



CPRE Hampshire – Our response to the Planning for the Future White Paper **October 2020**

As a further part of its reform of the planning system, the Government has put forward a series of radical proposals to address what they see as an outdated and ineffective planning system. Whilst there are some aspects we believe are promising, and the planning system is without doubt in need of improvement, we do not accept the fundamental premise that it is the cause of an affordability issue in housing.

These are what we believe to be the main flaws in their proposals and we expand on each point in this summary document:

1. Significant and worrying loss of local democracy
2. The aim to streamline and speed up the planning process by zoning ALL land into one of three categories
3. The White Paper fails to address the issue of the gap between permissions and completions, the Build Out rate
4. Proposals introduce mandatory top down housing targets
5. Impact on Neighbourhood Plans
6. Very limited acknowledgement (lip service) to the climate change emergency
7. The White Paper introduces dangerous proposals to introduce new settlements under Nationally Significant Infrastructure Project (NSIP) proposals
8. Proposals to introduce huge amount of new digital technology into the planning system
9. The introduction of National Development Management (DM) Policies
10. Introduction of Design Codes
11. Proposal to abolish Sustainability Appraisals
12. Impact on development of affordable housing
13. Replacement of the Community Infrastructure Levy and the current system of planning obligations with a nationally-set value-based flat rate charge

1. Significant and worrying loss of local democracy

Proposals specify just one, 6-week public consultation window in the plan-making process, at the local plan stage only. This amounts to a huge reduction in opportunities for community engagement during the entire process. There will be little or no opportunity for stakeholders to help shape a spatial vision for their area and no time for consensus building

2. The aspiration to streamline and speed up the planning process by the introduction of zoning will categorise ALL land in the country into one of three categories.



Growth areas suitable for substantial development, where outline planning permissions would be replaced by an automatic permission. In ‘Renewal’ zones, deemed ‘suitable for development’ there would be a statutory presumption in favour of development and *Protected* areas where development is restricted.

This proposal is flawed as;

- The amount of land zoned for Growth is contingent on the binding, top-down housing requirement, so if this is very different from current development patterns there will be huge local controversy, especially where the land requirements demand large-scale countryside or Green Belt change, because communities’ ability to influence the top-down process will be negligible.
- There is a high risk that zoning will actually produce lengthy delays and legal wrangles and huge complexity which will grow over time. New York operates under a zoning system with 21 basic Zoning Districts, these are listed in the 4,300+ page long Zoning Resolution, which has exploded from 258 pages when first drawn up.
- Proposals ignore the fact that many allocations are smaller urban or village extensions of 50 - 100 dwellings which do not appear to fit in either growth or renewal categories.

3. The White Paper Fails to address the issue of the gap between permissions and completions, the Build Out rate

There is very little recognition in the proposals of the sheer number of planning permissions that have already been granted and yet not built out. Nationally, this is between 800,000 and 1,000,000 homes and this backlog of unbuilt homes appears to be increasing. Clearly implementing these would achieve the governments housing target of circa 300,000 per year over the next 3 years, though it would not address gaps in tenure type. Any proposals that wished to ‘bridge the generational divide’ need as a matter of urgency to address this low absorption rate which should no longer be tolerated.

4. Proposals introduce mandatory top down housing targets

Primarily covered in the first consultation – the proposed ‘Changes to the Current Planning System’ (C2CPS) consultation, one of the key elements of centralisation of the planning process introduces the New Standard Method for determining housing requirements. These will be mandatory, rather than open to local adaptation by the LPA.

In addition the New Standard Method proposes that affordability and the number of existing dwellings are appropriate indicators of the quantity of development to be accommodated. We do not agree that the quantity of existing dwellings should be a significant determinant of housing need. It is a very crude indicator which takes no account of the character of the urban area and housing demands. And affordability has been given undue influence without the context of constraints such as National Parks.

5. Impact on Neighbourhood Plans

The White Paper professes to support the continuation of Neighbourhood Planning, which is very welcome. However, we are concerned that the reality may turn out very differently.

The crucial issue is the relationship between Neighbourhood Plans, the new-style Local Plans, and the loss of discretionary stages in development management. It is entirely unclear as to how the new zoning system will work in conjunction with Neighbourhood Plans. Conceivably, a Neighbourhood Plan could operate as a fourth zone, but this is not proposed within the White Paper.



If the new-style Local Plans, with their mandatory 30 or 42-month preparation period, and their mandatory top-down housing requirements, render an existing Development Plan out of date, then this would appear to render all the Neighbourhood Plans within that Development Plan out of date too, unless the Neighbourhood Plan is specifically exempted from this arrangement, again not mentioned in the White Paper.

Given the huge voluntary effort that goes into a Neighbourhood Plan, it is very likely that any change that puts them rapidly out of date, especially on a wholesale basis, would bring an abrupt end to Neighbourhood Planning and localism, because a community's trust and willingness to invest its own capacity into the process will be crushed.

6. Very limited acknowledgement (lip service) to The Climate Change Emergency

The White Paper does talk about aspiration to address climate change with emphasis on eco-efficient homes and on environmental 'net gain'. Whilst this is welcome, in reality the proposals are a huge missed opportunity. Climate Change should be at the heart of the new (future) planning laws, now, before it is all too late to make the required difference to our sustainability goals.

There is no reference to using the planning system to reduce the CO2 emissions that come as a result of excessive commuting. A radical reform programme would have clearly included requirements that new development be directed to locations that offered local employment that would minimise the use of cars or was close to public transport. Plus, as already outlined the impact of the proposals in the C2CPS document will, in Hampshire transfer development from urban to rural areas and perpetuate car-dependent developments in an era when walkable, healthy neighbourhoods are ever more needed.

The White paper places very little emphasis on the use of Brownfield first. We know that these are often unattractive to developers due to the cost of cleaning up the brownfield site. We need to come up with a scheme for overcoming this difficulty.

The water cycle (flood, drought, water supplies & sewage treatment) gets no mention in the proposals and will be increasingly affected by climate change. The impact of development on our declining water environment needs to be addressed urgently.

7. The White Paper introduces dangerous proposals to build new settlements under Nationally Significant Infrastructure Project (NSIP) proposals

Making the largest developments those that are most divorced from the local planning process and its associated public scrutiny would mean that promoters of very large sites would be able to bypass the LPA altogether and apply directly for planning permission via NSIP applications.

Allowing new settlements to come forward under the NSIP regime would be uniquely damaging to public trust in the planning system and their opportunity to shape it through local democracy and be profoundly undemocratic.

8. Proposals to introduce huge amount of new digital technology into the planning system

The intent to open up the system making it much easier for residents and communities to engage with and contribute with interactive map based Local Plans is laudable and there is certainly room for improvement in the online systems currently used. However this, if successfully delivered will be of little use if opportunities to engage are so significantly reduced.



9. The introduction of National Development Management (DM) Policies

Intended to increase certainty and consistency by centralising elements of the planning process the removal of development management components from Local Plans will leave LPAs with very little room for manoeuvre to do good, place-based planning.

Local communities will have **no opportunity whatsoever** to scrutinise development management policies, and therefore have no recourse to planning law when development management decisions let them down. It is also unclear how LPAs would be expected to determine what weight to attribute to different national DM policies, which will inevitably lead to a mountain of appeals. This problem applies equally across all three zones.

10. Introduction of Design Codes

We acknowledge that there is certainly scope for higher design standards in the planning system. Where the White Paper really goes wrong, is in regarding an unspecified amount of influence over design codes as a meaningful substitute for communities' ability to fully engage in the scale, distribution, type and principle of development. Considering the very short consultation timescales set out in the plan-making process, it seems likely that a substantial proportion of new development across the country will default to the national design codes, in which local people do not have a say. Setting all Design Codes at a National level will mean they can never be other than general and broad-brush. Without clear and detailed site-specific policies Local Plans will become toothless and development generic. Unless codes are site specific, they will not be able to take account of local context, characteristics, building styles or types.

There is an intention to produce 'provably popular designs' and a 'fast-track for beauty' which are both really concerning, they imply that design quality can be narrowed down to a few aesthetic principles and run the risk of creating a two-tier system when development of the fast-track quality should be the base requirement. The White Paper appears to labour under the illusion that local communities will be broadly satisfied with reforms if all they do is to give them more say over the design – especially the visual design – of new developments. This also ignores that a substantial proportion of development is not residential (the whole PWP tends to overlook this point) but is commercial, infrastructure, public realm and other uses. Design is just as important to these, and there are many existing design guides relevant to them, but there is very little design guidance that integrates those different uses in a place-making context.

11. Proposal to abolish Sustainability Appraisals and develop a simplified assessment process against environmental regulations. With the aim to remove unnecessary assessment and requirements that purportedly cause delay, this proposal sounds reasonable as the current system is in a bit of a mess with LPAs producing lengthy appraisals the value of which is questionable. We would support a proper review on this to deliver best practice guidance. However again the detail of the proposals is worrying, the danger of simplifying the process is that local SAs evaluate some very important aspects with local importance. The proposal would also mean abolishing the existing tests of soundness, updating requirements for assessments (including on the environment and viability) and abolishing the Duty to Cooperate. This is a dangerous change of emphasis within the White Paper, in that it re-designs the planning system entirely around the objective to deliver housebuilding, rather than to deliver sustainable development in the round – which is at odds with the NPPF. There is also very little on 'Effective Stewardship and Enhancement of our Natural and



Historic Environment', minimal references to planning for employment or transport, and no reference at all to minerals and waste.

12. Impact on development of affordable housing

The White Paper could have been a real opportunity for the government to address and reform the process for delivering affordable housing but it does not propose to do so, nearly all of the discussion in the White Paper on the subject of 'affordable housing' - appears to be related to the administrative mechanics of moving from S106 to the new Infrastructure Levy.

Proposal 21 states: The reformed Infrastructure Levy should deliver affordable housing provision. Developer contributions currently deliver around half of all affordable housing, most of which is delivered on-site. It is important that the reformed approach will continue to deliver on-site affordable housing at least at present levels."

This is a real missed opportunity.

13. Proposals to replace the Replacement of the Community Infrastructure Levy and the current system of planning obligations with a nationally-set value-based flat rate charge ('the Infrastructure Levy'.

Whilst the premise of simplicity is attractive, the law of unintended consequences could be that there is significant wriggle-room for developers to game the system and avoid the new Levy. The devil will be in the legal details and whether the policy has teeth in the face of determined opposition from developers who will claim that it impacts their viability.

What can I do?

- **Sign the CPRE petition**

<https://takeaction.cpre.org.uk/page/66589/petition/1?ea.tracking.id=cpre-web-take-action>

- **Contact Your MP** – find their details at www.theyworkforyou.com

See our letter at <https://www.cprehampshire.org.uk/news/government-action-should-focus-on-building-the-one-million-homes-that-already-have-planning-permission-cpre-hampshire-writes-to-hampshire-mps/>

- **Respond to the 2nd consultation re democracy and planning - Planning for the Future**

White Paper: deadline 29th October

<https://www.gov.uk/government/consultations/planning-for-the-future>

Email: planningforthefuture@communities.gov.uk



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NOTE:

CPRE Hampshire believes that planning is crucial to empowering local communities and making sustainable, liveable places. Ensuring everyone has a decent home, that meets their needs and that they can afford, is essential to that, both in town and country. Equally, it is vital that new development is planned intelligently; our countryside is precious and fragile and urgently needs better management in the face of the climate and nature emergencies. Critical to this is that land is not lost to development unnecessarily. More new homes are needed that are affordable for the average person and there is plenty of scope to use previously developed urban land to help address this need.