

Response to Planning White Paper 2020

From Standish Neighbourhood Forum

Questions 1. What three words do you associate most with the planning system in England?

Totally Developer-led

Questions 2 (a). Do you get involved with planning decisions in your local area? [Yes / No]

Yes

Question 2(b). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

Question 3. 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? [Social media / Online news / Newspaper / By post / Other – please specify]

On line, social media, by post, newspaper. It has been difficult to access information on line at times and living in a community with an above average elderly population not all people have access to computers or the internet. There should therefore be a range of methods for keeping local communities informed of proposals in their area.

Question 4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

1. Provision of the correct type, mix and design of housing to meet the local needs of the young and older population in the area, as recent development has totally skewed the housing market by building executive and family houses.
2. Protecting, maintaining and enhancing green space and biodiversity
3. Ensuring that business and infrastructure needs are provided for.

Question 5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]

Partially. There is a heavy bias in favour of development, with apparent little regard for where the emphasis should be, i.e. brownfield and town centre regeneration. The proposals to simplify the system into three areas of Growth, Renewal and Protected is supported but they should all have equal weight and there is concern that the presumption in favour of development will be to the detriment of protecting areas.

There needs to be clearer terminology in local plans.

Question 6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

Yes, to a certain extent we agree with streamlining plans and having specific national standards. For example space standards and energy requirement standards for housing which will alleviate the inconsistencies which currently exist across the country. However, these standards should be the minimum and should not restrict or prohibit local authorities or neighbourhood forums from requiring enhanced standards in their area. Developers should be encouraged or indeed required to build to a higher standard and not the bare minimum, as has happened in our experience, with the developer being supported by the planning inspector.

Questions 7(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? [Yes / No / Not sure. Please provide supporting statement.]

Partially. Sustainable development must be an equal balance between social, economic and environmental matters and there are concerns that taking away some of the existing “tests” would compromise the local aspect of the plan.

Question 7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

There are many examples of local authorities already working cross boundary to the benefit of their communities and this best practice should be recognised and built upon.

Question 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]

Yes, providing it takes into account local demographics. In our neighbourhood we had to demonstrate local need, which was not identified in the wider borough needs. This has resulted in the building of houses that do not meet local need.

Question 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]

No. This is too simplistic and will not reflect true housing need or provision in the right areas.

We do however fully support the abolition of the five year supply requirement as landbanking by developers has caused issues regarding this.

Questions 9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

No. There should not be automatic outline permission given. This should be based on demonstrable need, otherwise there is a strong likelihood that developers will landbank sites, as frequently happens now. Communities should have a say on each proposal.

Question 9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? [Yes / No / Not sure. Please provide supporting statement.]

Yes., we support the proposal, however once consent has been given there should be no mechanism for amendment on the grounds of viability.

Question 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]

Yes, as it is acknowledged that in some parts of the country there is high housing need. This should however only be brownfield sites.

Question 10. Do you agree with our proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]

Yes. The decision-making process should be speeded up, however there are concerns about the planning appeal process and the inability for some local authorities being reluctant to appeal given the high costs involved.

Question 11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

Not sure as to have everything available solely on line may disadvantage people who do not have access to the internet or computers. However it is accepted that to have access to all the background information could be beneficial and transparent. The terminology needs to be simplified as does access to the system.

Question 12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

Yes, in principle however the caveat to this is that public consultation and compilation of responses is extremely time consuming and essential. We are not convinced that this would be achievable in the timescale suggested.

Question 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]

Yes, this is essential and local communities should be at the heart of decision making for issues in their areas.

In addition, restrictions on the ambitions of neighbourhood plans should not be put in the way of community aspirations, for example by planning Inspectors, Ministerial statements, e.g. Eric Pickles 2015 statement and the requirement that no standards that exceed building Regs can be included.

Question 13(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?

As stated earlier not all parts of our communities have digital access. We fully support the proposal to include design of developments as we tried to include this but it was rejected by the planning inspector. We even wanted to include a design champion and again this was rejected. More weighting should be given to Neighbourhood planning.

Question 14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]

Yes. We fully support this. We have first-hand experience of developers exploiting the current planning system by land banking on a massive scale in our area.

We suggest that 80% of approved dwellings be built out and occupied on a site by site basis before further approvals are granted to that same developer. This will also allow for any changes in local circumstances to be considered at future applications and the impact of developments to be considered for local infrastructure requirements. In addition if construction on site is not started in a meaningful way within 3 years from the date of outline planning approval then that permission should be rescinded or the developer prohibited from applying for further applications in that area.

Questions 15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

We have been unhappy with the design of new developments in our area. Developers have used their standard house designs which are replicated throughout the country and have had no regard for the local area. They have neither created a sense of place nor enhanced the local neighbourhood. We have seen the aesthetics of our village change from rural to an urban environment with mature trees and hedgerows taken out. We have even seen a landmark stone building circa 1875, within our conservation area, demolished to be replaced with apartments, despite us pleading with the developer to retain the façade and incorporate this into the design.

Question 16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

Sustainability, as stated earlier is a balance between economic, social and environmental matters. In our neighbourhood plan sustainability is at the core. We have incorporated protection of green and open space, improvement to footpaths and cycleways to encourage less reliance on cars, planting of new trees (which the developers objected to).

We wanted to include energy efficiency of buildings in our plan, but this was taken out by the planning inspector.

We have included for the provision of a solar farm.

Question 17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]

Yes. This is something we support as we wanted to include this in our Neighbourhood Plan but the planning Inspector would not allow it.

Question 18. 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? [Yes / No / Not sure. Please provide supporting statement.]

Yes we support this given the issues we have had with the development in our area. (see response to question 15). We would also request you encourage the use of design champions within neighbourhood forums.

Question 19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]

We fully agree that design should be given greater emphasis in the strategic objectives of Homes England, and we recognise this was attempted by Homes England in the past with the implementation of Building For Life and Building For Life 12.

However, these were very much self-assessment questionnaires produced by the architects/developers who in effect 'marked' their own schemes and no 'independent' check was made on this. It was in many ways a tick-box exercise and a complete sham. Regional Design Panels set up by CABE also attempted to improve design standards for larger schemes but lack of funding caused these panels to fold.

Design can be improved greatly by allowing a Design Champion, either within the Local Authority, or better still within a Neighbourhood Forum, to assess schemes of 20 dwellings or more, and 'score' these appropriately against set criteria - such as Building for Life 12. The level of grant available from Homes England might be allocated on a percentage basis (i.e. 80% of grant given if the scheme scored only 80% of design criteria) to encourage better design.

Question 20. Do you agree with our proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]

Yes, we agree with the proposal for implementing a fast track for beauty, providing that local design champion input is included.

Question 21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify

Our priorities are laid out in our Neighbourhood Plan policies and include provision of more affordable homes and housing for older people; improved infrastructure, improvements to the village centre, protection of business premises and employment areas, protection and enhancement of open space and our green environment, improvements to leisure and play facilities.

Questions 22(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? [Yes / No / Not sure. Please provide supporting statement.]

Yes we would support a streamlined and consolidated levy as this would negate the protracted Section 106 negotiations, particularly having witnessed a barrister for the developer arguing over the need to provide a second coat of paint for classrooms required to be being brought back into use as a result of that development.

Our concern would be however that if this is based on the cost of development, that is far higher in the south and we consider this would exacerbate the north south divide.

The levy would need to be set high enough to meet the infrastructure etc so that the local community would see the full benefits from that development being invested in their area. We would suggest that this money is also ring-fenced for expenditure in the area where the development is.

Question 22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

We believe the new Levy should be set locally, within nationally agreed parameters and taking into account local demographics.

Question 22(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? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

We feel strongly that the levy should be to a greater value to support the much needed investment in communities including but not limited to infrastructure, meeting local needs on affordable housing, amenities, environment and needs within local communities.

Question 22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]

Not sure. The borrowing capabilities of local authorities can be restrictive and be dependent on each local authority. This may also lead to conflict within communities in a borough as to which schemes would be supported by the additional borrowing. We want community harmony not division.

Question 23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

Yes – we agree the Infrastructure Levy should capture changes of use through permitted development rights. The radical change to planning legislation which now permits change of use from office buildings to dwellings is producing significant numbers of poor-quality and sub-standard dwellings and HMOs. Not only should Infrastructure Levy be applied but Nationally Described Space Standards should be applied too, so as to ensure decent living conditions for those who have no choice but to live in these unsuitable places.

Questions 24(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 / No / Not sure. Please provide supporting statement.]

No – we should aim to secure more affordable housing provision through the Infrastructure Levy than at present. There are 'target' levels of affordable housing – locally we have a target of 30% - but this is in most cases is rarely achieved due to the levels being argued down by claims of viability, usually on the basis of poor ground conditions. This is a sham.

Developers are fully aware of ground conditions through intrusive site investigations and comprehensive historical data. They know very well the costs of developing on a particular site, but they prefer to deceive the Local Authority as to the true costs so as to reduce their liability to provide affordable housing units and to maximise profits.

Under no circumstances should viability be used as an excuse to reduce the numbers of affordable homes delivered on development sites. There should be a national target of at least 30% so as to provide a level playing field across the country.

Question 24(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? [Yes / No / Not sure. Please provide supporting statement.]

Affordable Housing should be secured as in-kind payment toward the Infrastructure Levy providing safeguards are in place to ensure the design quality and workmanship is of a high standard.

Question 24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]

Yes – in the event of In-Kind delivery of affordable housing measures should be implemented to guard against local authority overpayment risk.

Question 24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]

Yes – measures to ensure affordable housing design quality should include assessment by local Design Champion and a mandatory Energy Performance Certificate rating of 'A'.

Questions 25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]

Yes. This will enable the local authority to work with the local community to ensure expenditure best meets the local needs.

Question 25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

We believe that the presumption for the delivery of affordable housing should be provision by the developer on site. Too often developers agree to a % of affordable housing on the site and once planning approval is granted they then come back claiming "viability" to reduce down the numbers of houses/units to be provided. Some even offer a commuted sum to not provide the affordable housing on their site, as has been the case in our area. This has had the effect of severely reducing the level of affordable housing provided. To ensure an integrated society it is imperative that developers provide affordable housing is on the site and that it is deemed unacceptable that once permission is granted that the developer can evade their obligations.

Local authorities should be given every means possible to ensure that the developers provide the much needed affordable housing.

Question 26. 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?

No.