

GOVERNMENT WHITE PAPER CONSULTATION

“PLANNING FOR THE FUTURE”

OCTOBER 2020

The consultation consists of a series of 26 questions based upon proposals regarding:

Pillar One – Planning for development

Pillar Two – Planning for beautiful and sustainable places

Pillar Three – Planning for infrastructure and connected places

INTRODUCTION

The Government proposes a new role for Local Plans and a new process for making them, by replacing the existing primary and secondary legislation. Local Plans should have a clear role and function, which should be, first, to identify land for development and sites that should be protected; and, second, to be clear about what development can take place in those different areas so that there is greater certainty about land allocated for development and so that there is a faster route to securing permission. They should be assessed against a single statutory “sustainable development” test to ensure plans strike the right balance between environmental, social and economic objectives.

PILLAR ONE – PLANNING FOR DEVELOPMENT - INTRODUCTORY CONSULTATION QUESTIONS

Q1. What three words do you associate most with the planning system in England?

Inconsistent, arbitrary and irrational.

Q2.a. Do you get involved with planning decisions in your local area?

As a parish council we get involved as much as possible but feel that we have very little influence.

Q2.b. If not, why not?

Not applicable.

Q3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

We would like to find out about plans and planning proposals in the future online. Proposals need to be easy to find online, ideally, via a web format that is rolled out nationally.

Q4. What are your top three priorities for planning in your local area?

Protection of green spaces, maintaining the feel of the village and tackling environmental pressures.

PROPOSAL ONE

The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – *Growth* areas suitable for substantial development, *Renewal* areas suitable for development, and areas that are *Protected*.

PROPOSAL ONE CONSULTATION QUESTIONS

Q5. Do you agree that Local Plans should be simplified in line with our proposals?

We recognise that planning reform is necessary to some degree, however, the simplifications outlined in the proposals appear to try and offer a best-fit solution for all scenarios by categorising all land into three types, rather than looking at the make-up of individual areas, we question how workable this would be.

The emphasis seems to be on a holistic approach to development by focusing on housing numbers without consideration for infrastructure requirements. The outcome will be satellite housing estates that are not integrated and vibrant communities.

We accept the need to find housing for people but forcing unwanted development is not the way forward. Developers are land banking to drive up prices, a recent Guardian article stated that plans for a million homes have been granted and “banked”, languishing unbuilt. Housing requirements shouldn’t just be about numbers, it should also be about the social and economic needs of the population. Planning reform should be looking at innovative ways to meet the needs of society rather than allowing developments all over the country to yield maximum profit for developers whilst not considering what is actually required in individual areas.

We strongly believe that there should be a role for parishes to identify these sub-areas based on locally important factors that may not be apparent at district or national level. There is concern that localism will be removed and decision-making will be centralised.

PROPOSAL TWO

Development management policies established at national scale and an altered role for Local Plans.

PROPOSAL TWO CONSULTATION QUESTIONS

Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

It is our belief that the drive to introduce a range of national strategic policies will leave a significant gap at parish level and runs the risk of those policies being too broad to be meaningful locally. We believe that neighbourhood plans are the way the gap can be filled to make the broad strategic policies relevant to extremely different local situations. For this reason, we disagree with the suggestion that neighbourhood plans should be reduced in scope alongside streamlined local plans.

There is no mention of retaining a broad role for neighbourhood plans in the White Paper. Neighbourhood plans have been very effective at shaping development around the edges – safeguarding important views; ensuring housing mix that meets a local need is built into development management policies; identifying local heritage assets to protect from the excesses of inappropriate development; naming the community facilities to be defended; protecting the most special ‘Local Green Spaces’ etc. These aspects add real local value that would otherwise not be recognised in the planning system and we feel strongly that they should not be lost.

The ability of local planning authorities to produce local plans, even ones with a greatly reduced scope, within 30 months is questionable, especially as allocations are still to be included in their scope and there is an additional requirement to identify three categories of land – for growth, renewal and protection.

PROPOSAL THREE

Development management policies established at national scale and an altered role for Local Plans.

PROPOSAL THREE CONSULTATION QUESTIONS

Q7.a. Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

The proposal removes the Sustainability Appraisal system and suggests the development of a simplified process for assessing the environmental impact of plans. We would not be opposed to a simplified process as long as the requirements of UK and international law are conformed with.

The proposal removes the Duty to Cooperate, this is a legal test that requires the co-operation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matter in Local Plans. Although we are in the Harborough District, the Lutterworth area is on the edge of other districts. Development in our locality is already overbearing in terms of

warehousing and housing density. We suffer the overspill from one district whilst at the same time, being out of site and mind of our own. We need more formalised controls and protection for places where planning applications straddle local authority areas and more opportunity to have local voices heard in planning, regardless of the lead district on an application.

Q7.b. How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

We need a strong, formalised system where local communities have a real opportunity to have an influential voice in cross-boundary developments. There needs to be a legal duty for districts to engage across borders and to demonstrate how local views have shaped local plans. In this respect it would seem that the proposed removal of the Duty to Cooperate is a huge step in the wrong direction.

PROPOSAL FOUR

A standard method for establishing housing requirements figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

PROPOSAL FOUR CONSULTATION QUESTIONS

Q8.a. Do you agree that a standard method for establishing housing requirements, that takes into account constraints, should be introduced?

The introduction of a standard measure of housing need is designed to provide clarity about how many new homes are required locally and the general areas where development may take place. We believe there are problems with this approach. The initial analysis used to determine local need has thrown up some strange outcomes and resulted in housing targets being reduced in urban areas and increased dramatically in more rural areas. Applying a single approach across the whole country, regardless of the average house price in an area, will lead to irrational outcomes. This is unhelpful and premature given that the impact of Coronavirus and Brexit is yet to be considered.

Q8.b. Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

We are not an urban area, however, when considering the land categorisation issue proposed, it must be made clear how targets for each area are to interact with growth and renewal areas. If the principle of being within a growth area is that development will take place, then how does this apply once the area has reached its housing target? It is important that local control is retained to ensure that Growth areas are not subjected to over intensification.

PROPOSAL FIVE

Areas identified as Growth areas, suitable for substantial development, would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

PROPOSAL FIVE CONSULTATION QUESTIONS

Q9.a. Do you agree that there should be automatic outline permission for areas for substantial development, Growth areas, with faster routes for detailed consent?

We believe that this approach would be undemocratic, however, if this approach is adopted there must be a consistent due diligence process in force to ensure there is not excessive or abused development. In the absence of appropriate governance, it could become a charter for developers to do what they like and offers rural communities little protection from mass urbanisation.

Q9.b. Do you agree with our proposals for the consent arrangements for *Renewal and Protected areas*?

Answer as given in Q9.a.

Q9.c. Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

Unable to comment, this is out of our area of expertise.

PROPOSAL SIX

Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology.

PROPOSAL SIX CONSULTATION QUESTIONS

Q10. Do you agree with our proposals to make decision-making faster and more certain?

We agree with this proposal.

PROPOSAL SEVEN

Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

PROPOSAL SEVEN CONSULTATION QUESTIONS

Q11. Do you agree with our proposals for accessible, web-based Local Plans?

We agree with this proposal.

PROPOSAL EIGHT

Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those that fail to do so.

PROPOSAL EIGHT CONSULTATION QUESTIONS

Q12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?

Presumably, a 3-month statutory timescale would only be applicable to the initial preparation of a local plan. Generally, we agree with a 30-month statutory timescale, however, the alternative option of removing the Examination stage entirely, instead requiring local planning authorities to undertake a self-assessment against set criteria and guidance appears to be a more efficient and effective approach.

PROPOSAL NINE

Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools.

PROPOSAL NINE CONSULTATION QUESTIONS

Q13.a. Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

We agree that neighbourhood plans should be retained. They provide a route for community participation which is extensive when compared to the engagement outcomes that local planning authorities are able to achieve. The development of a neighbourhood plan engages people in the planning system and enhances local democracy and governance by including parish councils.

Most participation in planning is when people come out in force to oppose a specific planning application. By becoming involved in neighbourhood plans, local communities cannot just say 'no' to development, they have to say where development can take place, this more balanced approach is

far more meaningful and helpful to understand development pressures and issues around 'benefit' versus 'harm' within any development proposal.

Q13.b. How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

Neighbourhood plans should retain their role in undertaking site allocations as this is far more beneficial than having sites forced on parishes. If the categorisation of land is introduced, then there is a role for neighbourhood plans to identify these areas to ensure a balance remains between securing the houses required to meet national targets and shaping that development sensitively in line with local circumstances.

PROPOSAL TEN

A stronger emphasis on build out through planning.

PROPOSAL TEN CONSULTATION QUESTIONS

Q14. Do you agree that there should be a stronger emphasis on the build out of developments? An if so, what further measures would you support?

We agree there should be a stronger emphasis on build out of developments, it would serve as disincentive for developers to land bank and fail to deliver agreed permissions.

PILLAR TWO – PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES – INTRODUCTORY CONSULTATION QUESTIONS

Q15. What do you think about the design of new development that has happened recently in your area?

The development that has happened in this village and villages nearby has been reasonably sympathetically designed. There are some inconsistencies but on the whole, they fit in well.

Q16. Sustainability is at the heart of our proposals we. What is your priority for sustainability in your area?

Retaining green spaces, creating more green spaces and energy-efficiency.

PROPSAL ELEVEN

To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement and ensure that codes are more binding on decisions about development.

PROPOSAL ELEVEN CONSULTATION QUESTIONS

Q17. Do you agree with our proposals for improving the production and use of design guides and codes?

We agree with this proposal.

PROPOSAL TWELVE

To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.

PROPOSAL TWELVE CONSULTATION QUESTIONS

Q18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

No, use a properly run planning system, don't set up yet another body. This suggests standard government procedure – if in any doubt, set up a new body or hold an inquiry.

PROPOSAL THIRTEEN

To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places.

PROPOSAL THIRTEEN CONSULTATION QUESTIONS

Q19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Unable to answer, this is out of our area for expertise.

PROPOSAL FOURTEEN

We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

PROPOSAL FOURTEEN CONSULTATION QUESTIONS

Q20. Do you agree with our proposals for implementing a fast-track for beauty?

'Beauty' and 'Design' are recurrent themes throughout the White Paper. We believe that sustainable development is about more than beauty and design and there are other factors that are equally, if not, more important. We note that the White Paper is disappointingly light on its attention to climate change and the role that the planning system can play in raising sustainability standards.

PROPOSAL FIFTEEN

We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system cannot most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.

No consultation questions on this proposal.

PROPOSAL SIXTEEN

We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.

No consultation questions on this proposal.

PROPOSAL SEVENTEEN

Conserving and enhancing our historic buildings and areas in the 21st century.

No consultation questions on this proposal.

PROPOSAL EIGHTEEN

To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.

No consultation questions on this proposal.

PILLAR THREE – PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES _ INTRODUCTORY CONSULTATION QUESTIONS

Q21. When new development happens in your area, what is your priority for what comes with it?

Additional and improved infrastructure and maintaining the feel of the village and the locality.

PROPOSAL NINETEEN

The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.

PROPOSAL NINETEEN CONSULTATION QUESTIONS

Q22.a. Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

We support the proposals to evolve and expand the Community Infrastructure Levy to enable the provision of local infrastructure in line with community needs, however, careful thought needs to be given to the 'threshold' and whether the 'threshold' applies to a single development or multiple smaller-scale developments over a period of time. The emphasis here is on 'local'. As a small village we have had a number of developments that are under the radar of the current CIL/S106 requirements. Cumulatively, these developments do impact on our infrastructure, but no contributions are received. We would, therefore, argue that a system where applications are considered cumulatively over a set time period time would benefit rural communities who miss out on the opportunity to improve infrastructure but are forced to take additional housing.

Q22.b. Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

Given the vast differences in local areas for the need, type and cost of infrastructure it would give local authorities greater flexibility to meet the need by allowing rates to be set locally.

Q22.c. Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

To prevent over development of rural areas it would seem sensible to support more value from larger urban regeneration projects. However, realistically, it would be counter-intuitive to apply further levies on developers as a reduction in profit margin will promote a reluctance to develop sites.

Q22.d. Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

No, allowing local authorities to borrow against future levy funding, allows central government to continue to underfund them. The continued underfunding of local authorities may tempt some to agree to inappropriate development in order to 'balance the books'.

PROPOSAL TWENTY

The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights.

PROPOSAL TWENTY CONSULTATION QUESTIONS

Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Any changes to the planning law should be revenue neutral. This proposal could also have a detrimental effect to the sensible creation of new homes.

PROPOSAL TWENTY-ONE

The reformed Infrastructure Levy should deliver affordable housing provision.

PROPOSAL TWENTY-ONE CONSULTATION QUESTIONS

Q24.a. Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

Yes, it is of little value to sustainable local communities for the next generation of homebuyers to not be able to afford properties in the places they were raised.

Q24.b. Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

We do not support this approach as it contradicts with what the levy is supposed to be for. The levy is intended for the mitigation of the extra pressure applied to the infrastructure of the local community by additional development. It is not meant as a top-up for underfunding or as a revenue source for the acquisition of public or affordable housing.

Q24.c. If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

We do not support an in-kind delivery approach.

Q24.d. If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

We do not support an in-kind delivery approach.

PROPOSAL TWENTY-TWO

More freedom could be given to local authorities over how they spend the Infrastructure Levy.

PROPOSAL TWENTY-TWO CONSULTATION QUESTIONS

Q25.a. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

No, the current system allows local authorities the discretion to both allocate funds for proposals that are some distance from the development and to favour proposals which service urban areas over rural ones, even if the development setting is itself rural. This needs to be eradicated allowing the development setting to have more control over where the money is spent.

Q25.b. If yes, should an affordable housing 'ring-fence' be developed?

Not applicable.

EQUALITIES IMPACT

We would welcome views on the potential impact on the proposals raised in the consultation on people with protected characteristics and whether further reforms could broaden access to planning for people in diverse groups.

EQUALITIES IMPACT CONSULTATION QUESTIONS

Q26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

The aims for increased inclusivity in the planning process for those with protected characteristics are completely at odds with the proposals which seek to limit input from local authorities and, by extension, individuals, whether they have protected characteristics or not. We support inclusion but do have concerns that when any particular group or groups are afforded unfair advantage in the planning system.