



Ministry of Communities, Housing and Local Government Consultation White Paper: Planning for the Future.

**Response from Didcot Town Council.
28th October 2020.**

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

Response:

No answer provided.

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]

Response:

Not applicable.

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]

Response:

A more accessible digital system would be welcomed. However, there are members of the community that cannot access the internet for a variety of reasons and they should not be excluded from the consultation process.

Analogue systems must support any improved digital one.

Any revised system should allow the public and other respondents to a development proposal to be able to view stats and details about a prospective developer, including past performance against agreed metrics such as build-out rate, complaints received, infrastructure completion time scales and community responsiveness. While this may not be possible because of other laws on competition or GDPR or that larger developers' access to (eg) legal teams could skew the results, that does not mean that the possibility cannot be fully explored to improve the responsiveness of developers to local issues.

The appeal process is currently one-sided, with only those not granted planning / inclusion on a local plan able to appeal. This would benefit from review to enable other specified groups to initiate the process, such as Local or Smaller authorities.

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]

Response:

- Increased affordability of market and rented housing.
- Reduction of carbon footprint of both the build process and finished home to net zero. This would include the completion of any new home with solar panels (PV Cells and for hot water), grey-water recycling. This should be supported by the utilisation of ground and air source heating and other technologies as they emerge.

Improvements to community infrastructure within walking / cycling distance; facilities, highway/walking/cycle and community infrastructure should be in place at the commencement of any development so as not to overwhelm the current population and/or facilities.

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

Response:

No. The simplistic definitions (GROWTH, REGENERATION & PROTECTION) cause concern, with greater concern being caused by the combining of GROWTH and REGENERATION. There is no indication of land use other than for housing or urban-style commercial development. Land should also be zoned for agriculture, forestry and industry, for example.

The proposals imply that the planning system as currently operated is the major impediment to house building. The Council does not agree with that premise and notes the Letwin Independent review of build out: [final report](#) (published 29 October 2018 jointly by the Ministry of Housing, Communities & Local Government and HM Treasury) also does not support this view.

The simplification appeared to be biased towards the developer rather than a true simplification. Would an identification of GROWTH mean that all land in the area was open for development? How large would the areas be? Could they be larger than now (equated to parish boundaries for example) or be limited to zones as they are in Local Plans currently? It was hoped the definitions would be detailed rather than for large areas.

Concern was noted that if an area was defined as GROWTH, then it could create a situation where prospective developers could view a locality as a catalogue of places to develop. Outline permission being automatically granted for any development that anyone cares to put forward a plan for in such areas is a cause for serious concern. This, coupled with the obvious outcome that officers recommendations will determine the remainder of the detail would lead to all existing protections within the planning regulations being removed.

An amended planning system could identify all areas as PROTECTED, then apply tests to see if any proposed development was sustainable.

Quicker processes could be of some benefit to all parties in the planning process, with some schemes taking many years to complete under the current system.

RENEWAL is confused. The direct link with an aspiration for 'gentle densification' is a continuation of the 'back-land development' proposals previously in place. The net effect is to reduce green and amenity space as property and land owners seek to make use of the policy and build in gardens and other small parcels of vital local green space. The net effect cannot lead to "net gains for biodiversity as a condition of most new development" [p56, proposal 14]. The use of the word 'most' is noted with deep concern. A net gain for biodiversity should never be an aspiration, it should be mandatory.

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.]

Response:

No. Concern was noted that the having national policies only would remove local nuance and reduce local resident engagement.

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.]

Response:

No. The current system's 'fail safe' of having any plans tested against approved criteria is important.

The relevant environmental information is more likely to be understood at a local level. National views cannot be detailed or focused enough to make any such test sufficient.

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

Response:

Why is the government asking consultees to propose a change? It is for the government to propose changes for consultees to consider.

The duty to cooperate across all borders (parish/district/county) is both strategically important and vital for community cohesion. We would want to keep the duty to cooperate. If not, the border areas may not be planned as effectively as possible, with, for example, one Local Authority proposing development up to a border with a large settlement and thus burdening that large settlement but providing it with none of the facilities or ongoing council tax returns that would enable it to incorporate the new housing effectively.

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.]

Response:

No. There are well publicised concerns over land banking, however, many bank land but have delays in the building process caused by a lack of available skilled labour, for example.

Of more concern the method for arriving at housing requirements was not as clear as it could be so amendments would benefit the process it is not clear what the best way forward would be and it would be for the Ministry to provide for scrutiny. The question was asking for a response to various things but without the detail of what those would be.

The problem is currently compounded by certain areas being required to absorb a neighbouring area's unmet need.

Currently, the ONS uses an algorithm to establish future housing need, the outcome of which is then amended by a relationship to the relative cost of housing to local income levels. That means areas that do not need significant housing numbers are expected to receive more than they need. What would bring house prices down and thus increase affordability would be to increase the local stocks of social-rented housing.

(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.]

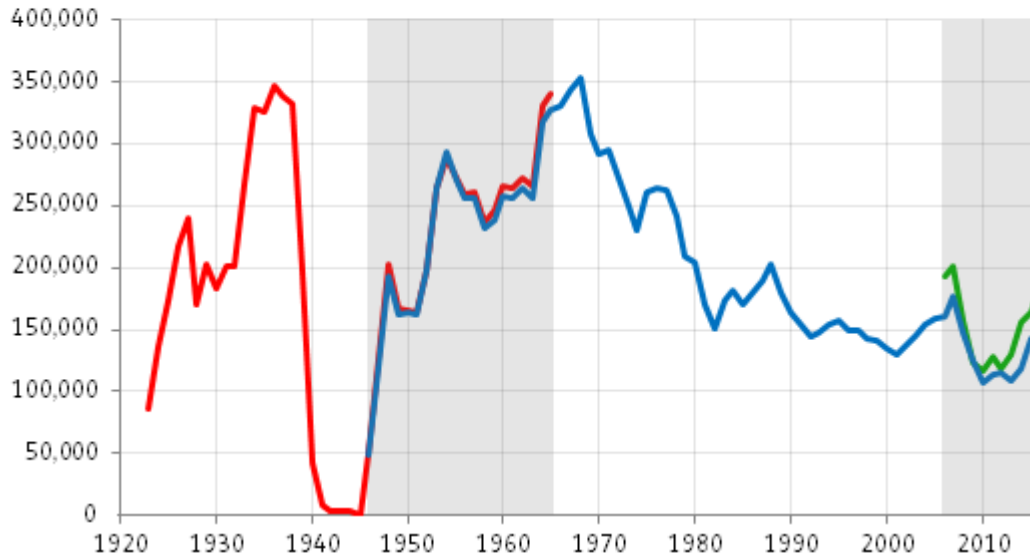
Response:

No. This presupposes that the housing market is a true free market. It demonstrably is not. Even through recent recessionary periods house prices grew. The Letwin Independent review of build out: [final report](#), in its Executive Summary concludes "that the homogeneity of the types and tenures of the homes on offer on these sites, and the limits on the rate at which the market will absorb such homogenous products, are the fundamental drivers of the slow rate of build out." The main factor in a slow build-out rate is therefore the absorption rate of the completed houses. It can be seen from the chart below that house build-out rates are

most commonly boosted by the government or its agencies building homes for social rent. Local Authorities should therefore be encouraged to acquire land at a reasonable cost to allow affordable homes to be provided.

House building since the 1920s

Permanent dwellings completed in England*, 1923-2017**



* discontinuity of data 1946-65. Pre-1965 (red) includes Wales. Post-1946 data in blue. Post-2006 data (green) relates to the new builds outlined in the net additional dwellings release, this measure is more comprehensive than previous counts.

** data in blue is for calendar years. Data in red and green is for financial years.

Source: DCLG live table on house building 244 (post-46 blue) and 120 (post-2006 green) and data provided by Construction Products Association (pre-65 red)



Further, The construction sector is one of the biggest contributors to greenhouse gas emissions. Reducing and eliminating CO2 emission is a global goal. The planning system should set clear, fixed standards to reach net zero carbon in both construction and in operational energy.

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.]

Response:

No. There is concern that certain aspects of land use are not included, for example green fields, forestry, rivers, lakes and industry. The proposals do not seem to zone business areas as a current local plan would, just housing and local/town centre retail. Local Plans and supporting policies would need to be detailed enough to indicate how a piece of land may be developed, so identifying it for houses rather than for blocks of apartments, for example. National Policy is too blunt a tool to take account of local nuance, local authorities would

need to retain responsibility for determining the needs of the area. The proposal as outlined is not detailed enough to form a definite answer.

(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.]

Response:

No. The detail in the White Paper does not provide for adequate protection of 'protected spaces' or allow identification of sites that should **never** be built on. 'Renewal' would seem to be a licence to draw out urban sprawl.

There should be further categories, such as one to fully embargo land from any type of development.

(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.]

Response:

No. The scheme referred to was brought in to enable the development of critical infrastructure such as railways, ports, airports, roads and industry. Extending it to housing would not take account of local nuance and character. New towns take a generation or more to become cohesive communities.

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

Response:

No. The use of the word 'certain' in this context causes the Council concern, however the general principle that timeframes should be adhered to by all parties in the process is welcome.

The proposal seems to assume that the delays were always on the part of the planning / principle authority. This is not the case, with the vast majority of planning proposals being approved within the 13 week deadline and very few progressing to planning authority Planning Committees for determination, especially in South Oxfordshire where the Council is located. The process for determination has been speeded up further lately as SODC officers have been delegated further authority to grant approval for an application where statutory respondents had recommended refusal.

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

Response:

No. The system should allow the public and other respondents to a Local Plan to be able to view stats and details about any prospective developer, including past performance against

agreed metrics such as build-out rate, complaints, infrastructure build and community responsiveness. It was understood that this may not be possible because of other laws on competition or GDPR or that larger developers' access to (eg) legal teams could skew the results.

It was noted that the appeal process was one-sided, with only those not granted planning / inclusion on a local plan able to appeal.

Further, web-based only Plans would not be inclusive. To be fully accessible web-based local plans must run alongside the more traditional methods. Approx. 20% of the adult population does not have sufficient access to suitable IT.

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.]

Response:

No. A shorter timescale was a welcome, ideally to be kept within an election cycle so the drafting and consultation of a plan would not cross administrations with conflicting priorities.

The planned removal of the automatic right to be heard is undemocratic and this right should be retained.

Whilst there are some things wrong with the current planning system, this White Paper appears to be an attempting to dismantle the whole system on the strength of that, disposing of the positive and good aspects at the same time.

The whole purpose of this White Paper purports to be to "unlock growth". Its premise is that the more houses built, the better, ad infinitum. Evidence is sorely needed about how many more homes are really needed rather than the contested approaches used currently. There is too little emphasis on retaining countryside and green spaces both inside and outside of urban and sub-urban areas, nor a serious attempt to address the climate emergency.

13. (a) Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]

Response:

Yes. And the weighting attributed to them should be increased due to the intricate and intimate knowledge of the neighbourhood, which a Local Authority cannot be expected to have. The Neighbourhood Plan should be the location for the allocation of CIL/S106 (or equivalent) funds, design codes, highways and non-vehicular traffic infrastructure requirements and meeting similar immediate needs.

(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?

Response:

The granularity should be increased, to enable local people to affect what may happen on small or contiguous parcels of land in their communities.

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.]

Response:

No. Currently build-out is entirely in the hands of the developer. Local authorities could affect this by commissioning social-rent housing.

Infrastructure should be front-loaded, not the final stage. All infrastructure should be in place before the occupation of the first property on a development. For larger developments this could be the case for agreed sub-areas.

Build-out rates do need to be improved but there is no evidence that this would be a panacea for affordability. The document suggests the sub-division of a development would improve build-out and absorption rates, "different builders which allow more phases to come forward together" [p43, Proposal 10]. Even if different types of property were built, this would surely have little impact unless the market types were substantially different, for open market and for social rent, for example.

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]

Response:

- Poorly designed and realised.
- Infrastructure and local connectivity are installed too late.
- Internal roads are not fit for purpose, they need to accommodate cars and leave space for traffic to pass, with pavements/shared surfaces wide enough to allow for safe walking and cycling.
- Community facilities (such as GPs, Dentists and neighbourhood centres) should be installed in central locations and at an early stage of any development.
- Developments should be designed to foster a sense of community and inclusion.

Developers should be accountable when facilities have not been installed as agreed.

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]

Response:

Unfortunately, sustainability is not at the heart of the proposals outlined in the white paper consultation. All the examples listed (Less reliance on cars / More green and open spaces /

Energy efficiency of new buildings / More trees) are important. It is extremely concerning to note that there is not even an aspiration of zero-carbon building practices or homes that can be zero-carbon run, development must be sustainable in every aspect of the word.

This must be legislated for at a national and local level as currently and as far as can be ascertained from the proposals in the consultation, the requirement for energy efficiency and building is far too light. It is understood that all residential developments achieve zero-carbon by 2025 and achieve net zero carbon by 2050. It is not clear whether those standards are to apply to construction and use, either or both.

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.]

Response:

No. However design codes must be backed by legislation that promotes adherence not aspiration. Exceeding any stipulated code should be the aspiration.

The consultation is short of detail here (as is the case through much of the document), with no indication of where national policy ends and local codes would be applied.

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.]

Response:

Yes. It may be a surprise to many that such a body does not currently exist, as the consultation document strongly implies. Any such body established must be largely independent from government, at "arm's length" as suggested. It would ideally be in the public sphere but a not-for-profit agency may be appropriate in extremis.

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.]

Response:

Yes. It is notable that the passage this question relates to includes a desire to "embed high environmental standards" [p50, Proposal 13]. This ambition has been left out of the text of the question. To refocus the department's minds, the Council suggests that embedding environmental standards be given equal weight to the other stated aims of delivering "beautiful and well-designed homes and places" [p50, Proposal 13].

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

Response:

No. The proposals are far too vague. Beauty is to be aspired to, achieved even but other matters must also be considered. The habitation standards of the houses for example, amenity provision (places to store bins, car parking etc).

Nothing should be fast-tracked. Well designed and high standard housing would be granted consent anyway, so why fast-track substandard housing.

Planning should be integrated, not merely eye-washing for attractiveness. Good, sustainable development would also provide community facilities.

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]

Response:

Communities should not have to choose between these. All the listed factors are of importance! The priority surely is to stop permitting poor development.

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.]

Response:

No. It takes away the element of negotiation. It is also more accessible for Local and Smaller authorities than current approaches. However, a threshold based on value does not provide a clear approach, there is no indication of how the *de minimis* would be applied or its likely figure, which surely would need to be set locally? Would this be for new constructions only, it is not clear? Section 106 currently provides affordable homes, which should be retained in any levy figure and provided by the builder rather than expecting a local authority to build all such properties.

(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]

Response:

More infrastructure should be provided to areas that lack facilities and infrastructure and have therefore not benefited from such provision in the past. A nationally-set area specific rate could be designed to ensure this outcome.

(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.]

Response:

The levy should provide more value to the local community than is currently the case, which should include local facilities, affordable housing etc.

(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.]

Response:

No. There are too many variables that are unclear from the paper. There would need to be a guarantee of the value of eventual receipts and a zero interest should be applied.

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.]

Response:

Yes. All development should make some contribution to local infrastructure and facilities.

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.]

Response:

No. More affordable housing must be provided.

(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.]

Response:

No. It should only be a right to purchase by Local Authorities at discounted rates, the right to purchase any of the properties and to be given first refusal on all properties. This would lead to all homes being built to the same habitation standards.

(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.]

Response:

No. Don't provide in-kind delivery.

(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.]

Response:

No. Don't provide in-kind delivery.

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

Response:

Yes. Local authorities are aware of local need and nuance. There have been difficulties in the past experienced by smaller authorities in accessing S106 funds as a result of the detailed wording of the agreements.

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

Response:

Yes. This would ensure the money is spent where it is needed. Any ring-fencing structure may need detailed design and the use of 'affordable' is pernicious. All housing should be affordable, it should not be a term synonymous with social-housing or used as a mechanism to keep housing prices high.

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?

Response:

There should be minimum habitation standards that exceed the requirements of the Equality Act 2010 and subsequent revisions.

