

## Appendix B

### Planning for the Future - Planning White Paper August 2020

#### Proposed representations on Other Matters

In addition to the responses to the 26 questions set out within the White Paper (at Appendix A) the Council also submits the following points as part of its response to the consultation.

#### Measures that are supported

Making planning more transparent and accessible are laudable aims that are supported.
Making better use of digital technology to make planning more accessible, and back-office systems more robust are also supported
The recognition that significant resources would be required to implement changes of the scale proposed is welcomed, though there are concerns that the resources required to adopt a plan that includes outline consent for allocated 'growth' zones may not be fully appreciated
Use of digital technology for public engagement on planning that could encourage wider participation, particularly among younger people is supported.

#### Concerns not Covered by the White Paper Questions

The rationale for the changes is not evidenced and is based on the widely discredited assertion that planning is the main cause of under-delivery of housing. No reference is made, for example, to the hundreds of thousands of homes that have planning permission but have not been implemented. If the government wants to significantly improve delivery it should be taking a better-evidenced and more objective approach across the industry as a whole.
There is a significant concern that the new processes, in removing many of the democratic processes, would limit local involvement in planning decisions.
Zonal planning systems have been in place for many years in various other countries but these are generally more refined than the proposed 3 zone approach. There is again little evidence of any research on the effectiveness of these systems and how a simplified system such as that proposed could work in complex urban environments.
There will be significant resource implications for the level of information and analysis required to be able to grant outline consent for all growth area allocations in a Local Plan that should be addressed if this part of the proposals is to work in practice. Particularly if this is to be completed within the timescales envisaged. The proposals specifically rule out local fee setting and even propose regulation of discretionary fee levels which will limit planning authorities' ability to resource the new system effectively. Mention is made of the use of a small proportion of development contributions income to fund overall planning activity but this income is variable and there is an expectation that such income should be used to fund much-needed infrastructure to mitigate the impacts of development.
There are inherent contradictions between the white paper proposals around locally agreed design codes and principles and the changes to permitted development rights which allow significant changes to buildings that, cumulatively, are likely to significantly erode local character.
The emphasis on building appearance as a measure of design quality over other equally important factors affecting quality of life such as the disposition of land uses, public spaces and access to facilities.
The paper has a very strong emphasis on planning for housing over other forms

of development. This is a weakness given the importance of other land uses in creating viable and sustainable communities.
The emphasis on speed of decision making is understandable but, while unnecessary delays should be avoided, it is important to recognise that the outcomes of planning decisions are likely to last for decades and in some cases centuries and for this reason it is important to get them right.
The paper lacks any convincing proposals for effective strategic planning which is likely to be even more important with the proposed removal of the duty to co-operate. It also lacks any kind of national spatial strategy providing only largely formula-derived housing figures for planning authority areas and nationally applicable policies. This appears to be an abdication of the government's responsibilities to plan effectively and in a joined-up way for the nation's future by linking planning to other economic and environmental strategies.
There is an inherent contradiction between the stated desire to promote localism and the proposal to centralise the setting of housing targets and many development plan policies.
The proposals for the use of design codes and a 'pattern book' approach could stifle innovation and reduce variety in building styles which is a key characteristic of many English neighbourhoods where architectural styles have evolved over time.
The failure of the White Paper to recognise the inherent complexity of development, particularly in urban areas.

**Areas of Uncertainty**

It is not clear how the final housing number for an area taking account of constraints would be derived by government. This is a fundamental matter that should be subject to further consultation.
Clarity is required on how affordable housing provided in lieu of infrastructure levy would be specified and secured without a S106 agreement.
How local authorities could manage the risks associated with borrowing to forward-fund infrastructure. This is a particular issue as there is no certainty over whether or when development will come forward, and what sums will be due if and when it does, due to the proposals to set the actual amount later in the process and for it to be subject to market conditions.
Most new housing in this Borough requires mitigation of its impacts on a large Special Protection Area in order to satisfy the Habitat Regulations. This is currently secured via S106 and is provided in the form of additional public open space made available prior to first occupation. It is not clear how this essential mitigation could be delivered with certainty and in advance of occupation without a S106. It could not be provided through the proposed new infrastructure levy mechanism.
The paper points out that in low value areas developments may fall below the value threshold at which the infrastructure levy would be charged but says nothing about how in such areas infrastructure necessary to mitigate the impacts of development will be funded. This is particularly pertinent given the statement in the paper that it should be clear to existing and new residents what new infrastructure will accompany development.