

PLANNING FOR THE FUTURE

WHITE PAPER AUGUST 2020

PILLAR ONE – PLANNING FOR DEVELOPMENT

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

Local - evidence - improve. Neighbourhood

QUESTION 2. Do you get involved with planning decisions in your local area? Yes

QUESTION 3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. This is a questionable assertion, so far without evidence to back it up.

How would you like to find out about plans and planning proposals in the future?

As responding for a Parish Council, preference is to access and search information directly – via websites and from emails / meetings – mostly from the LPA but also other bodies such as CPRE.

To enable all members of the community to be involved, all of those mentioned and as many channels of communication as possible should be sought. Providing online information may be much easier for those tasked with delivering that communication, but it does not make planning more readily accessible for those people who find it difficult to use online information.

QUESTION 4. What are your top three priorities for planning in your local area?

- i. The environment, biodiversity and action on climate change
- ii. Protection of green spaces [and protection of the Countryside]
- iii. The design of new homes and places.

QUESTION 5. Do you agree that Local Plans should be simplified in line with our proposals? No.

PROPOSALS 1. First, we will streamline the planning process with more democracy taking place more effectively at the plan-making stage, and will replace the entire corpus of plan-making law in England to achieve this...'

- i. Streamline the planning process.** Consider the nature of the planning process which is as complex an issue as climate in the variety of inputs and variable. Consider the impact and responsibility of the planning system for the future of place, habitat, community, local diversity, environment and climate. The focus should be on expertise, evidence base and good communication. Not fast tracking unscrutinised development. Consider also the English legal system based on historical statute and common law. How is the answer to 'replace the entire corpus' and start again?
- ii More democracy taking place more effectively at the plan-making stage.** This invites agreement. However there is already a raft of public consultations at the plan making stage. Agree these should be more accessible and better communicated. What this proposal fails to say is that consultation and local input is to be removed from later stages of the planning process which is undemocratic and absolutely disagree with.
- iii Replace the entire corpus of plan-making law in England to achieve this** Why does the Government wish to waste the massive amount of expertise, intelligent input, work and decision making by planners, councillors, inspectors – and the local community including Parish Councils (and all in one way or another at tax payers' expense) by sweeping away the present Local Plan-led system – when surely there is the knowledge and expertise capable of embedding the changes needed within that system? An answer would seem in order to be able to 'build, build, build' with impunity. But dismantling all that has gone before is an acknowledgement of failure. Failure to engage with and recognise value in that which currently exists, and inability or unwillingness to deal with the complexity which has to exist. There is much in the planning system to improve. It is possible to identify scope for and reap the benefits of improvement without applying sweeping changes which, while good for a grand gesture, have all the attributes of being untried untested and not thought through. And which all environmental groups oppose. The planning system will face years of even greater uncertainty.

Cliddesden Parish Council supports an approach of identifying important areas for change and to benefit the natural environment WITHIN the current planning system.

To note CPRE's conclusion that 'Government claims that the current planning system is slowing down housebuilding is "grave misdiagnosis" of the problem.'

1.1 Simplifying the role of Local Plans, to focus on identifying land under three categories The concept of zoning has received much criticism as being over-simplistic and a blunt instrument. It's unclear how the three types of areas will be defined, or the size and scope of the areas. It's not clear how the concept can relate to reality on the ground, or how it recognises the value of individuality and diversity, or supports the unique identities of place, community, ecosystems and wildlife, or how they interrelate. When it comes to the local level, at some point simplicity has to make way for complexity. Sub-zones and sub-sub-sub zones will be needed. Any categorisation should be determined at the local level, with proper input from local communities, such as via Neighbourhood Plans. Despite recent investment in community 'ownership' of the planning process via Neighbourhood Planning, this 'zone' system has no apparent basis in 'community'.

And to note there is no 'zone' for wildlife. Protected landscape is not the same as protected wildlife habitat which must be fostered everywhere. The Parish Council supports the Wildlife Trust's call for 'Wildbelts'. Wildlife habitats, wildlife corridors and green infrastructure must be fostered, restored and protected alongside, within and between old and new developments as well as within the open countryside and within protected landscapes.

Noting the proposal to remove local consultation at the planning application stage, by this means local voices, local considerations, interests, and those championing wildlife will have been silenced. There is a significant risk these changes will give developers free rein and the White Paper be another 'developers' charter' which will further erode faith in and engagement with the planning system.

Cliddesden requests that the Government considers the pledges of its Environment Bill and Localism Act and reconsiders its planning proposals not via 'zones' but in line with these pledges:

'The Environment Bill will put the environment at the centre of policy making. It will make sure that we have a cleaner, greener and more resilient country for the next generation.'

'The Localism Act 2011 (c. 20)...the aim of the act is to facilitate the devolution of decision-making powers from central government control to individuals and communities.'

1.2 Local Plans should set clear rules rather than general policies for development. The focus on rules is worrying and needs further scrutiny. It implies 'one size fits all', removes the potential for intelligence, discretion and common sense. Standards would be better, including a requirement for high standards of evidence and scrutiny to inform decisions at all stages of the planning process.

1.3 Local councils should radically and profoundly re-invent the ambition, depth and breadth with which they engage with communities as they consult on Local Plans. 'Re-invent' can mean anything. An emphasis on engagement at the plan-making stage is well and good, but considerable public consultation is already held at this stage. However it is only those sufficiently engaged, and with the means, and willing to give time – who generally take part. Engagement should be improved and increased for all sections of the community and at all stages throughout the planning process. Otherwise communities will continue to and rightly feel disregarded and their voices not heard. Under these proposals the later stages of the planning process silences all voices of all but those of the developers.

1.4 Local Plans should be subject to a single statutory 'sustainable development' test, and unnecessary assessments and requirements that cause delay and challenge in the current system should be abolished. This is problematic, and misleading as it brands 'assessments' and 'requirements' as unnecessary. Requirements should remain for the highest standards of assessments, evidence and scrutiny at all levels and stages. Hasty ill-informed decision making has no merit. The document talks about the 'disproportionate burden of evidence' but good evidence is needed to support good decision making.

1.5 Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new standard template. Aspirations are attractive but over-reliance on technology is flawed. All web-based systems need a back up and alternatives. See comments at questions 10 and 11.

1.6 Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable (of no more than 30 months). While it is positive to seek means to improve efficiency and avoid delay, imposing an arbitrary time limit will not be helpful and again may encourage hasty ill-informed decision making. Increased resources could improve all outcomes including timescales.

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?

No

Moving away from local to central control is not a recipe for success. Every village, town, city, county has its own unique history, landscape, geology and character. That is why planning at a local level is so important. A 'general' approach is unlikely to fit anywhere.

Local Plan making from start to finish should be locally accountable, and be rooted in the nature and requirement of the local area, its communities and environment. Moves to centralise control detracts from local decision-making and accountably. Government funding should be channeled towards supporting the research and data collection required to support wildlife and environment issues, and to support the local expertise and evidence base needed to make informed decisions.

Cliddesden requests the Government heed the voices of Environmental Groups, citing the 18 charities, including the Campaign to Protect Rural England, Friends of the Earth, Woodland Trust and RSPB, who have written to the prime minister to call for 'locally accountable and democratic' planning rather than further deregulation'.

'As a broad coalition of environment, housing, heritage and planning organisations, we call on you to support a robust, locally-led and democratic planning system with people and nature at its heart.' The Parish Council wholeheartedly supports this position.

QUESTION 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?

7.a.i Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of 'sustainable development'. No

The definition of sustainable development is often seen as a loophole to achieve development. The default presumption is geared to 'development'. Rather, the presumption should be for environmental and social issues to be put first. Legal and policy tests should be strengthened to redress this balance – a matter for detailed scrutiny and local consultation and decision making.

7.a.ii 'Include consideration of environmental impact?' Environmental impact should be at the heart of all planning not tacked on as an afterthought. The Government should ensure every aspect of the planning process complies with the proposals of the Environment Bill and 25- Year Environment Plan, and integrate a Nature Recovery Network through all future development – as per its NRN policy paper:

<https://www.gov.uk/government/publications/nature-recovery-network/nature-recovery-network> 'Defra and Natural England are bringing together partners, legislation and funding, to create the Nature Recovery Network (NRN). Together, we will deliver the Network by restoring and enhancing England's wildlife-rich places.'

As noted at Question 6 local authorities should have increased funding, resources, and access to high-quality ecological data, so that they can make informed decisions regarding where and how any new development happens. This should be a great opportunity to facilitate and enforce the Government's commitments on environment and biodiversity. The expertise of bodies such as CPRE and the Wildlife Trusts should be adhered to. The Parish Council fully supports the Wildlife Trusts' call to 're-Wild the Planning System'.

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate? Good question. Suggest to consider not abolishing the Duty to Cooperate in relation to these issues.

QUESTION 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? No

Note – agree 'constraints' should be taken into account.

Methodology and algorithms have already been seen to be mistakenly applied and misapplied. CPRE had detailed potential unintended consequences of algorithms.

How can centrally imposed methodology and algorithms lead to transparency in decision making, or support Localism and good local decision making, or indeed the community focus in Neighbourhood Planning? The Parish Council had intended to respond to the earlier consultation 'Changes to the Planning System' but it was beyond its resources given the time needed due to the complexity.

It cannot be said that this has been subject to meaningful public consultation. Methodology and algorithms that the majority of the local electorate won't understand, and so aren't open to general scrutiny, would seem to be generally undemocratic.

To take a case in point – for Cliddesden Parish's LPA. The present housing requirement of the Adopted Local Plan is 850dpa. In May 2021 the Local Plan will be five years' old and so then will revert to the Government Standard Methodology. Using the current methodology which is tied into using 2014 figures the requirement will be 884. If the borough's 2018 figures were applied using this methodology the requirement would be 336dpa. But the 2018 figures won't come into use until the Government methodology is revised. So under the current revised proposals the figure will be 684dpa. However, as the 2018 figure is something of an anomaly, by 2022/23 the housing requirement is likely to rise dramatically (consider the difference between 884 and 366).

So how can this uncertainty and volatility introduced by algorithms and the tweaking of algorithms lead to sound planning? How can a Parish Council or Neighbourhood Planning Group, trying to explain these housing targets to local parishioners, give them faith in the local planning system or reason for them to spend their own time engaging with it? How does this lead to 'more democracy taking place more effectively at the Plan-making stage'. Democracy in Plan-making requires local accountability and locally-set housing targets.

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? No

Because both these 'indicators' have arisen and evolved as a result of multiple and changing factors. So cannot be taken in isolation. And have been shown not to allocate housing in areas and communities that need support and investment. If developers are encouraged to build in expensive areas they will surely be encouraged to keep prices high.

Also to consider that while Local Authorities have centrally-derived targets to deliver a number of houses, they are not in control of the delivery to market. They are not in control of the build out rate (ref Q14). That is in the hands of the developers. If the economic climate is not favourable, then developers will slow down the build rate, managing supply and demand to maintain the prices to maintain their profit margin. No developer is going to release 500 houses to market if it means saturating a depressed market. So increasing housing targets and planning applications will lead only to more land banking, not to better housing delivery.

Planning should be locally led and development should be plan led with a focus on Community, diversity, local need and a local evidence base. It should not be led by simplistic 'indicators'. The focus should be on the needs of specific areas, on quality research, evidence and data, and targeted investment and funding.

Before considering indicators, consider CPRE's conclusions that 300,000 new homes annually, and one million homes by the end of the Parliament... can be achieved without these reforms... that 'one million homes that already have planning permission have not been built' – see Q 14.

Consider the recent report *Rural Recovery and Revitalisation* from research by CPRE, English Rural and the Rural Services Network which concludes that 'Rural homelessness has doubled since 2018' and that 'Investing in affordable rural housing will level up and turbo charge the

rural economy'. Consider CPRE's State of brownfield report 2019 which concludes that there is enough suitable brownfield land available in England for more than one million homes across over 18,000 sites and over 26,000 hectares. Consider the medium and long term impact of Covid on existing cities, towns and regions before allocating new 'zones' for development. Consider the potential impacts of Brexit. And the need to fund improvements to existing poorly insulated housing stock 'which will provide a stimulus for the economy.. and put money directly back into communities....'.

Resources should be focussed on identifying areas of most need, rather than according to 'indicators' and 'algorithms'. It seems that applying the new methodology exasperates existing trends rather than benefiting areas, communities, individuals where help is needed to achieve the 'leveling-up' process.

QUESTION 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? No

All development and particularly substantial development must be subject to detailed scrutiny and local consultation rather than being given automatic outline permission. It must be plan-led and there must be means to protect sites valuable for their environment / habitat / landscape or local amenity. Consideration must be given to the potential negative impact of development on these 'growth areas' - on the natural environment or existing built environment. Development must meet local needs, the constraints of the local environment and be build around environmental benefits and enhanced wildlife areas and corridors. Automatic outline permission benefits only developers.

9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? No

The emphasis continues to be in favour of development throughout. The NPPF has a presumption in favour of development. The presumption – if areas are considered for renewal and protection – should be in favour of environmental protection, establishing and enhancing wildlife habitat, achieving net-zero carbon emissions, and means to benefit existing communities and improve where necessary the existing built environment.

9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? No

This can unnecessarily sacrifice the country's natural environment / agricultural land / valued rural landscapes / valued areas of rural amenity, to be replaced with often high density remotely conceived, ill-connected housing developments which are in the wrong place. This is an area where the current planning system is in is need of reform effectively allowing large housing estates in the countryside labelled as 'garden villages'. See

<https://www.transportfornewhomes.org.uk/the-project/transport-for-new-homes-report-2018/>

'Our 2018 report, Transport for New Homes, revealed the deep flaws in the planning system which leave new housing developments with inadequate walking, cycling and public transport connections to surrounding areas. With limited facilities locally, residents are for the most part forced into car-dependency.'

QUESTION 10. Do you agree with our proposals to make decision-making faster and more certain? No

Fast decision making does not necessarily make for good decisions. The certainty of bad decision-making is best avoided.

There seems to be an assumption that digital equals more certain and faster. This is not necessarily the case. Not everyone is going to be able to or wish to engage in such a fully digital process. (The photograph in the document shows people using virtual reality headsets.) These proposals may work from the perspective of those making the proposals.

How long is this 'new, more modular, software landscape to encourage digital innovation' going to take and how much is it going to cost? Considering the recent track record of government IT projects undertaken by third party IT contractors, creating a 'faster and more certain' system is optimistic., as well as unnecessary.

Good evidence and good local decision making for the real world is much needed.

Question 11. Do you agree with our proposals for accessible, web-based Local Plans? No.

Although the suggestion for improved interpretation and engagement sounds positive, the claims are problematic, not least because data can be presented in many ways and to convey many things. Emphasis has to be on substance, accurate information and transparency, as well as software and presentation. 'New-style' not a valid replacement for transparency and an evidence base.

Also web-based is being confused with accessibility. There are many people who will not be comfortable with using this digital technology. For example, in 2019 our Neighbourhood Planning team launched a simple questionnaire. We heavily promoted use of an online version, but despite this, 50% of responses were made via paper. Having a purely digital channel of access, will disenfranchise a significant number of people from the process and will reduce rather than improve accessibility. All systems need a back-up and an alternative..

Again consider the cost of what is being proposed, the time to deliver, the life-cycle of the technology and potential waste of money. The proposed digital platform sounds overly ambitious. There may be difficult trade offs for local authorities in terms of what services they cut, in order to invest in things like 3D technology.

Local Plans are already available on LPA websites – and accessible for anyone with internet access who is sufficiently interested and engaged to look. Some resources need to be put towards promoting engagement and additional and alternative means of engagement.

Question 12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? No

Disagree with an arbitrary statutory time limit. While it is positive to seek means to improve efficiency and avoid delay, imposing an arbitrary time limit is likely to allow for hasty, incomplete and ill-informed decision making. Increased resources could improve all outcomes including timescales.

Questions 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? Yes

Neighbourhood plans should be retained, the focus on community and empowering communities should be at the heart of the Planning system. The proposals appear to reduce the ability of local communities to influence development by means of a Neighbourhood Plan, which is not acceptable given the effort that has been put into them. Neighbourhood plans take a significant investment of time by volunteers from the community. The hard work undertaken and currently being undertaken should be recognised. If categories are going to be introduced, (Growth, Protect, Regenerate), then Neighbourhood plans must be able to define where the categories apply within the NP area.

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?

Neighbourhood plans presently have the option of developing design codes and Cliddesden has already done so as part of its developing Neighbourhood Plan. The emphasis on good design is welcome. However the Neighbourhood Planning process should be allowed to meet the Community's planning objectives by means suited to the community. There seems to be a danger that under these proposals Neighbourhood Plans will be reduced only to design codes and design tools. It is important to retain the emphasis on community, and community-led planning, and the community's ability to develop policies on eg locally important greens space, views and wildlife habitats.

Neighbourhood plans should not be forced to use new digital technology, it should be an option. Neighbourhood plan teams are typically not professionals, but amateurs from the community. Increased technology requirements will exclude many people from the process who otherwise have much to offer.

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

Consider comments at Q8b – Attention should be given to the amount of land that already has planning permission rather than seeking faster means of granting more permission. Again consider CPRE's conclusions that 'one million homes that already have planning permission have not been built'.

The Parish Council's day-to-day experience is that it would help the function and credibility of Planning Policy, and the public's faith in the planning system, if the influence of large developers could be reduced. For example developers are seemingly able to influence the LPA's 'deliverable' housing land supply by not delivering sites and are then rewarded by housing policies being deemed out of date and further planning permissions being granted.

However a stronger emphasis on the build out of development must come which a stronger emphasis on infrastructure and sustainability. Like everything, addressing one aspect in isolation is insufficient.

Focus of reform should be on the house building system, so that all new developments contribute to promises on improving climate, environment, wildlife and localism – and ensure quality of place and build. Developers, development, land values and infrastructure should all be the focus of reform in order to contribute to the 'leveling up' process.

To simply 'seek to include a variety of development types by different builders which allow more phases to come forward together' may potential cause other problems – and seems to be ignoring root causes of larger problems.

A stronger planning system is needed which requires truly affordable houses to be built where they are needed, not allowing the land owners and developers to massively profit by building homes in the wrong places. Many problems could be addressed by the take up in land values being put to climate, environmental and social benefit. being put to climate, environmental and social benefit.

Only that planning should aim to improve environment and community for all.