

## PLANNING WHITE PAPER RESPONSE NOVEMBER 2020

Here is a summary of what we have said about the Planning White Paper. It has been edited to be readable without referring to the white paper itself. If you would like a full copy of what we have said please contact [chair@civicsociety.ilkley.org](mailto:chair@civicsociety.ilkley.org)

Ilkley Civic Society has been involved with the planning system since its inception in 1966, making comments on and taking a full part in Local Plan public participation in Bradford District and making regular comments on planning consultations within the Ilkley Parish currently generating about 20 planning applications per month of which 50-60% need commenting on.

We have over the years gained considerable experience from having a retired planning officer, a Futures planner, a Health and Safety Inspector, a Conservation professional and a construction specialist along with currently a practicing Architect to provide advice.

Our answers to the questions posed in the consultation follow freehand as it appeared not possible to save and infill the questionnaire online.

### **Easier access to planning**

We support the proposals to provide better information and access but do not want to widen the digital divide or fail to inform local people clearly.

We would wish to find out both online, as now, but with Site notices compulsorily erected by the applicant, as per street works licensing systems, maintained by the applicant throughout the whole project to include latest planning information including any enforcement.

### **Priorities**

Our three priorities are –

- design of new homes (includes affordable)
- the environment (sustainability)
- protection of heritage assets (buildings only part of heritage).

### **Local Plan**

We do not think that simplification of the local plan is the answer. This assumes that thousands of years of the development of our small country can be 'simplified' to the extent proposed.

### **The proposed categories**

The proposed categories would ignore many of the features that make our country what it is. 'Outline approval' in growth areas is giving a blank cheque to developers whose past record of construction (physical and visual quality) of housing in particular is dismal. In Renewal areas a 'presumption in favour' similarly rewards developers. 'Protected' areas is a misnomer in terms of the current situation in terms of the legal protection of conservation areas that have minimal protection in most cases. Hundreds of conservation areas are listed as being 'at risk'. It actually infers no development allowed when most built heritage at some time needs modern infill/ updating to keep it alive. The alternative option of combining 'Growth & Renewal' & extending permission in principle is even more simplistic. Permission in principle is perhaps only suited as now to industrial growth areas eg Freeports or areas covered by an established Masterplan or industrial development corporation.

### **Removing the duty for neighbouring authorities to cooperate.**

Failure of local authorities to co-operate in the past should not be a reason to drop this policy. It highlights a more fundamental weakness in local government, its failure to modernise and consult generally. There are many authorities where the boundary runs through the middle of a settlement and cooperation is really important. Another reason for cooperation is where a national park, AONB and/or HRA in one authority abuts another such as a metropolitan district. Here there must be co operation.

### **Housing requirements**

Housing requirements should be a genuine reflection of local need by type and quantity. The requirement should not be a reflection of local politicians' desire to achieve growth to leverage position within a city region where other cities are dominant. Housing requirements need to take account of people who need somewhere to live but cannot get on the traditional housing ladder through social or affordable housing eg they need hostels or co-housing. Local authorities should not keep reviewing the figures upwards without good reason leaving green belt under threat for years. Replacing lost rate support grant from central government is not a good reason.

### **Automatic outline consent**

Automatic outline consent as noted already is a blank cheque for developers. Growth areas can be industrial but near housing or housing, in both cases communities need a say and not just at local plan stage.

### **Renewal and Growth**

Renewal and Growth should not be considered in one question. For Renewal the 'presumption in favour' of any renewal is way too wide a method. In Protected areas the exception of permitted development remains which has already complicated the planning system and results in many poor-quality projects being implemented. The number of types of planning application now submitted since PD was expanded; in our local authority is now 18.

### **New settlements**

New settlements are needed to satisfy local/regional need and are not therefore to satisfy national need and should not be within the NSIP regime. As local authorities will rarely handle such projects there may be a case for national specialists to support them.

### **Faster more certain planning decisions**

Faster more certain decisions to make the system more efficient and streamlined might be less bureaucratic but good planning decisions depend on taking many factors into account so faster is not the way. No extensions of time for a decision proposed, even if mutual is not a positive step. Less information would be provided. Detail is already scant in many applications. We already currently have the situation where planning officers, despite glaring omissions in the information provided, state they have 'enough information' to satisfy the current rules and make a decision. The only way they are doing this is by making assumptions or researching information themselves to fill the gaps. This is a waste of planning officer time. We would much prefer to see planning officers (not administrators) refuse validation when insufficient information is provided, in our experience a common problem that delays decision making.

## **Web based local plans**

On web-based local plans, we are not clear on the advantages. Currently all local plan information is available online but we accept not easy to search/ obtain latest version, etc. We are concerned to hear the proposals are to rely on something called 'Prop Tech'. It sounds very wonderful, but government IT systems have an appalling record of not performing and costing a fortune. Engaging with local communities would be a good thing and this should not just mean having an Engagement policy but also using it. We support innovation and more map-based information, but not to creating a wider 'digital divide'. Local Authorities need to be much clearer about their Statements of Community Involvement in terms of which business it refers to and how and when it is reviewed. Sometimes these Statements are many years old and contact details are out of date.

## **Local Plan timescale**

Local plan timetables are driven by many issues and can take up to a decade to put in place with numerous reviews along the way. 30 months would only be achievable with a huge injection of staff with the right expertise. This will have financial implications and could lead to an artificial shortage of planning officers. If the public are to be more involved, evening hearings will need to take the place of some daytime ones so that members of the public in gainful employment may attend. Otherwise the public involvement will be only from those of us who are retired with the time to put into attendance.

## **Neighbourhood Plan retention**

Neighbourhood Plan retention is essential to have more effective professional planning support to speed the process. If Neighbourhood Plans are to be truly effective in influencing issues locally, they should be retained.

## **Build out through planning**

Planning decision making has never been the problem, a fact not accepted by government, who thought introduction of the NPPF would solve all the problems with planning. It did not. It may have improved the rate of progress a little but more housing has not achieved improved quality. Yes, there are some positive recognitions in the document, but giving one developer planning for hundreds if not thousands of houses will not encourage them to build out, it gives them a monopoly to manage as they please. The build out rate needs to include the need to have a variety of housing types/tenures that is required in the area. It is risky to assume that SME builders can take up all the increased numbers as they tend to be more traditional builders whose standards are widely variable in quality, speed and safety. AND PRICE?

## **Design '*UGLY AND POORLY DESIGNED*'**

Most developments in our area are small to medium sized, it is rare, except on one off sites, to see anything more than poor pastiche/ boring/ weak contemporary. On travels throughout Yorkshire we see small towns and urban areas disappearing under volume house builders standard 3/4/5 bedroom boxes with no character. There is a tendency for large house builders to standardise their plans and take no regard whatsoever of local distinctiveness. It is of interest that a survey has recently shown new housing is falling out of favour with house buyers, due to factors we have already referred to.

## **Sustainability**

On sustainability, how can there be a priority between the 4 options listed (Open spaces/energy efficiency/less cars/more trees), all are part of the solution. Missing from the list is reuse of existing buildings (of any age) for new uses to retain embodied energy and reduce the need for natural resources. Govt proposals to allow easy demolition, if to rebuild new houses, contradict sustainability aims. We are concerned at the concept

of BEAUTY as the danger is that architectural design of housing will go backwards and rely of the comfort of pastiche from past eras.

### **Design codes**

We support the fact that National and Local design codes (both exist in our area) should be a guide and that 'Manual for streets' is to be updated. This latter document whilst good in some areas needs to incorporate specific guidance for historic areas, which it currently does not, this should be based on 'Streets for All' originally produced by English Heritage (now Historic England). Whilst we support this proposal it will fail if local planning authorities do not have the skilled resources and staff numbers to ensure the codes are taken into account. This must include training for elected representatives who take any decisions based on built and natural environment ie not just planning committees. Local authority implemented schemes need to have standards improved based on the codes. We are concerned that local design guides could be based on what is 'popular'? Local design guides and Conservation Area appraisals will need regular review and input from the public.

### **National design body and local chief officer for design & placemaking**

On the national design body and local chief officer for design & placemaking we note the first steps have been taken to create a national design body with the appointment of a chair. We note also the proposal to 'improve resourcing of planning departments' and would support this measure; we however do not see any likelihood of 're-focusing of professional skills' to enforcement for many years, if at all.

### **Homes England**

'Well designed' rather than 'beautiful' is needed, Homes England also need to be as equally involved in the reuse of buildings/ brownfield land as well as new build.

### **Fast Track for beauty**

We would suggest the two terms are contradictory. The creation of 'beauty' requires a considerable thinking process and is certainly not created through a 'fast track' procedure. 'Reflecting local character' can equally be achieved by contemporary design but in England 'preferences may well end up producing more 19<sup>th</sup> century pastiche. In 'Growth areas' the suggestion that a 'masterplan and site-specific code' would 'enable popular and replicable forms of design' suggests more of the same volume housebuilders little boxes? Again in 3.21 reference is made to the 'demolition/rebuilding' proposal which we contend is highly unsustainable. We do however accept there is room to add to the local authority district wide design SPD's specific design codes for the same house types at community level eg semi-detached by the same 1930's builder or terraces built of the same materials and form to retain a design theme but reduce the need for full planning, similar to 'heritage partnership agreements'

### **'Effective Stewardship and Enhancement of our Natural and Historic Environment'**

These sections appear to have NO questions attached which suggests a failure to understand the issues/ reluctance to engage on these crucial subjects? Whilst we expect most communities would support the three issues of /net gain for biodiversity/new streets tree lined/strengthening flood risk management/climate change mitigation, the lack of engagement says a lot. Our built heritage and natural environment are the result of many hundreds of years of existence and gradual positive change needs thought and care not a fast and simplified approach

Proposal 15 infers a greater centralisation of policy over a vast range of issues.

Proposal 16 re assessment of the natural environment

Items listed at 16 are all important but enhancement of the natural environment is also a priority, in terms of safeguarding moorlands retention of and development of peatbogs and sustainable improvement of farmland.

Deterioration in Conservation Areas, listed buildings (Heritage at Risk) We note the release of the final report of the 'Natural Capital committee' originally set up in 2011 to advise on commitment to be the first generation to leave environment in a better state. This report is to advise on achieving the 25-year Environment Plan (pub 2018). Its findings show deterioration in 5 of 7 measures and 'in serious decline'. Seems to need a 'Nature at Risk' list?

Proposal 17 re Historic Buildings suggests the planning system is working to protect listed buildings and conservation areas when clearly it is not, 10 % conservation areas at risk and approximately 10% of Gr1 & Gr2\* Listed Buildings on the Heritage at Risk Register announced recently. No measurement exists for the continued deterioration of the other 90% of conservation areas and approximately 450, 000 Gr2 listed buildings. We do however support the statements regarding 'locally listed buildings' although 'envisage' is not much of a commitment particularly when some local authorities are to put it mildly negative about such heritage protection measures as they do not see staffing in this area as a priority (48.7% national reduction in conservation officer staff provision). It is positive to see some acknowledgement, at last, that historic buildings 'have the **right** energy efficiency measures' to avoid the current damage being inflicted upon them by builders without the necessary skills. Missing however is any reference to the government's own advisor Historic England and its guidance on 'whole house retrofit' Para 3.31 suggests 'autonomy for routine LBC's', we would suggest this is only allowed within a defined geographical area and that 'suitably experienced architectural specialists' is far too narrow a definition, specific professional qualifications should be required to include Conservation and Building/ Civil Engineering professional qualifications in conservation.

Proposal 18 –Energy efficiency standards – about time too, but still almost 10 years will have been lost in ensuring a standard for new housing of 75-80% lower CO2 emissions, when by 2016 it was a government commitment to have ZERO carbon homes. The volume house builders have failed again as they did with 'Secured by design' as it would add to the cost, and that involved even smaller sums of additional build cost for long term house security. We note in 3.35 a suggestion that reduced planning obligations will result in LA's being able to 'focus more fully on enforcement'. Most local authorities have been prioritising enforcement for the last 10 years, resulting in local policy commitments being put aside and a much-delayed process. As this 'reduced planning obligation' is some years off we will continue to see reductions in standards. It is interesting that yet again another government initiative is proposed to improve energy efficiency of homes (Green Homes Grant) something government has failed dismally to achieve since it started in 1986 with 'Energy efficiency year', many local initiatives and latterly the failed Green Deal. All have been rushed, and in some cases have damaged property and health.

Design statements - they must be regularly reviewed (5 yearly legal requirement as CA's should be) otherwise will just get forgotten and will be out of date environmentally and technically.

### **Delivering change.**

We believe any transitional arrangements will be so complex and will stretch Local Authorities for many years to come running to two systems, bearing in mind the increased time limit for starting approved schemes and the fact that this system is so weak a few bricks laid on site is deemed as started and an empty site can sit for many years with a valid approval waiting to be completed.

The new Use Class Order further complicates the work for planning departments as well as reducing local efforts to plan for community's best interests. The Planning Portal description of 'Use Classes' was 2.5 pages long it is now 6.25, a simplification? it used to be one sheet.

The four changes to be introduced immediately

- . We cannot understand why lifting the small sites threshold is beneficial, in high value areas builders will be increasing profits substantially?

People & skills – we predict an exodus of experienced planning staff as yet more change is added to the system after NPPF and 10 years of tweaking the system. The increased emphasis on design, whilst good, will take many years to train and achieve additional experienced staff capable of implementing the design codes and retrain planning officers in more detailed aspects of design.

Suggests only shortages of staff exist in the specialist skills of 'design and ecology', again totally ignoring the work of Historic England showing a 48.7% reduction in Local Authority staffing of Conservation Officers.

Statutory consultee self-financing – ignores the fact that in the built heritage sector the 5 'national amenity societies' are voluntary organisations

Enforcement- We fully accept, as already noted, that this is a 'Cinderella' service in need of not just more powers, the existing ones are not enforced, but skilled staff, higher fines but also remediation of damage caused. Yet again why no question to gauge support for these suggestions.

In summary, we think there are two critical issues that the document fails to address, firstly the need for wholesale replacement of the existing system, which we accept has its weaknesses. The volume of work required to implement the new system will not be justified by the changes plus planners & developers face an even more complex 2-3 years at least. The second issue and a reason for the wholesale dumping of the current system is the failure to achieve a 'mythical' figure 300,000 new homes per year without looking at the problems of assessing more accurately the needs for specific types of homes, empty homes and homes with permission not built.