



# Government White Paper: Planning for the Future

## Questions Pillar One – Planning for development

### OVERVIEW

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

Money, Money, Money!

It is all the Government, the Developers and the Local Authority are interested in. The needs and wishes of local residents are ignored. The requirement for Social Housing (the real housing crisis) is ignored. Whoever can pay, get their way!

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

Yes

(a). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

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]

There needs to be a range of options for finding out about plans for an area. If the plans are over a certain size, should we say 30 houses, then residents who may be impacted by those plans should be specifically informed (either by letter or email). Note that the impact may be from traffic increases as well as from the construction itself. Social media is useful but it is not a reliable form of communication. There are many community groups in all Local Authorities – developing a cascade approach would be beneficial.

4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street/ Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

Social Housing is my number 1 priority – this is the housing crisis and should be tackled before anything else.

Improved connectivity infrastructure would be my second (and by that I mean broadband – NOT roads).

Addressing the climate emergency should come third.

### A NEW APPROACH TO PLAN-MAKING

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

No – residents should be developing the plans for their area. Citizens' Advocates should be appointed at each level in the process (National, Regional and Local) to support them to do so.

Developers are suppliers of a product (albeit sometimes with funding to invest) and should be treated as such. Recognising this would make it easier for SMEs to get involved too.



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.]

No. One size does not fit all! It seems you plan to punish the whole populace because there are specific problems in the capital city. There certainly needs to be a concerted effort to deal with those problems but other Local Authorities should be focusing on their local issues and creating policies to address them.

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.]

No – who has decided that Sustainable Development is a well-understood term? There are many examples of development being approved that is not “sustainable” (certainly not in the context of the current climate emergency)!

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

Whilst I believe there are some good examples of cross-boundary issues being tackled, including here in Greater Manchester, it would be helpful if you arranged for some training for Government and Local Authorities on the meaning of the word “strategic”.

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.]

No, not as currently documented. The lack of social housing is the real housing crisis (albeit that London may have additional issues). With that in mind, any National formula should focus on those figures. Demographic projections have value but they should be supported by current social housing statistics, waiting list information, homelessness, anticipated care leavers, etc. This should give a mandatory target for addressing the real housing crisis.

For market housing, developers should be given a target to construct those homes that have already been given planning permission (over 1m homes according to the LGA). Penalties should be put in place if developments are not completed within a reasonable period. Clear justification should be given for any approved schemes that are not taken forward.

Options to ‘encourage’ developers to complete their schemes could include removal of planning permission (thereby reducing the value of the land), compulsory purchase and asking SME builders to take forward approved schemes (addressing another commitment in the White Paper), charging developers a fee for each home with planning permission that has not been built (perhaps equivalent to the Council Tax that would have been incurred had the homes been built to a reasonable timetable).

- (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.]

No, see the response to 8(a) above.

## **A STREAMLINED DEVELOPMENT MANAGEMENT PROCESS WITH AUTOMATIC PLANNING PERMISSION FOR SCHEMES IN LINE WITH PLANS**



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. Local residents should be determining what is developed in their areas, with the help of Citizens' Advocates. They should be fully consulted and environmental statements should be fully completed (there is a climate emergency and this should be prioritised)

- (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.]

No, as stated above, local residents should be determining what is developed in their areas, with the help of Citizens' Advocates.

- (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.]

No, new settlements will be the exception and should be planned for by local residents.

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

No. Totally happy to see more digitisation in the process but reducing access to information relating to the plans is worrying – residents want more data to help them assess the value of the plan to the local community, not less so plans can be rushed through– why is the focus on speed? It should be on the quality of the developments.

There are other dangerous precedents being suggested too. You mention giving developers an automatic refund of the planning fee if Local Authorities fail to determine a planning application within the agreed time limit – what penalties are you suggesting for developers who do not build the homes for which they have planning permission?

What pilots or other testing has been completed to fully understand the impact of these proposals? I believe there may be significantly more administration that is suggested by the document.

## **Pillar Two – Planning for beautiful and sustainable places**

### **A NEW INTERACTIVE, WEB-BASED MAP STANDARD FOR PLANNING DOCUMENTS**

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

Not sure. This is welcome in principle but must be free for the public to access and there should be free training (this can be done by video online) for the public too. The other issue is that many people who have the time to get engaged in the planning process are retired.

Perhaps you should offer incentives to businesses to allow their staff to become more engaged in public processes (maybe this could be seen as part of their Corporate Social Responsibility activities).



## A STREAMLINED, MORE ENGAGING PLAN-MAKING PROCESS

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.]

No – there should be a Stage 0 discussion with communities about what they want for their area. Stages 1-3 should be an interactive (agile) process with resident representatives (including Citizens' Advocates) fully involved. Stage 4 should not be a watered-down version of the current process, it should incorporate clear opportunities for the citizen to be able to participate, review the evidence and ask questions of witnesses (for all forms of development).

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 – a lot of time and (voluntary) effort has been invested in the making of the existing Neighbourhood Plans. The final proposals **MUST** reflect their importance in the overall ecosystem and there must be a **GENUINE** opportunity for residents to shape the plans for their own areas (and determine which parts are Growth, Renewal and Protect zones).

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?

Appoint paid Citizens' Advocates to advise and support residents, issue free licenses to the community, establish free training to accelerate acceptance of the tools and participation in design.

## SPEEDING UP THE DELIVERY OF DEVELOPMENT

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, developers should be fined for not taking forward developments that have approval. More than 1m homes have been granted planning permission yet developers have chosen not to build them. This demonstrates clearly that the existing system is not the problem, developers are. More should be done to make them accountable – see our response to question 8.

## Pillar Two – Planning for beautiful and sustainable places

### CREATING FRAMEWORKS FOR QUALITY

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]

Other – I am more concerned with homelessness, the climate emergency and inappropriate Permitted Developments than beauty (and I think the Government should be too).

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]

Other – the climate emergency should be at the heart of any sustainable proposals. In addition, for developments to be truly sustainable, they have to be available to the most vulnerable in our society, not just 3, 4 and 5 bedroomed luxury homes for those who can afford to buy!



There should also be a focus on improving public transport, making it frequent, accessible and affordable (perhaps with community transport being used to generate demand). Post-Covid, more people will be working from home so there should also be more emphasis on the connectivity network (ie Broadband) – not on new roads.

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.]

Not sure – National Guidance with Local Policies is what is needed and “*effective inputs from the local community*” is essential.

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, but Citizens need a body too! So, we also need paid Citizens’ Advocates at all levels of democracy (Local, Regional and National). These Citizens’ Advocates can come together to create a body to support residents throughout the planning process.

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, in principle, the role should be focused on ensuring genuine sustainability and addressing the climate emergency.

## **A FAST-TRACK FOR BEAUTY**

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

No, we should be encouraging local leadership, but I do agree that this should be tested via a pilot programme.

## **EFFECTIVE STEWARDSHIP AND ENHANCEMENT OF OUR NATURAL AND HISTORIC ENVIRONMENT**

No questions

### **Pillar Three – Planning for infrastructure and connected places**

#### **A CONSOLIDATED INFRASTRUCTURE LEVY**

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]

Other - Social Housing (should be everyone’s priority, this is the housing crisis)

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 – there is insufficient information available on which to make comments – that said, it is important that developers should be contributing appropriately. From the information available it does not appear that the developers are being given a level of accountability consistent with the yields they make.



We should certainly learn from historical approaches and fully consider the pros/cons – perhaps another option to consider is to charge developers for the period of time an approved development is unbuilt, possibly based on the Council Tax payments that would be made had the development been constructed. Given the current situation, this should bring in quite a lot of money (which should be ring-fenced to build social housing)!!!

(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]

Again, insufficient information to assess which would be appropriate here. My preference would be National guidance with local policies (including rates).

(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.]

One should expect future processes to generate more value as developers are being handed a charter to make additional profits from the overall ecosystem. In addition, developers should be charged a fee if they delay the delivery development once approved.

(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.]

Again, not sure about the implications of this. It sounds ok in principle, but more information is needed.

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.]

Not sure but would assume so in principle. As with questions above, more information is needed.

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.]

Not sure, we need to secure social housing and this should be funded from both the Infrastructure Levy and via other options. This should be the subject of a detailed separate consultation as it is clear registered housing providers cannot meet this need alone. We cannot continue have this important resource being subject to the whim of developers.

(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.]

Not sure, as 24(a)

(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.]

Not sure, as 24(a)

(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.]



No, social housing (and affordable housing to buy) should be subject to the same minimum standards of design and quality as for other housing.

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

Yes but National guidance on spend may be useful (Broadband should be prioritised, for example).

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

Yes, a specific social housing ring-fence and a Broadband ring fence.

## Delivering change

No questions

## Equalities impacts

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?

The White Paper does not demonstrate that it meets the requirements of the Public Sector Equality Duty as it does not appear to address the needs of the most vulnerable in our society, including those who share protected characteristics, those who are homeless and those care-leavers who need specific support, ie those who are actually suffering as a consequence of the current housing crisis! The proposals, in fact, do nothing for those who will NEVER be able to buy their own home (whatever 'affordable' housing schemes are considered).

The White Paper is also extremely biased against communities and in favour of developers. Clear and significant inequities are boldly exhibited within the proposals. As an example, the Government's quest to speed up the delivery of development runs throughout the document and it seems this is to be achieved at a cost to democratic accountability and the rights of the citizen to participate in the planning ecosystem (paragraph 2.53, for example, suggests that the "*automatic 'right to be heard' could be removed*"). Yet no penalties have been proposed for developers who do not deliver schemes that have been given approval (sometimes many years previously). This does not demonstrate a balanced approach for all stakeholders, in fact, it feels as if the public are to be punished for the delays caused by developers.

It is certainly not clear how the dominance of large companies within the planning ecosystem has been addressed. The document acknowledges (para 5.17) that the "*beneficiaries of planning gain*" are landowners and developers – yet no effort has been made in these proposals for major reform to reintroduce impartiality into the system.

The Equality Act 2010 suggests that public bodies should be "*Encouraging people from protected groups to participate in public life*". This White Paper does the opposite. It should be noted that the public, especially those people who share protected characteristics, are often reliant on the "*small minority of voices*" to challenge developers and shape the outcomes for their area. So, these "*voices*" should be encouraged within the proposals not silenced.

All development proposals, whichever "*zone*" they are in, should be fully consulted upon. Resident influence should be increased and decision-makers should be ultimately accountable to citizens to ensure that communities have real power within the ecosystem. All consultation should be genuine and equitable and must meet the Gunning/Sedley principles.



The White Paper proposals need to be changed to reflect that any document produced as part of the planning process, whether created Nationally, Regionally or Locally, whether by public bodies, developers or their agents, will be subject to a level of democratic scrutiny and assessment that is proportionate to the schemes' potential to impact the lives of citizens, including their health and well-being, the effect on the local environment and the potential to support or weaken plans to address the climate emergency.

The document states (para 6.5) *"We want all communities, families, groups and individuals to have a say in the future of the places where they live"*. This is not reflected in the proposals themselves. As an example, at what point in the new process will citizens who live in Growth Zones have a say in the future of the places where they live? The document seems to suggest that, once an area has been designated as a Growth Zone (a decision residents seem to have no involvement in), a developer can just build what they want, where they want, when they want.

Paragraph 6.6 states that *"We are committed to delivering wider engagement in planning, increasing the supply of land for development, and supporting inclusive and mixed communities"*. Yet the White Paper does not propose any additional engagement. In fact, it appears that existing rights of engagement will be removed from the process (eg paragraph 1.16, 2.53, etc, etc). Some documents are to be prepared as Supplementary Planning Documents. It is my understanding that there are no legal rights for communities to participate in their preparation. This does not meet the aim of *"delivering wider engagement"*.

In this major reform of the system, what opportunities have been taken to ensure that those with protected characteristics, the vulnerable, and indeed other citizens, can fully object to schemes that are not in the best interest of their communities? Developers currently have more rights of appeal than the public. Inequitable policies mean that, if vulnerable residents want to object, they must use their own money to fund any legal action (or raise donations from others). Public bodies use public money and businesses use company cash. So, only citizens, the most vulnerable in the overall ecosystem have to raise the funds themselves. Many are unlikely to find such action affordable and will need additional advice to support the achievement of their aims. This is inequitable and should have been addressed.

It should also be remembered that, when members of the public participate in planning, they do so voluntarily, without any payment, in their own time (many work full time or have other commitments, so 'spare' time is precious and is often given at the cost to family time). In addition, whilst the staff of developers or public bodies are typically working full time on planning applications (and are being paid for their time), citizens are not. When they review and assess planning applications, they often need to pick it up, put it down and come back to it several times!

For these reasons, we believe the Government should be appointing paid Citizens' Advocates covering all aspects of the process (Local, Regional and National), supporting all citizens, ensuring development in all communities is inclusive and representative of **REAL** housing need in the area. These Citizens' Advocates should have the skills and experience to be able to challenge all those with power in the system and will bring huge benefits to the public, especially those with protected characteristics, who can be encouraged to participate and supported in any actions they want to take forward.