

IWALC CONSULTATION ON WHITE PAPER 'PLANNING FOR THE FUTURE'

Introduction

The Government has published a White Paper outlining proposals for major changes in the planning system. This is now open for consultation. IWALC is planning to respond to the consultation and we would like to hear your council's views. The White Paper contains 24 proposals, subdivided into three main sections or 'pillars'. Consultees are required to give their views by responding to specific questions related to these proposals.

This paper has been prepared by IWALC to assist our consultation exercise. It lists each of the proposals and the related questions. Please give us your views by answering the specific questions listed. You do not need to respond to all the questions.

In order to assist you in this exercise, proposals that we consider particularly important are marked with an asterisk. In a few cases, we have also added a few comments to explain the relevance or point out key issues. However, we would advise you to read the White Paper, or at least those sections you consider most important, before responding.

The White Paper can be accessed online at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907956/Planning_for_the_Future_web_accessible_version.pdf

Pillar One: Planning for Development

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

Cumbersome/nimbyism/

Qu.2. Do you get involved with planning decisions in your local area?

[Yes]

Qu.2(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]

Qu.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 – LA's Planning Portal]

Qu.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]

Building homes for homeless/increasing affordability/protection of green spaces

***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.** (p.24)

IWALC comment: This section (pp.24-5) is particularly important. We suggest you read it in full before responding.

Qu.5. Do you agree that Local Plans should be simplified in line with our proposals?

No. Principle of zoning good but this is too simple. Prefer old master planning approach where areas allocated for specific purposes

***Proposal 2: Development management policies established at national scale and an altered role for Local Plans.** (p.25)

Qu.6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

No. Policies should be made locally to allow for variations to suit local conditions

Proposal 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness (p.26)

Qu.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?

Not sure.

Qu.7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

***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.** (p.27)

Qu.8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

No. Need flexibility to take account of local conditions

Qu.8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

Not sure.

***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. (p.29)**

IWALC comment: This section (pp.29-30) is particularly important. We recommend that you read it carefully. Note in particular para. 2.36, which reads: 'We will consider the most effective means for neighbours and other interested parties to address any issues of concern where, under this system, the principle of development has been established leaving only detailed matters to be resolved.'

Qu.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?

No. See answer to Qu.5 - if there was more detailed zoning, this might be feasible. Not enough information on how 'neighbours and other interested parties' would be able express their views.

Qu.9(b). Do you agree with our proposals above for the consent arrangements for *Renewal* and *Protected* areas?

Not sure.

Qu.9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

Not sure.

***Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology (p.31)**

IWALC comment: Various measures are proposed, including the following (p. 32): 'The delegation of detailed planning decisions to planning officers where the principle of development has been established'.

Qu.10. Do you agree with our proposals to make decision-making faster and more certain?

Yes?

***Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template. (p.33)**

Qu.11. Do you agree with our proposals for accessible, web-based Local Plans?

Yes. But shouldn't rely totally on digital formats

***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. (p.34)**

IWALC comment: Note para. 2.50, which says: 'To support the transition to the new system, we propose a statutory duty for local authorities to adopt a new Local Plan by a specified date – either 30 months from the legislation being brought into force, or 42 months for local planning authorities who have adopted a Local Plan within the previous three years or where a Local Plan has been submitted to the Secretary of State for examination.'

Qu.12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

Yes.

***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 (p.36)**

Qu.13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

Yes.

Qu.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?

Need to clarify their role, status and relationship to the Local Plan and to simplify their preparation

Proposal 10: A stronger emphasis on build out through planning. Masterplans and design codes for sites prepared for substantial development ... should seek to include a variety of development types by different builders which allow more phases to come forward together. (p.37)

Qu.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?

Not sure.

Pillar Two: Planning for Beautiful and Sustainable Places

Qu.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]

Unimaginative

Qu.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]

***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. (p.39)**

Qu.17. Do you agree with our proposals for improving the production and use of design guides and codes?

Yes

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. (p.40)

Qu.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. Good in principle but may be difficult to provide necessary staff

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. (p.41)

Qu.19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Yes

***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. (p.42)**

Qu.20. Do you agree with our proposals for implementing a fast-track for beauty?

Yes?

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. (p.44)

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. (p.44)

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. (p.45)

IWALC comment: There are no questions related to these proposals, but please give your views.

Agree.

Pillar Three: Planning for Infrastructure and Connected Spaces

Qu.21. When new development happens in your area, what is your priority for what comes with it?

***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. (p.48)**

Qu.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? Simpler to have one levy; we don't have CIL anyway

Qu.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. Need to be able to adapt to local conditions.

Qu.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.]

Same amount? Would like to see more but existing level already deterrent to investors.

Qu.22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

Not sure

***Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights. (p.51)**

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

Yes.

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

Qu.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. Especially social housing.

Qu.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.]

Right to purchase?

Qu.24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

Not sure.

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?

Not sure.

***Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy (p.53)**

IWALC comment: Note para. 2.46, which states that 'It is important that there is a strong link between where development occurs and where funding is spent. Currently, the Neighbourhood Share of the Community Infrastructure Levy ensures that up to 25 per cent of the levy is spent on priorities in the area that development occurred, with funding transferred to parish councils in parished areas'. It recommends that this Neighbourhood Share be kept and community engagement regarding its use be enhanced.

Qu.25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

No. They should be required to spend money in area of development and to transfer higher proportion to local councils.

Qu.25(a). If yes, should an affordable housing 'ring-fence' be developed?

[Yes / No / Not sure. Please provide supporting statement.]

Delivering Change

The White paper says (p.54) that: 'Today, we are also publishing a consultation on four shorter-term measures which will improve the immediate effectiveness of the current system:

- changes to the standard method for assessing local housing need, which as well as being a proposal to change guidance in the short term has relevance to proposals for land supply reforms set out in this paper;
- securing of First Homes, sold at a discount to market price for first time buyers, including key workers, through developer contributions in the short term until the transition to a new system;
- temporarily lifting the small sites threshold, below which developers do not need to contribute to affordable housing, to up to 40 or 50 units;
- extending the current Permission in Principle to major development so landowners and developers now have a fast route to secure the principle of development for housing on sites without having to work up detailed plans first;

This consultation document can be found at:

www.gov.uk/government/consultations/changes-to-the-current-planning-system

IWALC comment: We will not be conducting a separate consultation on these measures. If you have any views, please indicate here.

RTC comments:

Method of assessing housing need:

Qus. 1-5: Disagree with new method of calculating housing numbers because of implications: (i) cannot deliver existing targets on IW and any increase would further damage Island's environment and tourist offer; (ii) major similar anomalies, with reductions in cities and increases in areas like IW. Cannot answer specific questions re methodology.

Qu.7: What impact would this have on production of IWC's current draft plan?

Securing first homes:

Qu.8: Deliver in accordance with local plan policy.

Lifting small sites threshold:

Qu.17: No – threshold for delivering affordable housing should not be raised.

Extending Permission in Principle to large developments:

Qu.24: No – restriction should not be lifted.

Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms. (p.57)

***Proposal 24: We will seek to strengthen enforcement powers and sanctions (p.58)**

IWALC comment: There are no questions related to these proposals, but please give your views.

Proposal 23: Agree

Proposal 24: Agree

Equalities Impacts

Qu.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

IWALC, September 2020

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Proposed RTC Response to IWALC Consultation on Changes to Current Planning System

Topic 1: Method of Assessing Housing Need

Qus.1-5: We disagree with the proposed new method of calculating housing numbers because:

1. It would significantly increase housing targets on the Isle of Wight. We cannot deliver our existing targets and any increase would further damage the Island's environment and tourist attraction and put further pressure on already stretched infrastructure and services.
2. It would result in significant anomalies between local authorities, with reductions in targets for many cities and increases in areas like the Isle of Wight, where increases in housing numbers would have the most negative impact on the natural environment.

Topic 2: Delivering First Homes

Qu.8: We think that the mix of tenures provided in affordable housing should be determined in accordance with local plan policy (option 1) rather than through negotiation between the local authority and individual developers.

Topic 3: Supporting Small and Medium Sized Developers

Qu.17: We disagree with the proposal that the threshold for delivering affordable housing should be raised to exempt developments of up to 40 or 50 homes. Our main need on the Island is for affordable homes and, in particular, social (rented) housing. This proposal would result in an increase in homes that could have a negative impact on the environment without the compensation of any affordable housing.

Topic 4: Extending 'Permission in Principle' Consent Scheme to Large Developments

Qu.24: The 'Permission in Principle' is a way of fast-tracking applications for housing development. It allows local authorities to approve the principle of development on a site before the applicant has provided details of the proposed development. At present it is only applicable for developments of less than 10 houses or on brownfield sites. We disagree with the proposal that the concept be extended to developments of up to 150 homes.