

RESPONSE TO THE GOVERNMENT'S WHITE PAPER PLANNING FOR THE FUTURE

Introduction

This response to the White Paper should be read in conjunction with my earlier report on the Government's consultation on Change to the Planning System.

The present planning regime originated from the Town and Country Planning Act 1947 and has been subject to piecemeal reform ever since then. The other important piece of legislation was the National Parks and Access to the Countryside Act 1949.

So now 70 years on, it is high time to review it. The present system is slow and cumbersome and modern design and environmental standards have changed considerably in that time.

Above all the planning system needs to be more accessible to all. Everyone who wishes to, should be able to have a real stake in their future, otherwise they will feel that the planning system is something that is done to them by Government.

Whilst we need to build more houses they must be of good design, respecting local vernacular, the optimal mix of housing size, which will vary in each area, modern environmental standards and above all superb infrastructure to support development. We must avoid building small tacky

boxes of inadequate space that will rapidly become the slums of tomorrow.

So, it is really important that the Planning system is led by a well-executed local plan where the public has a real say. Neighbourhood plans which have had so much local involvement must be respected.

National designations under the National Parks and Access to the Countryside Act 1949, such as National Parks, Areas of Outstanding Natural Beauty (A.O.N.B), and the greenbelt must all be respected in those plans.

Proposals in the White Paper

Page 20 “First”: This is the most fundamental reform in this White Paper to designate areas into three categories: growth, remedial, and protected areas.

As the paper says this could halve the time it takes to obtain planning permission but the public must be properly consulted before each area is designated and how it could be changed in future.

Shortening and simplifying Local Plan making process and reducing the time taken from several years to 30 months, is essential.

“Second”: digitalisation and new software to improve the planning process is positive but as has been found with other large Government I.T. projects, eg. the NHS, this always

takes longer and costs a great deal more than originally envisaged.

“Third”: it is essential that the National Planning Policy Framework (N.P.P.F.) supports our net carbon emissions target. My Ten Minute Rule Bill mandates that all houses must have adequate insulation, electric charging points and be broadband enabled.

The Housing sector is responsible for about 20% of all carbon emissions, so to meet our targets the housing sector will need to be revamped. So start immediately with planning and building regulations in new houses so that they do not need to be expensively retrofitted with these measures.

The “Building Better Building Beautiful” Commission’s recommendations must be taken into account. It is good that design guidance and codes will be incorporated into the planning system. But local vernacular, eg the Cotswolds, must be respected and we should avoid building the same design in Land’s End as in Lancaster.

Page 22 “Fourth”: the proposal to merge existing Community Infrastructure Levy (C.I.L.) and Section 106 into a consolidated infrastructure levy, a new C.I.L., is entirely correct but with the following caveats:

- 1) the rate is critical. Too high and building land will not come forward. Too low and not enough money will be captured to build the necessary infrastructure.

When a previous Labour Government introduced the Development Land Tax at 80% the supply dried up overnight.

In some places/locations the demand is so low that any development is unviable whereas in other areas the value of agriculture land with planning permission can jump from £10,000 an acre to over £1 million per acre, in fact one case in Kent where planning permission was granted for a motorway slip road, the value is £2.5m per acre.

So, 30% of the total land value after planning permission is probably about right. It is possible that the rate could vary from area to area.

2) The allocation of levy. This must be confined to each Local Planning Authority with a stipulation that the necessary infrastructure is built preferably before, but at least during the development. Nothing annoys our constituents more than where new development cause inadequate roads, shortage of schools, GP surgeries etc.

3) Exemptions such as permitted development and small developments should be captured by new C.I.L. but at a lower rate.

Page 23 "Fifth": it is fundamentally wrong to automatically assume that affordability will be solved in areas of high housing demand such as the Cotswolds by building even larger numbers of houses (see my submission on changes to the planning system). All that will happen is that more and

more people who can afford these higher priced houses will live in an area like the Cotswolds but continue to work in higher paid jobs elsewhere. High house demand areas will increasingly become dormitory areas. This will result in ever increasing numbers of retired population, who will spend less and require more public services eg. health and social services. So the demographics of the population become more weighted towards the elderly. High housing demand will not be solved, so the young and first-time buyers will still not be able to afford to buy or rent. **It is housing mix not housing numbers that are important in areas of high demand.**

SO THE PROPOSED BINDING TARGETS and formula must be revisited.

Many people doubt there will be increased democratic accountability proposed in the planning White Paper despite its good intentions.

Page 30 Qn6. The principle of Sustainable development is well understood in the planning system. However it is a fundamental role reversal of the Planning System which assumes a development should not take place to one that can. In areas of high landscape value such as A.O.N.B. or National Parks, or greenbelt, those designations must be respected.

Page 32 "Proposal 4"

"A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst".

This must be considered alongside the proposal in the consultation on "planning for the future" which says it must adjust for market signals.

"It states that the standard method will include two adjustments to the baseline using the workplace-based medium house prices to medium earnings ratio and the adjustment formula is set out."

The twin requirements of the housing needs formula combined with measures for housing requirement results in a totally flawed planning system in areas of high house demand.

Firstly the housing "requirement" is proposed by the method in the White Paper and then the number is increased by the housing "need" adjustment formula proposed in the planning change consultation.

The result is that areas like the Cotswolds see an increase of 188% while some inner city areas like Nottingham will see numbers decline. We need to ensure that our infrastructure building programme supports significant house building **outside** the high demand areas of the South East and Central South.

Finally this section ends with the phrase “the methodology does not YET adjust for land constraints including Green Belt”. This should include A.O.N.B’s and National Parks.

Page 35 Qn9(a) Yes.

Qn9(b) As proposed there is a danger that renewal areas will simply become the same as growth areas.

Qn9(c) Yes but only where appropriate infrastructure is already in place or provided as part of the new development.

Proposal 6 I agree that the 13 week timetable should be a firm deadline, provided that Proposers and Objectors have adequate opportunities to make their case. (See previous comments on I.T.).

Developers should not be entitled to a refund of planning fees if they have not provided sufficient required information for the application to be determined.

Page 37 Qn10 I agree with the need for a faster appeals process.

Proposal 7 As said previously it is essential that the planning system is plan led. Therefore web-based maps for local plans are essential to the effectiveness of the planning system and to allow wider access for the public.

Qn11 Agree – Yes.

Qn12 Yes.

Proposal 9 As stated previously Neighbourhood Plans are the most democratic part of the planning system because the referendum involves so many more people at a local level. They are essential and must be respected in the Local Authority Plan making process.

Qn13(a) Yes.

Qn13(b) Use digital maps to improve the neighbourhood planning system.

Page 43 Qn14 Master Plans are an excellent way of ensuring that large developments are completed in phases to a timescale agreed with a Local Authority and should only be varied when market conditions are so extreme that it is uneconomic to do otherwise.

There are more than a million homes where planning permission was granted in the last ten years which have never been developed, the so called land banking effect. As with new permissions there should be a timescale, by which, if not implemented, a renewal planning permission must be applied for. All new permissions should have a three year starting deadline.

Qn14 Yes.

Pillar Two. As R.T.P.I. says at page 44 “the vital contribution the planning can make to a sustainable and inclusive recovery”.

Qn15 The consistency of design in the Cotswolds has been maintained by the Planning system. It would be disastrous if the clamour for further housebuilding were to ruin 60 years of painstaking work.

Page 44 Qn16 My ten minute rule bill on house insulation, electric charging points, fibre installation, was at the heart of sustainability with design at the core. But there is a worry that stipulations like the National Model Design and the revised Manual for Streets will result in the same monolithic design from Land’s End to Lancashire.

The planning system needs to learn nationally from best practice but preserving historic local vernacular and design.

The problem with these national applied documents is that they become the planning default position. As the White Paper makes clear “it will be essential that they are proposed with effective inputs from the local community”.

I agree with enforcement measures to ensure this is achieved.

Qn17 Cautionary Yes.

Proposal 12 The problem is that a Chief Officer for design and place-making will use the National Codes as their default

position. Indeed if they introduced more sophisticated designs or extras, incurring more expense, this could be a ground for appeal.

Qn18 Cautionary Yes.

Proposal 13 There is a danger that design and quality are confused. Beauty is in the eye of the beholder so the Chief Officer of design must have his views tempered by local input.

Qn19 Cautionary Yes.

Proposal 14 It is positive that good design will be fast tracked as this should eliminate some of the worst excesses of poor design. Design is not a substitute for environmental sustainability. The fact that the White Paper says "These masterplans and codes could be prepared by the L.P.A. alongside or subsequent to preparing its plan, at a deal of detail commensurate with the site and key principles to be established" is good.

Intensification must be treated with care. What is acceptable in an inner city area would be completely unacceptable in a rural area. If it is excessive without proper design it could create slums of the future. Caution must be taken with excessive use of National Designs, Pattern books etc. Local discretion should be allowed otherwise our culturally diverse building designs in this country would not have flourished in the way that they have throughout the centuries.

It was very encouraging to see on Page 56 The Cotswolds promoted as a model of good design and vernacular. A.O.N.B's should be respected just as much as National Parks. Tree-lined streets are welcome but other types of tree and shrub schemes should be incorporated into the planning system, such as orchards.

Proposal 15 I agree with the White Paper which states "the role that local spatially-specific policies can continue to play, such as identifying important views, opportunities to improve public access or places where renewable energy or woodland and forestry creation can be accommodated."

Proposal 16 In principle, a simpler quicker system for assessing environmental impact early on in the process with timescales is a good idea but the detail will be important.

Page 58 Proposal 17 I agree with the White Paper which says "the additional statutory protections of listed buildings consent and conservation area status have worked well". As the Cotswolds has the second highest number of listed buildings and conservation areas as percentage of building stock outside London, it is vital that these buildings are protected. The updated framework must be effective but at the same time allows for timely decisions on listed building applications.

Page 59 Proposal 18 As our existing housing stock accounts for 20% of all our carbon emissions if we are to meet our

2050 zero carbon emissions target we will need to tackle the timing sector and new buildings are the obvious place to begin.

The Paper's ambition "that homes built under our new planning system will not need retrofitting in the future" is a good aspiration. But we must implement this as soon as possible so that all new buildings comply.

Page 60 Pillar Three

It is really important that the planning system captures a larger proportionate amount of the increase in site value when planning permission is granted.

I entirely agree that the planning system should secure the necessary infrastructure, affordable housing and housing for first-time buyers and renters

My earlier comments (page 4) about a 30% levy will capture some of the uplift in land values to provide these community benefits.

Qn22(a). This is a really important question: proper infrastructure must be built either before or during the development. There have been many complaints that developers have not completed developments properly, for example roads, pavements, green spaces and drainage systems to an "adoptable" standard by the Local Authority. Home owners are left paying large hidden amounts in service charges to deal with these problems later on. As said previously I agree with a consolidated infrastructure levy.

Qn22(b) The rate of CIL should be set out in the Local Plan not left to L.A.'s discretion otherwise they may capture too little gain which would hamper infrastructure building or too much that would limit land supply.

Qn22(c) More as previously stated.

Qn22(d) Local Authority borrowing should only be allowed to build infrastructure and repaid by new C.I.L. is an excellent idea as this will enable infrastructure to be built at an earlier stage of the development.

Proposal 20 (Page 64)

Qn23 As already stated new C.I.L. should capture change of use through permitted development rights.

Page 64 Proposal 21

Qn24(a) I agree with the delivery of affordable housing at a cost basis delivered by new C.I.L. and allowing the L.A. small leeway to convert these units back to market units.

Qn24(b) Provide them by "in kind" payment to ensure that they are built.

Qn24(c) Yes some L.A.'s are not good at negotiating good deals with developers.

Qn24(d) The additional safeguards would be provided by a registered social housing provider registered with National Homes England.

Page 67 Proposal 22

Qn25 LA's should have flexibility to spend new C.I.L. money. The normal safeguards for public money should apply to both District and Town councils.

Qn25(a) There should not be a ring fence on affordable housing because this will vary from area to area but must be agreed overall in the Local Plan.

Delivering Change (Page 68)

It is imperative that any immediate changes to the standard method for assessing local housing need "are fully considered alongside" the housing requirement in this White Paper together. Otherwise double counting could take place further will further exacerbate housing numbers in high demand areas like the Cotswolds. This is not an acceptable way to reform the planning system.

Equally the proposal to exempt small sites, stated to be up to 40-50 units, which form the majority in some rural areas, should be treated with care. Otherwise, it will allow even more affordable housing into fewer larger sites which would unbalance them.

Some fantastic redevelopment was done in the 80s by development corporations (a partnership between Government, Local Authorities and the private

sector). Some of the most run-down areas in the country, like Liverpool docks, Manchester Hulme estate, Glasgow city centre, Leeds centre and London docklands were transformed by this process. That legislation is still on the statute book and could still be used.

P70 Making sure the system has the right people and skills

I agree that a small proportion of new C.I.L. should be devoted to LPA overall planning costs such as Local Plans, appeals etc.

Basically an L.P.A. department should be fully funded by developments, but with a performance framework in place to ensure value for money.

This country together with some of best IT skills. We could again become the world leaders in this field.

Page 70 Stronger Enforcement and Powers

I agree that enforcement needs to be stronger and quicker. Stop powers are useful. However, housing should never be built in the flood plain.

Page 74 What happens next

The White Paper says “we want all communities, families, groups to have a say in the future of the places where they live”. This is absolutely the correct approach. We must not reduce the democratic element of the planning

system. Otherwise people will think that their views do not count and become increasingly resentful of it.

Page 74 Qn26 There is a careful balance between speeding up the planning system as well as retaining the existing democratic accountability.

Ends

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