



Andrea Pellegram Ltd.

Planning Local

NEWSLETTER

Issue 15, September 2020

Planning For the Future (March 2020) The White Paper

Many of you are preparing responses to the White Paper which proposes changes to the planning system. In order to give you something to work from, I attach a copy of my own response based on my experience of working with Local Councils. Please feel free to use any of this material if it is helpful.

Overall, some of the proposals are very welcome, such as;

- Digitalisation will make planning easier to understand
- Stronger National Development Management policies
- Streamlined plans that only deal with housing allocations and how they should be delivered
- Continued support for Neighbourhood Plans

But there are also proposals that I cannot support:

- Growth/Renewal/Protect is highly over-simplified and will have a negative impact
- Urban design skills are in short supply and “good design” is subjective
- Good design adds cost to development so this may affect viability and affordable housing provision
- I doubt that the new system will deliver the infrastructure we need
- Reduced opportunities for public comment on planning proposals (Planning Committees and neighbours)

Planning For the Future (March 2020)

This document sets out the Government’s commitment to providing more homes to enable those people who are priced out of the current housing market, primarily young people and people on lower incomes, have better access to home ownership. For those who must or choose to rent, the Government is seeking new protections. Access to social housing will be improved and steps will be taken to reduce

This document heralds the Planning White Paper which will seek to modernise the planning system to ensure that it supports the delivery of homes that local people need and creates more beautiful and greener communities. The Planning White Paper will be followed by a Building Safely Bill, a

Renters’ Reform Bill and a Social Housing White Paper. These documents together will form the bedrock of a housing strategy to be published later in 2020 setting out longer term plans to deliver more homes and create a fairer housing market.

*We will take a fresh and sensible look at planning rules to support local areas to plan, especially in the urban areas where they are most needed. We will also modernise the system, accelerate planning decisions and make it easier for communities to engage and play a role in decisions which affect them.*¹

Planning for the Future White Paper (August 2020)

The Government’s position	<i>Comment from a Local Council Perspective</i>
<i>Critique of the English Planning System...</i>	
<p>The Government contends that the current planning system, based on the Town and Country Planning Act 1947, has become overly complex, uncertain, slow and based on outmoded technologies and working practices. Planning decisions are seen as “discretionary” rather than “rules based, and “nearly all decisions to grant consent are undertaken on a case-by-case basis, rather than determined by clear rules for what can and cannot be done.” (10)</p>	<p><i>This viewpoint challenges the very basis of the planning system which considers “every planning application on its own merits” and allows for context sensitive decisions which seek to ensure that development brings maximum benefit with mitigated harm. However, this approach does indeed require more time to balance harm against benefit to negotiate an acceptable outcome.</i></p>
<p><i>Local Plan preparation is seen to be too slow, many plans take up to 7 years to adopt, and because of this, many policies are out of date when they are adopted. (12)</i></p>	<p><i>This is often the case, and though the 2019 modifications to the NPPF now require local plans to be completed in 5 years, this is still a considerable period, and many policies are indeed out of date when finally adopted.</i></p>
<p>Assessments of housing need, viability and environmental impacts are too complex and opaque: land supply decisions are based on projections of household and business ‘need’ typically over 15- or 20-year periods. (12)</p>	<p><i>The assessment process is undeniably complex and opaque, and because of NPPF para 11.d, projections of need are ignored where there is no secure housing land supply. A simpler system would help communities understand more clearly where development is likely to occur.</i></p>

¹ Para. 7.

<p>The current system for identifying housing land has lost public trust. (12)</p>	<p><i>This is accurate for many communities who feel excluded from decisions regarding the impacts of major developments in their areas.</i></p>
<p>The planning system is based on “20th century technology” which relies upon documents and not data. (13)</p>	<p><i>This is accurate and many people in the community and on local councils find it very difficult to access relevant data regarding decisions, but more importantly, in the formulation of their neighbourhood plans.</i></p>
<p>The process for negotiating developer contributions to affordable housing and infrastructure is complex, protracted and unclear. (13)</p>	<p><i>More importantly, local councils are normally not party to the overall shape and scope of legal agreements and thus are side-lined when developer contributions are agreed.</i></p>
<p>There is not enough focus on design, and little incentive for high quality new homes and places....Local Plans do not provide enough certainty around the approved forms of development, relying on vague and verbal statements of policy rather than the popularly endorsed visual clarity that can be provided by binding design codes. (13)</p>	<p><i>This is a subjective opinion, though shared by many. However, design is a skill that many community and local council members have not been trained in. Neighbourhood plans seek to introduce design policies, but they are often not properly worded and are ignored in the decision-making process. Local communities require significant levels of support if they are to prepare local design criteria that can be applied to new development.</i></p>
<p>These shortcomings lead to not enough housing being built and local plans are not providing enough land to meet the Government’s ambition for 300K new homes per year to be built.</p>	
<p><i>Government proposals...</i></p>	
<p><i>Pillar 1: Planning for development</i></p>	
<p>Land use plans in other countries such as Japan, the Netherlands and Germany give greater certainty about where development is permitted in principle rather than the policy-based approach under the current English system. (26)</p>	

<p>Local Plans are based on layers of assessment, guidance and policy requiring a disproportionate burden of evidence to support them. Local plans are very long documents supported by many supporting evidence base documents.</p> <p>It is difficult for users of the planning system to find the information they need, and when they do, it is difficult to understand. Few people read the array of evidence base documents which accompany plans and these assessments do not sufficiently aid decision-making. (26)</p>	
<p>Local Plans should become focused on where they can add real value and plans should:</p> <ol style="list-style-type: none"> 1. Identify appropriate levels of and locations for land in a way that is easy to understand 2. Communicate clearly and visually so that they are easy to understand 3. Use standardised data to create a strategic national map 4. Be created in a standard process 5. Better engagement with local communities 6. Set clear expectations on what is required on identified land.(26) 	<p><i>For the determination of planning application, the Local Council perspective is:</i></p> <ol style="list-style-type: none"> <i>1. Certainty on where development is and is not allowed would be welcome</i> <i>2/3. Using a web-based master map that is standardised across England that shows policies and land allocations would be much easier to understand than the current policy-based system. Maps should be able to be interrogated so that when the mouse hovers over a site, the planning requirements become apparent.</i> <i>4. it would be helpful to have a single national process so that lessons from other areas can be easily learned.</i> <i>5. Communities are only really consulted in the preparation of neighbourhood plans. Local plans are rarely prepared on the basis of local needs but rather respond to national requirements and communities are side-lined. Better engagement is necessary and welcomed.</i> <i>6. This aim is unclear. Policies set clear expectations. However, if the intention is to develop detailed masterplan policies for all identified development land, that is based on sound community and developer engagement, then this is fully supported.</i>

	<p><i>For the preparation of local plans:</i></p> <p><i>1. Local Plans already do this in their land allocation policies and land designations such as Green Belt, Development Boundaries, Employment Land allocations etc.</i></p> <p><i>2/3 a clear digital map showing designations and development requirements would be helpful but these should acknowledge that new allocations may affect/overlay local communities and that the current land users should be respected.</i></p> <p><i>4. agree</i></p> <p><i>5. Local Councils do not appear to have the skills or the will to engage meaningfully. They do not draw on local knowledge embodied in neighbourhood plans when preparing policies. An example of good practice is Shropshire Place Plans where local communities provide evidence on their local needs and then these are used in the preparation of land allocation policies.</i></p> <p><i>6. Local Plans currently do this well.</i></p>
<p>1.What three words do you associate most with the planning system in England?</p>	<p><i>Detailed, arcane, effective</i></p>
<p>2(a). Do you get involved with planning decisions in your local area?</p> <p>[Yes / No]</p>	<p><i>no</i></p>
<p>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]</p>	<p><i>I do not feel that I would be listened to</i></p>
<p>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?</p>	<p><i>I would like to access electronic surveys with simple yes/no questions. However, in saying this, I would very much resent if the survey questions were set up so that the LPA's preferred option would be the only reasonable answer. It might be helpful to have national</i></p>

<p>[Social media / Online news / Newspaper / By post /</p> <p>Other – please specify]</p>	<p><i>survey standard questions that could be applied to individual sites and proposals.</i></p> <p><i>I would like to have an email notification of major proposals and consultation opportunities.</i></p>
<p>4. What are your top three priorities for planning in your local area?</p> <p>[Building homes for young people / building homes for the homeless /</p> <p>Protection of green spaces</p> <p>g / The design</p> <p>of new homes and places / Supporting the high street / Supporting the</p> <p>local economy / More or better local infrastructure / Protection of</p> <p>existing heritage buildings or areas / Other – please specify]</p>	<ol style="list-style-type: none"> 1. <i>The environment, biodiversity and action on climate change</i> 2. <i>Increasing the affordability of housing</i> 3. <i>Building homes for young people</i>
<p>Proposal 1: 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.</p> <p>Question 5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p><i>No, I do not agree.</i></p> <p><i>This is highly over-simplified. Each parcel of land has its own characteristics relating to land form, land use, heritage and history, landscape, etc. The current system allows decisions to be based on how well a proposal balances the benefits and harm to each of these characteristics. There are therefore instances where land that should in principle be developed should not be, and vice versa. Three zones is simply too crude a tool.</i></p> <p><i>The term “growth” is easily understood and would be suitable for land allocations.</i></p> <p><i>“Renewal” is too blunt a tool to allow all forms of development. For instance, how could</i></p>

heritage or visual impacts be addressed in a Renewal zone. It would be necessary to have detailed policies on how each Renewal zone could be developed which would in essence be no different from the current policy-based approach. This is therefore only change for the sake of change and will not bring the simplification sought. In addition, urban extensions to small villages is not seen as “renewal” to villagers but as “growth” so it may be helpful to tighten up the wording of any future policy.

We currently have “protected” areas in the AONB and Green Belt. However, development is allowable in these protected areas provided that certain policy tests can be met. It would be a grave mistake for the new planning system to simply stop all development in certain areas. This would stifle growth and adaptation. To get around this, it would be necessary to have detailed tests, as with “renewal” and this would simply be another form of policy under a different name.

However, it might be appropriate to have a greater number distinct planning zones with the aim of providing a simplified national system. If this were to be done, it would be essential that local circumstances could be considered when assessing a proposal.

In conclusion, this approach is over-simplified, and to make this work, a series of area-specific policy tests would be required which would differ from the current system in name only.

A better approach may be to require the use of nationally defined master planning principles to individual allocations (growth) so that it is (a) clear where substantial new development will be allowed, and (b) what this should be.

	<p><i>Masterplanning will not be suitable for other areas where planning policies should be retained, albeit these may be defined nationally.</i></p>
<p>Proposal 2: Development management policies established at national scale and an altered role for Local Plans.</p> <p>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.]</p>	<p><i>This would be extremely helpful and is welcomed. Yes, I agree with this proposal.</i></p> <p><i>Much of the text in Local Plans merely copies the policies in the NPPF and this is functionally redundant. It would be much simpler and clearer if there were a simple national set of planning policy requirements, as for building control.</i></p> <p><i>This would free up LPAs and neighbourhood planning groups to focus on what is locally unique and worthy of protection and enhancement.</i></p> <p><i>I am concerned by the term “machine readable” and would be very concerned if planning decisions were left to artificial intelligence to determine. Design and liveability are subjective and cannot be defined in yes/no tests.</i></p> <p><i>In addition, I am concerned that if applicants were to respond to yes/no questions in applications and these were read by machines, that it would be too easy to commit fraud and claim compliance when the opposite is actually the case.</i></p>
<p>Proposal 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.</p>	<p>7a.</p> <p><i>No, I do not agree. This is an oversimplification of the current tests of soundness and may lead to unexpected consequences.</i></p>

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.]

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

Soundness is set out in NPPF 35. All these tests MUST be retained because they are common sense.

The removal for the requirement for Sustainability Appraisal is welcomed. SA and SEA is a lengthy and costly exercise that typically only reiterates the assessment that local plan and neighbourhood plan policies already considered. A more focused Sustainability Test based on NPPF 8 would be sufficient.

Deliverability is very important and this is where the private sector lets the planning system down. LPAs may be meeting all the requirements to make land available for new homes and the private sector may avoid building out permissions in order to manipulate the system under NPPF11d. Applicants should be penalised where they do not deliver on new housing as required to discourage them from building up land banks. This could either be a financial penalty on the number of homes not delivered, or as a moratorium on new applications until those granted have been delivered.

7b. Duty to Cooperate is important but the requirements for LPAs in how they perform this duty is not clearly and unequivocally set out. Therefore, LPAs may pick and choose how to demonstrate cooperation. Duty to Cooperate should be retained, but it should be based on clearer national requirements. A similar problem arose with a poorly defined housing needs assessment methodology and when this was nationalised, a simpler system was put into place. (Despite the fact that the Government no longer supports the system it set up).

	<p><i>This is where bringing back a regional plan-making tier would be beneficial (such as the former Regional Spatial Strategy) to act as an independent arbiter between LPAs and help to decide on growth areas that are cross-boundary.</i></p>
<p>Proposal 4: A standard method for establishing housing requirement 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.</p> <p>Questions 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.]</p> <p>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.]</p>	<p><i>This would be a mistake. To build more homes in areas of lowest availability would exacerbate the problem, not improve access to housing. Areas with high house prices and low accessibility are generally already densely built and under pressure. Areas with high accessibility and low house prices are usually also areas with lower employment and embodied wealth. Rather than cramming more houses into Surrey, the Government should be doing more to improve Rotherham.</i></p> <p><i>The preparation of geographically joined approaches is welcome. This is also relevant for neighbourhood plans where a parish may be fully developed but its functional urban hinterland is in an adjacent parish. It would be best to plan for growth on a multi-parished platform. However, in practice under the current legislation, there is little incentive for this to happen and it is often the case that there are clashes between perceived interests of adjacent parishes.</i></p> <p><i>The changed approach to density is welcomed as an addition to calculations for meeting housing need. However, densification of existing brownfield land should be carefully considered and would not be appropriate in some parts of a town or city e.g. a mature suburb. Backland development should be avoided at all costs.</i></p> <p>8a. Yes</p>

	<p><i>8b Not sure. In urban areas, there may not be enough land available to meet local need for additional housing and this has made housing unaffordable.</i></p>
<p>A STREAMLINED DEVELOPMENT MANAGEMENT PROCESS WITH AUTOMATIC PLANNING PERMISSION FOR SCHEMES IN LINE WITH PLANS</p> <p>Proposal 5: 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.</p> <p>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.]</p> <p>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.]</p> <p>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.]</p>	<p><i>The current system of allocating land in Local Plans for housing and economic activity sets out clearly that the land is expected to be used for those activities. The current system therefore already indicates that permission should be forthcoming.</i></p> <p><i>The current system of considering outline and reserved matters applications for new housing development is therefore already aimed at “resolving outstanding issues – not the principle of development”. Again, the proposal is not an innovation but a recasting of the existing system and therefore not a material improvement.</i></p> <p><i>In putting the burden of assessing the detailed impact of development of each site onto the planning authority, significant burdens will be shifted from the private sector (the profit makers) to the planning authority (the tax payer). This would be damaging to the planning system and may lead to inadequate assessment of site impacts because of unavoidable cost-cutting. Meanwhile, developers will reap the rewards through lower development costs.</i></p> <p><i>The aim of having a faster consent route is welcomed however. If other proposals, most importantly to have national development management standards is progressed, this may be possible.</i></p> <p><i>Local Development Orders are similar to Neighbourhood Development Orders. I have</i></p>

tried to progress NDOs in a few of my neighbourhood planning areas but the requirements are extensive and simply beyond the resources or will of local communities to progress. LPA officers similarly do not necessarily have the skills or resources to work with applicants to prepare LDOs. In addition, and perhaps most importantly, planning applications (even the streamlined ones envisaged in the White Paper) are costly to prepare and require a range of specialist skills. By seeking LDOs over planning applications, the financial burden is being shifted from the private sector (who is guaranteed a 20% profit by the NPPF) to the LPA (who will only profit through the new homes bonus which would have been received anyway). It is unlikely that there will be increased uptake of LDOs and NDOs unless there is a fairer means of sharing the profit from new development.

Better powers for land assembly would be welcome, not just for major urban brownfield areas, but for market towns and larger villages as well.

Overall, development management decisions are as fast as the quality of the applications they are based upon allow. A full and compliant application can be determined quickly. A poorly prepared application will take longer.

A stronger requirement for what planning applications should contain with clear (and perhaps streamlined) requirements for supporting information would do more to speed up the decision-making process than increased use of LDOs and NDOs. Likewise, the deemed outline permission is not very different from current site allocation policies and is not an innovation but a different name for the same thing.

	<p><i>The greater use of permitted development might also be helpful, though this has recently been legislated and it might be prudent to wait to see how this new system settles before introducing new freedoms.</i></p> <p><i>It is insufficient to say that neighbours' interests will be considered later. Poor development can literally ruin lives as private amenity is degraded. This needs further thought.</i></p> <p><i>Brownfield registers are really not useful tools. They are typically out of date because land owners do not consider their sites to be "brownfield" but merely as "not important at the moment" and as such, they are not registered as opportunities with the LPA who maintains the register. It is unreasonable for the Government to consider brownfield land registers to play a role in identification of development land under these circumstances.</i></p> <p><i>9a. No, automatic outline permission is no different from a land allocation and will not speed up the process because in one form or another, all local impacts will need to be considered.</i></p> <p><i>9b. No. I do not agree with the 3 land use principle.</i></p> <p><i>9c. Yes, major new settlements could be considered to be on the scale of Nationally Significant Infrastructure. However, local community hosts should not be side-lined in this process and should be included in decision-making.</i></p>
--	---

Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology.

10. Do you agree with our proposals to make decision-making faster

and more certain?

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

Generally, the 8-13 week time limit is the norm, not the exception, and slower decision-making times is not always due to the LPA but may be due to a poorly prepared application that does not explain how harm will be mitigated, or consultees taking longer to respond. It is agreed that though that extensions of time should be abolished in order to 'focus minds'. LPAs will need additional funding and resourcing from the Government to be able to meet any stricter time limits.

It should be made easy LPAs to refuse applications on the grounds of insufficient information being submitted to be able to assess the application, and the Applicant should not be allowed to appeal such a decision.

Greater digitalisation will be welcomed and will help everyone. IT assistance in checking basic facts will also be welcome but there should still be a subjective (i.e. officer) input to matters of design, public and environmental protection and infrastructure.

Simplified applications based on a national data-standard will be welcomed.

Though it is laudable to seek to limit planning statements to 50 pages, this may not be sufficient to address all the potential impacts arising from large-scale and complex development. It would not be acceptable to avoid necessary detail because of an artificial page limit.

Clear national data standards and templates would be welcomed.

	<p><i>The proposal to delegate detailed decisions to officers already occurs for most (95%) of applicants. The proposals appear to seek to reduce the role of planning committees which would be unacceptable to local communities who wish to be able to influence decisions that affect them.</i></p> <p><i>It would be unfair to penalise LPAs for slow decision-making when this was the fault of the applicant.</i></p> <p><i>10. Agree only in part, see above.</i></p>
<p>A NEW INTERACTIVE, WEB-BASED MAP STANDARD FOR PLANNING DOCUMENTS</p> <p>Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.</p> <p>Question 11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p><i>Standardised planning data will be welcomed.</i></p> <p><i>The aim to improve community engagement by making Local Plan proposals easier for non-planners to understand will be welcomed.</i></p> <p><i>11. Yes.</i></p>
<p>A STREAMLINED, MORE ENGAGING PLAN-MAKING PROCESS</p> <p>Proposal 8: 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 who fail to do so.</p>	<p><i>Stage 1 Call for sites (6 months): I have undertaken a call for sites for a neighbourhood plan where only 13 sites were returned. I expect that it will take us 6 months to reach the point where we are certain which sites can proceed to an allocation. I cannot envisage out an LPA could do this for 1000 sites in the same time. To do so would require each site to only be assessed in the broadest sense and a site's unsuitability might not be revealed. Though I support the principle of this, I would suggest that the method for call for sites must be standardised nationally and the basic site criteria and constraints should be submitted as</i></p>

<p>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.]</p>	<p><i>part of the process so that sites can be quickly loaded into a database. This might make it possible to make the first “cut” assessment.</i></p> <p><i>Stage 2 Draft Plans (12 months): If all development management policies are nationalised, then it would only be up to the Local Plan to prepare site-specific policies and design codes. This is a lengthy process that requires close working with landowners and applicants in order to agree what is acceptable on each site. I have managed to do this for individual sites in a neighbourhood plan and I believe that it would be possible to do this for a Local Plan if officers had the right skills.</i></p> <p><i>Stage 3 consultation with SoS and stakeholders (6 weeks). Running the two consultation stages in parallel would speed up the process considerably and this makes sense.</i></p> <p><i>Stage 4 Examination (9 months): it would be helpful to have only one arbiter (the Inspectorate) to make the final decisions. This would remove the political considerations that sometimes can slow the plan making process.</i></p> <p><i>Stage 5 Editing (6 weeks): This seems feasible.</i></p> <p>12. Yes.</p>
<p>Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools</p> <p>Questions 13(a). Do you agree that Neighbourhood Plans should be retained in the</p>	<p>13a Yes</p> <p><i>Considering how many Neighbourhood Plans now exist throughout the country it is disappointing that the White Paper does not say more about the value of Neighbourhood</i></p>

<p>reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]</p> <p>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?</p>	<p><i>Plans, the positive community engagement that they bring to the planning system, or the innovative policies that can be specific to a local area. Neighbourhood Plans need to be supported by LPAs and given as much weight in decision making as the Local Plan. They should have 'teeth' and not be deemed to be out of date after two years if the LPA cannot meet its housing requirements, because the time it takes to prepare a Neighbourhood Plan and the efforts of the community will be seriously undermined otherwise.</i></p> <p><i>Neighbourhood Plans are the best means of allowing local communities to influence development in their areas. The support offered by Locality and AECOM is excellent and should continue.</i></p> <p><i>13b Yes, but other matters such as identification of community infrastructure requirements is also required.</i></p> <p><i>Whilst the offer of more digital tools will be welcomed, it would be wrong to limit them to design matters.</i></p> <p><i>A very important function of neighbourhood plans is that they identify locally necessary infrastructure (community infrastructure under the new use classes F1 and F2) as well as sustainable transport routes, green infrastructure, local flooding solutions (aimed mainly at surface water flooding), etc.</i></p> <p><i>Though it would be helpful for neighbourhood plans to avoid policies in new national development planning guidance, it is very important that their role in identifying local infrastructure requirements is retained.</i></p>
---	--

<p>Question</p> <p>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?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>14. Yes. <i>This problem will not only be solved by encouraging a wider range of developers to participate. Sanctions against land banking is also required.</i></p> <p><i>One of the fundamental reasons why housing is not being delivered is because volume housebuilders are playing the system through land banking. It is very disappointing that the White Paper contains only two sentences on this aspect. Instead of dealing with the bigger issue of land banking, and cartel of volume housebuilders who govern housing supply, it seeks to penalize under-resourced LPAs and blame the planning system.</i></p> <p><i>Applicants should be penalised where they do not deliver on new housing as required to discourage them from building up land banks. This could either be a financial penalty on the number of homes not delivered, or as a moratorium on new applications until those granted have been delivered. Specified areas within a masterplanned site could be allocated specifically for custom or self-build to ensure varied build out rates.</i></p>
<p>Questions</p> <p>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]</p> <p>16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?</p>	<p>15. <i>I live in the Cotswolds where the Cotswolds Design Guide has ensured excellent development for many years. Beautiful.</i></p> <p><i>Smaller scale new development in the area has often been better designed and braver. Smaller scale developers are often willing to make changes and take on the advice of the LPA.</i></p> <p><i>On the contrary, new development by volume housebuilders in the area is often poorly designed using standardized and cramped layouts with little storage space, lacks local</i></p>

<p>[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]</p>	<p><i>identity and place making, and is overly safe and often architecturally incoherent. Volume housebuilders do not embrace contemporary design, innovative design which mitigates against climate change, or design which places people over profits.</i></p> <p>16. <i>Less reliance on cars AND Energy efficiency</i></p>
<p>Proposal 11: 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.</p> <p>Question</p> <p>17. Do you agree with our proposals for improving the production and use of design guides and codes?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><i>I have tried to use the National Design Guide and found it so general and based on design principles that I had difficulty applying it to specific places. I question whether it can be used by people like me who have not been specifically trained in urban design.</i></p> <p>17. <i>Yes, but many neighbourhood plans contain local design codes. They are usually prepared by local (usually untrained) community members and it can be difficult to encourage development management officers to have the confidence to use them in decision-making. A national preferred methodology with standard template for local design codes would be helpful. This would allow people who are not trained in urban design to produce useful evidence for decision-makers. If there was a national standardised methodology, case officers would be more inclined to use the codes in decision-making.</i></p>
<p>Proposal 12: 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.</p> <p>Question 18. Do you agree that we should establish a new body to support design coding and building better places, and that each</p>	<p>18 <i>Yes, a new body to support design coding could be welcome at the neighbourhood plan and local plan level.</i></p>

<p>authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]</p>	
<p>Proposal 13: 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.</p> <p>Question</p> <p>19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><i>I am completely unaware of the Homes England standards nor how they could be applied to neighbourhood planning.</i></p> <p>19. Not sure</p>
<p>A FAST-TRACK FOR BEAUTY</p> <p>Proposal 14: 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.</p> <p>Question</p> <p>20. Do you agree with our proposals for implementing a fast-track for beauty?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>20. NO. <i>The use of national design codes should be avoided at all costs.</i></p> <p><i>Whilst the emphasis on good design is laudable and is supported, the use of “pattern books” seems unwise. Pattern books would lead to national approaches to design and would have the effect of stifling local design aspirations. It would always be easier for a developer to pick a standard design and use it in all their schemes, no matter where they were located, so that development in Hull and London would be identical. This cannot be a good outcome.</i></p> <p><i>This approach would also stifle the creation of new design and England would become a pastiche of itself.</i></p>
<p>EFFECTIVE STEWARDSHIP AND ENHANCEMENT OF OUR NATURAL AND HISTORIC ENVIRONMENT</p>	<p><i>Improvements to biodiversity and the creation of tree-lined streets would be welcome. Better</i></p>

<p>Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.</p>	<p><i>means of managing flood risk is also very positive.</i></p> <p><i>Greater clarity in the NPPF on climate change will be welcome. At present, most LPAs must re-invent these policies based on local declarations on the Climate Emergency. It is not helpful to have such a piecemeal approach (which is limited by the lowest common denominator of Building Regulations) and improvements nationally are urgently required.</i></p>
<p>Proposal 16: 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.</p>	<p><i>Strategic Environmental Assessment, Sustainability Appraisal, and Environmental Impact Assessment tend to overlap and are costly and time-consuming to prepare. A more stream-lined process would be welcome.</i></p> <p><i>National data (such as that provided by MAGIC) is very useful because it can be applied in any context in any location in England. Improvement to this system, for instance by adding an NPPF layer, would be helpful.</i></p> <p><i>A single process for assessing environmental impact would be welcomed.</i></p>
<p>Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century</p>	<p><i>Local Plans already identify historic features worthy of protection. Further protections would be welcomed.</i></p>
<p>Proposal 18: 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.</p>	<p><i>Fully support</i></p>
<p>Question</p>	<p><i>INFRASTRUCTURE!</i></p>

<p>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 /</p> <p>Other – please specify]</p>	<p><i>The biggest problem with CIL is the lag between the time that the funding has been collected and the infrastructure provision. It can be many years after development has been occupied that necessary infrastructure is completed, and all too often, promised “soft” infrastructure such as play space, attractive landscaping schemes, etc. are left off at the end on the grounds of “viability”. This is probably the biggest factor to local community suspicion of LPA management of strategic development.</i></p>
<p>Proposal 19: 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.</p> <p>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.]</p> <p>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]</p> <p>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.]</p>	<p><i>22a: No, this is too crude an instrument and it is not clear how the funding will reach the host community.</i></p> <p><i>There is insufficient detail in these proposals to comment. It is unclear who will collect the funding, how it will be prioritised for delivery, how it will be focused on the host communities and their needs identified in neighbourhood plans.</i></p> <p><i>Removal of S106 would be problematic because this is the best way to secure necessary infrastructure that can only be agreed at the individual proposal level, not a national level.</i></p> <p><i>22b: No, this is too crude and cannot take account of variations in viability.</i></p> <p><i>22c: Probably more value, but schemes must remain viable to deliver.</i></p>

<p>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.]</p>	<p><i>22d: Yes, Local Authorities should be allowed to borrow against anticipated CIL so that infrastructure can be delivered at the right time.</i></p>
<p>Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights</p> <p>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.]</p>	<p><i>23. yes.</i></p>
<p>Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision</p> <p>Questions</p> <p>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.]</p> <p>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.]</p> <p>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.]</p>	<p><i>24a: Yes</i></p> <p><i>24b: Not sure</i></p> <p><i>24c: Not sure</i></p> <p><i>24d: Yes. It is important to retain community cohesion that affordable housing is tenure blind. Quality of provision is key to this.</i></p>

<p>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.]</p>	
<p>Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy</p> <p>Questions 25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.] 25(a). If yes, should an affordable housing ‘ring-fence’ be developed? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p><i>I support that the neighbourhood share of CIL is retained and an incentive to communities to produce neighbourhood plans.</i></p> <p><i>The use by LPAs of CIL funding for a wider range of necessary infrastructure would be welcome since these “place making” features are often dropped off strategic schemes because they are considered to be unviable. It would be beneficial to use the CIL funding, if available, for place making purposes.</i></p> <p><i>25: yes but the funding should be ringfenced to matters related to land use and should not be used to prop up other insufficiently funded council functions.</i></p>
<p>Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms.</p>	<p><i>This is supported</i></p>
<p>Proposal 24: We will seek to strengthen enforcement powers and sanctions</p>	<p><i>This is supported.</i></p>
<p>Question</p> <p>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?</p>	<p><i>Not sure: the innovative communications techniques used in this consultation were not discussed in the document. If LPAs are expected to improve their consultation techniques, then this White Paper should follow its own advice. This is another DOCUMENT and will probably not be considered by the majority of the population though every English citizen will be affected by the proposed changes.</i></p>

	<p><i>There are some protected characteristics, such as age and disability, that may struggle to use or access digital tools. They may feel sidelined or marginalized during planning application or plan-making public consultations.</i></p>
--	--