategy in place. The revised paragraph would read:
177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that there will be no adverse effect from the plan or project on the integrity of the habitats site.
43. The European Court judgment was delivered after the consultation on the revised Framework was published in March this year. Although some consultation responses asked for an amendment to the Framework in the light of the ruling, there was not an opportunity for all interested parties to comment at the time. Alongside the minor change to paragraph 177 that we are now proposing to make, we are considering what other changes to regulations and guidance may be necessary following the European Court's ruling¹².

Q6: Do you agree with the proposed amendment to paragraph 177 of the National Planning Policy Framework?

¹² On 23 June, the EU referendum took place and the people of the United Kingdom voted to leave the European Union. Until exit negotiations are concluded, the UK remains a full member of the European Union and all the rights and obligations of EU membership remain in force. During this period the Government will continue to negotiate, implement and apply EU legislation. The outcome of these negotiations will determine what arrangements apply in relation to EU legislation in future once the UK has left the EU.

About this consultation

1. This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.
2. Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.
3. Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation, and the Environmental Information Regulations 2004).
4. If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.
5. The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex A.
6. Individual responses will not be acknowledged unless specifically requested.
7. Your opinions are valuable to us. Thank you for taking the time to read this document and respond.
8. Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Annex A

Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gsi.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

4. With whom we will be sharing your personal data

We will not share your personal data with organisations outside of MHCLG without contacting you for your permission first.

5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for three years from the closure of the consultation.

6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

7. The Data you provide directly will be stored by Survey Monkey on their servers in the United States. We have taken all necessary precautions to ensure that your rights in terms of data protection will not be compromised by this.

- 8. Your personal data will not be used for any automated decision making.**
- 9. Your personal data will be stored in a secure government IT system, which will be transferred from Survey Monkey shortly after the consultation closes.**