

Planning White Paper (Aug 2020) – Maidenhead Civic Society Response

In August 2020 the government produced *Planning for the Future*, a White Paper that proposed to “tear down” a planning system which had been in place since 1947 and replace it with one based on local design codes and automatic planning consent.

A series of sweeping reforms aims to boost the building of “beautiful” of new homes in England by cutting red tape and re-writing the rulebook. For example, councils would earmark a series of zones for a certain type of development and, if they meet pre-determined criteria, developers would get ‘automatic’ outline permission to build there.

The proposals brought a mixed reaction from architects, planners and developers, ranging from “shameful” to “good in parts”.

Maidenhead Civic Society advocates public participation throughout the planning process. This is how we responded to the consultation:

PILLAR ONE – Planning for Development

Q1. What three words do you associate most with the planning system in England?

Complex, Costly, Uninspiring.

Q2. Do you get involved with planning decisions in your local area?

✓ Yes

No

Q2 (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):

Q3. 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):

- Published lists and Consultation

PWP Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.

PWP Proposal 2: Development management policies established at national scale and an altered role for Local Plans.

Q4. What are your top three priorities for planning in your local area? (Please select only three answers)

- Protection of green spaces
- The design of new homes and places
- More or better local infrastructure

Q5. Do you agree that Local Plans should be simplified in line with our proposals?

- Yes
- ✓ No
- Not Sure

(Please provide supporting statement)

Agree that Local Plans could be simplified but zones are too binding and much depends on who chooses them. Individual sites require individual consideration, not one size fits all. It's one thing setting up priority areas for development; it's another to retain some control on what exactly is built. Our fear is that the proposals could lead to a new generation of slum housing or, as one commentator put it, "unleash a wave of urban sprawl, worsen inequality - and leave locals powerless to stop it".

Q6. 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)

This proposal promises more local involvement in planning decisions but the actual effect would more centralist, reduce localism and undermine democracy. The opportunity for earlier and more meaningful engagement locally is welcome, but not at the expense of the right for communities to make representations at a later stage.

PWP Proposal 3: Local Plans should be subject to a single statutory "sustainable development" test, replacing the existing tests of soundness.

Q7(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)

Detailed examination often highlights idiosyncrasies vital to the character of an area which may well get overlooked in a streamlined system.

Q7.(b) How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

The Duty to Cooperate should be retained, enforced and monitored.

Q8.(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)

A standard, locally determined method for establishing housing requirements could be considered. However, we do not accept that land supply has been the main impediment to development. When you consider that across the nation more than one million permitted applications remain unbuilt – 1,558 of them in our own Royal Borough – it suggests that the problem lies elsewhere.

PWP Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

Q8.(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)

PWP Proposal 5: Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

Q9(a). Do you agree that there should be automatic permission in principle for areas for substantial development (Growth areas) with faster routes for detailed consent?

- Yes
- ✓ No
- Not Sure

(Please provide supporting statement)

We are extremely wary of this proposal. Permitted development has led locally to abuse of the floodplain and undersized living accommodation in office conversions in recent times. We would want to see safeguards to guarantee standards, quality and design.

This section again assumes that the speed of the planning process is to blame. It may at times be a little tardy and too often frustrated by political influence but nine out of ten applications get approved nationally.

Q9(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)

See above.

Q9(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)

As residents in an area constrained by flood risk and 82% Green Belt, new settlements may be the only reasonable option.

PWP Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology

Q10. Do you agree with our proposals to make decision-making faster and more certain?

- Yes
- No
- Not Sure

(Please provide supporting statement)

We agree in principle although in our experience it's not the decision-making itself which is slow but that too many applications are submitted with missing or inadequate information, incomplete forms and poor drawings, often with the intention to mislead. There should be stricter penalties for non-compliance.

PWP Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

Q11. Do you agree with our proposals for digitised, web-based Local Plans?

- Yes
- No
- Not Sure

(Please provide supporting statement)

Agree in principle but who will fund it? We would want to be assured that the info and plans would be free to access.

PWP Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

Q12. 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)

Agree in principle.

PWP Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

Q13. (a) Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

- Yes
- No
- Not Sure

(Please provide supporting statement)

Again agree in principle, although beyond the plan-making process the proposal's intention is vague. We would like to see a provision for early and ongoing community engagement in the planning process, including the opportunity for the community to influence or challenge a development proposal.

Q13 (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?

LPA's should be required to set up Community Planning Forums, comprising residents' and amenity groups, to engage the community on planning matters. The proposed new system should also include a provision for the Community Right of Appeal under which a prescribed number of objectors can challenge an approved application.

PWP Proposal 10: A stronger emphasis on build out through planning

Q14. 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)

PILLAR TWO – Planning for Beautiful and Sustainable Places

Q15. What do you think about new development that has happened recently in your area?

- Not sure / indifferent
- Beautiful / well-designed
- Ugly / poorly-designed
- There hasn't been any
- ✓ Other (please specify):

Mixed. We have a surfeit of flats. Some have worked hard to improve place and space, others merely seek to profit from numbers.

Q16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

- Less reliance on cars
- More green / open spaces
- Energy efficiency of new buildings
- More trees
- ✓ Other (please specify):

All the above and a welcoming sense of place.

PWP Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.

Q17. 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)

As well as being drawn up with community involvement, the implementation of Design Codes should be closely monitored too. Design elements are usually the first to suffer from budget paring.

PWP Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.

Q18. 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)

As a Civic Society, one of our priorities is to maintain and enhance local character and heritage. A locally appointed officer for design and place-making would be a great asset.

PWP Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England’s strategic objectives can give greater emphasis to delivering beautiful places.

Q19. 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)

Agree in principle but it's about much more than just designing "beautiful homes and places". It's about creating streets, places and spaces where people want to live. Attractive places, sometimes striking, sometimes quaint, which together with the right mix create a sense of community.

PWP Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

Q20. Do you agree with our proposals for implementing a fast-track for beauty?

- Yes
- No
- Not Sure

(Please provide supporting statement)

We agree with elements of this proposal but fear that popular pattern housing delivered under PD would just lead to a series of cloned community developments across the country to the detriment of local character and distinctiveness.

PILLAR THREE – Planning for Infrastructure and Connected Places

PWP 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.

PWP 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.

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

PWP 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.

Q21. 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)
- Design of new buildings
- More shops and/or employment space
- Green space
- Don't know
- ✓ Other (please specify):
 - That it's appropriate for its location

PWP Proposal 19: The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.

Q22. (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

Q22. (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

Q22. (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

Q22. (d) Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

- Yes
- No
- Not Sure

PWP Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights

Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

- Yes
- No
- Not Sure

PWP Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision

Q24. (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

Q24. (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

Q24. (c) If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

- Yes
- No
- Not Sure

Q24. (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

PWP Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy

Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

- ✓ Yes
- No
- Not Sure

Q25 (a) If 'yes', should an affordable housing 'ring-fence' be developed?

- ✓ Yes
- No
- Not Sure

Bob Dulson
Maidenhead Civic Society

25 October 2020