

COMMENT ON WHITE PAPER: PLANNING FOR THE FUTURE
HALLOW PARISH COUNCIL, WORCESTERSHIRE

General comment

The aim of speeding up the planning process and delivering more certainty is broadly welcomed. However, we have some cautions about the specific policies of implementation, and that much of the White Paper is too generic and lacks specificity about actual planning guidance, processes and legislation.

The use of technology to improve the planning process, and to enable greater consultation and engagement by local communities is welcome.

A rules based system has a number of advantages, however our local experience is that developers seek loopholes wherever possible, and that speculative development proposals cause much anxiety and ill-feeling locally. It is difficult to see how, in their present form, the proposals contained in the White Paper will reduce speculative applications.

We agree that the planning system has lost public trust. However, we disagree that the present proposals will speed up or improve environmental assessment. In the context of climate change and degradation of biodiversity the greatest possible emphasis should be placed on environmental assessment.

Access to s106 and CIL and the subsequent spend should be as close to local populations as possible, including parish/village level. At present villages do not necessarily benefit from such funds and are forced to meet housing targets without attendant improvements at village level.

Whilst the focus on design codes is very welcome, our parish experience is that the Design Code at Local Planning Authority level is too generic, but that LPA's can consider Parish level codes as too prescriptive. If anything, design codes should be as localised as possible within an overall standards framework, and more, not less power should be vested with Neighbourhood Development Plan Design Codes. This would help to reduce the generic, urban style building that has eroded so much of the character of local villages, and results in so much opposition to development. The impact of poor layout on existing homes and residents is also too readily overlooked, and this adds to 'Nimbyism' and ill feeling towards new homes.

Specific comment

Page 20, the 3 categories- in principle this may be acceptable. However, the proposal lacks specificity, for example it is not clear what 'gentle densification' actually means and who decides what it is.

Page 20- it is not clear how policies will effectively reduce down to a simple set of rules for development or what this actually means for parishes within a local planning area.

The evidence base and procedure for designating the 3 categories of Growth, Renewal, Protected is not clear, or the role local communities will actually play in formulating and agreeing these designations.

The proposal for single statutory “sustainable development” test is too simplistic and does not take on board that assessing sustainability is a complicated process requiring a range of evidence.

Page 21- we welcome the emphasis on enforcement.

Page 21- Data digitisation is welcomed.

Page 21- the commitment to sustainability and environmental issues lacks specificity.

Page 21- achieving beauty is laudable, but too often large developers argue against good design and architectural features on the grounds of cost, and it should be recognised that the large developers already manufacture much of the units used in house building (e.g. windows, doors etc), and have a vested interest in **not** supporting more nuanced and individual designs.

Page 22- CIL, whilst broadly welcomed, CIL should be brought even closer to those parishes and villages where housing is actually located, and the process streamlined to make access and spend quicker. Too often local people do not directly benefit from the developer contributions or have imposed upon them ‘community improvements’ such as leisure and sports facilities that they do not want.

Answers to questions in White Paper

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

Developer-led, unfair, failing.

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

Yes at parish council level and NDP.

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]

Residents find the planning system baffling, perceive it negatively and as unfair and excludes their views. Legitimate concerns too often labelled as ‘Nimbyism’.

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]

All of the above, we have a range of residents and parishioners who will need access and information by various routes.

4. Local priorities are: Affordable housing including for sale; downsizing for an elderly population; protecting Green Spaces; protecting rural character and having a

useable and enforceable design code; environmental/climate change/biodiversity; protection of heritage.

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

No, as the definition of Growth and Renewal are too open as presently defined. In addition, it is not clear from the proposal the extent to which LPA's would then be able to refuse speculative applications that are made outwith the local plan. To date, we have seen too many of these going to Appeal, causing anxiety, undermining Local Plans and NDPs, and taking a great deal of resource to respond to. They also undermine public confidence in Local Plans and the planning system per se. It is not clear from current proposals that anything outwith a Local Plan would NOT be allowed. Proposals need to clearly state that applications outside of up to date Local Plans and NDPs would not be submittable.

Protected Areas as currently defined does not appear to include local green spaces of significance to communities, significant views, or open land around or within parishes that local residents' value. At present Neighbourhood Development Plans can seek to designate these. The current proposals appear to weaken or erode that level of community involvement and role in designation.

Automatic permission should only be considered for Growth areas, and for developments of small scale.

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.]

We welcome the role of Neighbourhood Development Plans in design at local level, indeed this should be encouraged at parish/village level. Greater powers and weight should be afforded to such codes, particularly under NDPs, which provide far more contextualisation and specificity than local plan codes which can cover large, differentiated areas particularly where more than one LPA has agreed to work together on a single plan (e.g. the South Worcestershire Development Plan has 3 LPAs and a large and diverse plan area).

We agree that local authorities should have a similar level of flexibility to set development management policies as under the current Local Plans system, with the exception that policies which duplicate the National Planning Policy Framework would not be allowed. It would help if the same could apply to NDPs.

7a 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.]

We prefer the alternative option as we think it is important to retain Local input and knowledge about these issues:

Alternative option: Rather than removing the existing tests of soundness, an alternative option could be to reform them in order to make it easier for a suitable strategy to be found sound. For example, the tests could become less prescriptive about the need to demonstrate deliverability. Rather than demonstrating deliverability, local authorities could be required to identify a stock of reserve sites which could come forward for development if needed.

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.]

We prefer the alternative option as this has local flexibility and recognises that housing need across England and Wales varies by LPA. The housing delivery test is however problematic, as permissions can accumulate without build out, and “land banking” remains an issue.

We do NOT agree with the proposed changes to the standard methodology and have commented on that elsewhere.

Page 34: the following is a substantial problem:

In both the Growth and Renewal areas it would still be possible for a proposal which is different to the plan to come forward (if, for example, local circumstances had changed suddenly, or an unanticipated opportunity arose), but this would require a specific planning application. We expect this to be the exception rather than the rule: to improve certainty in the system, it will be important for everyone to have confidence that the plan will be the basis for decisions, and so we intend to strengthen the emphasis on a plan-led approach in legislation (alongside giving appropriate status to national planning policy for general development management matters).

This will only add uncertainty and anxiety, particularly to local communities who rightly expect that after comprehensive local planning and consultation, preferred option housing sites are the **only** areas that can be built on until local plans are updated and further sites identified. Given the proposed increased speed of local plan completion and the necessity to maintain a land supply and achieve targets, there is minimum risk that local plans are not on target and are not responsive to local housing need. It is unlikely that residents will accept a reformed planning system based on providing more certainty if it fails to restrict speculative applications outwith NDPs, and outwith Local Plans. Therefore, the above paragraph from the proposals is particularly disappointing-in our view applications outside of the local plan should not be allowed and new legislation and updated NPPF should reflect this.

Local Development Orders could be very useful, and we ask that strengthening of Neighbourhood Development Orders is considered. However, these will only work if attention is also paid to the issues raised above in respect of the para on page 34 italicised above. Residents deserve certainty as well as landowners and developers. In our parish based experience the single issue which has eroded the most public

trust and confidence in the planning system has been the submission and progression of applications outside of those included in NDPs or Local Plans.

The following paragraph on page 35 also causes concern:

In areas where development is restricted (Protected areas) any development proposals would come forward as now through planning applications being made to the local authority (except where they are subject to permitted development rights or development orders), and judged against policies set out in the National Planning Policy Framework. The route to full planning permission should follow clearly and directly from the designation made in the Local Plan.

This completely undermines the Protected designation and again will serve to undermine certainty and public confidence and trust. Our comments re page 34 also apply to this paragraph on page 35.

The White Paper boldly states on page 35: *The route to full planning permission should follow clearly and directly from the designation made in the Local Plan.*

This sadly is not the experience within numerous parishes in Worcestershire where the Local Plan has not delivered this certainty because of speculative applications outside of plans. As currently proposed future Local Plans will not do so either.

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, we do not agree. We think it is imperative for local democracy that local people are engaged and involved, usually via Parish and District Councils. Whilst we would welcome speeding up the planning process, there is a role for community consultation and engagement- even after consultation on Local Plans. In our parish experience this can result in better design, and a slightly more responsive approach by developers to reasonable community concerns. It is often larger, major developments that raise the most legitimate concerns. Preventing community engagement and consultation runs the risk of higher levels of 'Nimbyism', and runs the risk of undermining the credibility of the planning system and eroding public confidence in it. As a Parish Council we are front and centre in hearing community views and we already know that public confidence in the planning system locally is low, with a common perception that their views and concerns are ignored, and that 'the system' is loaded towards the developer. When this is coupled with housing provision that is perceived by local people as 'out of kilter' with local need then very negative perceptions of planning ensue.

In addition, Neighbourhood Development Plans, and their attendant Design Codes, Landscape impact work, and significant view work need to be properly considered. Permission in principle may mean that this parish level planning policy is too easily overlooked.

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.]

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This will only add uncertainty and anxiety, particularly to local communities who rightly expect that after comprehensive local planning and consultation, preferred option housing sites are the **only** areas that can be built on until local plans are updated. Given the proposed increased speed of local plan completion and the necessity to maintain a land supply and achieve targets, there is minimum risk that local plans are not on target and are not responsive to local housing need. It is unlikely that residents will accept a reformed planning system based on providing more certainty if it fails to restrict speculative applications outwith NDPs, and outwith Local Plans. Therefore, the above paragraph from the proposals is particularly disappointing-in our view applications outside of the local plan should not be allowed and new legislation and NPPF should reflect this.

Residents deserve certainty as well as landowners and developers. In our parish based experience the single issue which has eroded the most public trust and confidence in the planning system has been the submission and progression of applications outside of those included in NDPs or Local Plans.

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No because of paragraphs allowing applications that are not included in the Local Plan, identified in our comments on page 34, and page 35

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.]

Not sure.

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

Yes. This is a welcome improvement and would improve access to information, and reduce residents' anxiety. Waiting periods for decisions are too long, and can be corrosive in small villages.

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

Yes. This is a welcome improvement and would improve access to information, and reduce residents' anxiety. However, it should be recognised that some older residents are not 'tech savvy' or do not have access to the technology. Measures need to be in place to ensure all residents have equal access to information.

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. Timelines at present are over-long and residents lose interest. Consultations are seen as mere formalities with a negative perception that residents are not listened to. Much future plan making should now be based on updating evidence rather than extensive evidence collection.

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, and their powers strengthened. The principle of basic compliance with the Local Plan is acceptable, but within this local parishes would welcome greater control and powers over parish/village level design codes, greater influence and control over the green spaces, and a route into the proposed new land designations rather than merely having them imposed by the LPA. Wherever possible local areas should be enabled by law to bring forward sites for housing, and to meet parish level needs by specifying tenure mix and size-this should then be reflected in the Local Plan NOT the other way round.

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?

This would be welcome. However, please remember that most NDPs, particularly at Parish level, are done by volunteers, and mechanisms such as the Locality Scheme and grants will be required to enable the use of digital tools, and to develop design codes for example. The current Locality scheme's use of AECOM has resulted in design codes that are too generic and really do not add the value at village level that parishioners really want, therefore grants should enable local commissioning, and not use a general national provider. Future development that is a better 'fit', and which truly reflects local character would be welcome and probably reduce 'Nimbyism'. Any tools which assist parishes to do this would be welcome.

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. Assertive steps should be taken to reduce and prevent land banking. Penalties on developers who have permissions but do not deliver within a set timescale. Placing the responsibility solely onto LPAs is NOT the answer, they do not control what developers decide to do once permission is gained, and are then forced to bring forward additional sites and in the eyes of residents fall into the trap of over-building, sometimes in sensitive areas and against the express wishes of whole communities. This erodes trust and confidence in the planning system overall. Unless actual changes in the planning framework take place, developers will still be able to take steps to 'game the market' and delay build on permissions.

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]

Poorly designed and generic, lacking any reflection of local character, and with minimal landscaping. A number of unacceptable urban, low costs features such as wooden fencing rather than native hedging, failure to retain existing hedging and trees, poorly planted green communal areas, minimum sized access roads which cause parking problems. Lack of sympathetic layout to existing properties resulting in back to back developments that erode privacy, or reduce the visual amenity of existing residents. This is done merely to increase the volume density by 1 or 2 units but causes great distress and lowers prices of homes nearby, these residents lose out but are not compensated in anyway. Future design codes should expressly avoid this kind of impact- or developers must compensate existing residents who are impacted in this way.

New development is locally regarded as eye sores, and plonked on the landscape not situated within it. Worcestershire is a beautiful county, now beset by ugly generic executive housing, much of which contributes to car commuting back to the West Midlands conurbation, or by train to London (we have local survey results to substantiate this). This is also environmentally unacceptable, and strains any credible notion of sustainability.

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]

Executive housing locally is contributing to car commuting (we have a local survey on travel distances); and our main road is an A road beset by high volume speeding traffic through the village. Many houses abut the main road, and are therefore exposed to car emissions, as are the children in our local school. We have very poor public transport, but continue to be a hotspot for housing development that consequently is car use inducing. Residents cannot access local rail stations if they

do not have a car to drive there, yet we are still used as a West Midlands/Birmingham commuter village.

We would appreciate the following:

- Future proofing of housing particularly for a growing elderly population.
- More green and open spaces of higher quality.
- Energy efficiency in new buildings. Rural villages often have a high reliance on oil use, and higher fuel prices driven by high use in older properties. New builds need to meet the very highest standards in this regard, not the least that can be allowed.
- Improved broad band and mobile phone infrastructure.

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, if they are truly local, that is village or parish level at least. We have experienced difficulties locally with the LPA as they have a generic code with which we have to comply, but this can conflict with our parish need for a more specific and prescriptive code. Genuine power and weight must be given to parish led design codes, and a mechanism to reconcile these codes at national, local and parish level. Our design code has had considerable local input and engagement, but we are left struggling to get the LPA to accept it. Therefore para 2, page 48 must be made into a reality. In addition, developers also challenge localised design codes on the grounds of financial cost (i.e. these codes demand more than their generic urban builds can provide).

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.

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.]

Yes.

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

Yes, in principle as long as this is not a mechanism for housing in Protected Areas, or a mechanism for developers to use to pursue speculative applications outside of the Local Plan or NDP. NDPs and NDOs will need to be strengthened to ensure that design as required is actually delivered, particularly at village or neighbourhood level. The weight of parish/village design codes will be critical to success, at present they are not given enough weight in the planning system, and are too easily watered down by LPAs.

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.

Yes.

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.

Yes, in principle so long as environmental impact assessments are not weakened in any new process. Depth and evidence are critical as well as speed.

Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century.

Yes, in principle. We are however, concerned about how locally important assets and views will be protected, we have experienced the LPA taking control of such designation sometimes at odds with what local people value.

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.

Yes.

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]

More and better infrastructure at village level, more affordable housing, and better design of houses. Greater parish input into what we need and how to get it would be most welcome, the LPA is sometimes too distant from our needs.

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.]

Not sure.

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]

Locally.

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.]

More value overall particularly to support infrastructure and affordable housing in local communities.

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.

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.

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.]

Yes, and better aligned to parish level need.

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.]

We are not competent to answer this.

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.]

We are not competent to answer this.

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.]

We are not competent to answer this.

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

Yes, at present it is too restrictive and local people do not see the benefit.

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

Yes.

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