

# Planning for the Future Consultation

## Puddletown Area Parish Council (PAPC) Response

### Foreword

Puddletown Area Parish Council (PAPC) has looked in depth at the proposals in the White Paper and we offer below a point by point response to most of the specific questions posed. Sadly, we do not find ourselves able to support the main thrust of the proposals which appear to involve a substantial loss of local democratic input, a significant element of national imposition and a rather too much easing of terms under which developments may take place.

The White Paper appears to prioritise quicker approval whereas our priority would be improving opportunities for local input. As such, any change to national policy should include an amendment to article 25 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, which would allow parish councils 30 days to make representations in respect of planning applications rather than the current 21 days.

The White Paper proposes to determine, nationally, the annual housing numbers for England and then allocate them to Local Authority areas. These allocated housing numbers would be binding. The definition of housing targets without careful analysis of local needs, and input from local people will certainly result in major errors and misunderstandings. Housing is clearly an issue and we cannot deny that more are needed, however, the process needs to ensure that the allocation of housing targets is calculated in a clear and transparent manner with input from local authorities. Priority needs to be given to ensure that environmental impacts are considered, along with flood risks, infrastructure, and mitigation plans.

The White Paper proposes to allocate all land into one of three Zones: Growth, Renewal or Protected. If land is designated as growth or renewal this designation has to be based on firm information which has had input from local communities. Once land is designated as Growth or Renewal any development would receive planning permission with no consultation with local people or Dorset Council. Parish Councils and the Planning Committee would only see a planning application for development in the Protected zone. This will allow developers free reign, without any consideration of local needs (housing type, housing design, housing character, housing location).

Local democracy would be much reduced, losing much of the local knowledge which is currently available to planners. The local input into planning would be shifted to a much earlier point in the process; people would be consulted about which zone land should be allocated to, within the given definitions. Thereafter there would be no further consultation on sites zoned for development. No planning applications, no input from Parishes or the Planning Committee, no opportunity for neighbours or communities to comment. Current initiatives to get local engagement in the planning process, such as Neighbourhood Plans, would be marginalised.

Something which has not been highlighted is also the potential threat to cultural heritage, if a zone is allocated renewal or growth, and during development archaeological material is discovered, a strategy must be in place to ensure that there is a sufficient rescue operation to the highest archaeological standards. As speed seems to be the driver behind this proposal, it is a worry that standards will slip.

The proposed amalgamation of the current Community Infrastructure Levy and the S106 Planning Agreements into a single levy must assure that the funds raised are no less than the current situation. Local Councils need these funds to ameliorate the impacts of new housing development.

PAPC disagrees with some of the underlying analysis behind the proposals. For example, it is stated that the existing system is “discretionary rather than rule-based”. That is not true - there is a plethora of centrally imposed planning rules - happily, at present, they can be “tempered” to some extent by local decision-making.

Similarly, it says that figures for housing need are contested and blames the planning system for this. But there is no analysis to underpin or justify it. After all, we know there are thousands of extant planning permissions that have never been actioned because developers are hoarding land or seeking to time developments for maximum profit.

It further states that proposals “will democratise the planning process by putting a new emphasis on engagement at the plan making stage”. Two points - where is the evidence that this does not happen for local plans at present? We seem to have been invited to give views on The Dorset Plan at regular intervals. Secondly, we know only too well that the vast majority of residents engage with the planning system only in the context of specific development proposals which affect their circumstances. People will find it much harder to comment rationally on strategic, conceptual plans.

Lots of details are slipped in without explanation of what it will mean or the potential downsides. For example, page 20 : “streaming the opportunity for consultation”. What does that mean – It would appear to be reducing the opportunity for meaningful involvement.

Digitisation is to be welcomed, but there must also be opportunity to participate for those who are not in the new age yet (hopefully a problem that will disappear with time).

The section on community infrastructure levy is confusing. It is unclear how it will affect individual settlements and developments. We have benefited hugely from S106 and CIL - it has been possible to make a real difference to small communities - for example, the provision of a very well used recreation ground and a village hall extension. The proposed new system appears to break this local link.

Furthermore, it appears that CIL will not be payable in advance and so cannot fund upfront any necessary infrastructure to support new developments. Indeed, this seems to me a major hole in the White Paper. From page 31: “Plans should be informed by appropriate infrastructure planning and sites should not be included in the plan where there is no reasonable prospect of any infrastructure that may be completed within the plan period”. We know that the major routes through Dorset are inadequate for the traffic they must take - the major planned housing development for Dorchester should be accompanied by a major upgrading of the A31 around the town. How is that to be afforded, especially if CIL contributions will come later in the day? Is there any chance that it could be planned and delivered within the timescale of a local plan? The same applies for more minor developments, in terms of better routes (e.g. a growing middle school in Puddletown where the roads used by school coaches are entirely inadequate, surgeries and hospital provision. Piling more houses and people into an area will mean diluted services for everyone unless this is addressed.

## Response to Specific Questions

1. What three words do you associate most with the planning system in England?  
**democratic, local, and effective**
2. Do you get involved with planning decisions in your local area?  
**Yes, we get involved with planning decisions.**

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?  
**Easier access to planning is to be welcomed, but it is quite wrong to imply that contributing a view at the strategic/concept stage achieves this, because most people engage when there are specific development proposals which could affect them - and that is exactly when, under these proposals, influence will be denied them.**

4. What are your top three priorities for planning in your local area?  
**This involves a stupidly false comparison between many genuinely competing issues and it is wrong to choose just three from so many. If pressed, PAPC choose: increasing affordability; the environment, biodiversity and climate change; and better local infrastructure - put in place on a timescale commensurate with the development.**

5. Do you agree that Local Plans should be simplified in line with our proposals?  
**No. Simplifying through digitalisation is OK (with safeguards for those who would be disenfranchised by this) but the nub here is who ultimately decides which land falls into which category. The tension will undoubtedly be about how much land goes into the growth and renewal categories. The implication with central allocations is that this will be enforced by central dictates from Westminster and local planning authorities will be able to do very little to influence the outcome. The thought of an algorithm to do this is frightening (especially given the chaos over school exam results). All this will be a serious diminution of local democracy.**

**Another issue for rural settlements in Dorset is that many (we would hope) will be in protected areas. This will potentially impose tougher constraints on any development in these places. Yet there is a mass of evidence that preserving villages in aspic is exactly the wrong way to keep them vibrant and healthy. Villages grow and decline organically - to keep them healthy, you often need limited new development, whether it be of affordable housing or workshops or whatever is required by the community.**

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?  
**There is probably some scope for nationally based development management standards, but as ever the issue is the balance between those and the freedom of local plans to stipulate standards which are entirely reasonable and highly appropriate to local circumstances. The fear is that the Government's aim is to shift the balance to 95% national - making it much easier for developers - and 5% local, meaning local character issues are virtually dismissed**

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?  
**PAPC did not find the alternative to the current arrangements set out in sufficient detail to decide whether to agree with the proposal. Since the whole thrust of the White Paper is to simplify the planning system and make it easier for developments to take place, the suspicion must be that this is about relaxing constraints through sustainable development rather than just increasing efficiency.**

b. How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?  
**Why do away with the duty to cooperate? Why not just put in place system that ensures the process of due cooperation is time limited in reaching a conclusion?**

8.

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

**No. Any national algorithm will produce harsh and silly decisions locally. 300k houses per year nationally is, arguably, an arbitrary, "political" goal. If an algorithm is used, it should only be as a starting point, to be followed by testing and review where local knowledge and views are given serious weight.**

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

**No. Affordability is clearly a key issue, but in small rural communities it is achieved by small scale, in-character developments with houses for affordable purchase or rent plus stair-casing. This is why protected area status could be a constraint.**

**For more major developments, the key issue is keeping infrastructure provision in line with expansion and, on this, as noted above, the White Paper is severely lacking.**

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?

**Agree but only if those areas are very tightly constrained.**

- b. Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

**Disagree that there should be a presumption in favour of development. It should be more neutrally expressed, so as not to prevent development proposals but not to put all the cards in the developer's hands.**

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

**In principle, we agree that new towns may be brought forward under the Nationally Significant Infrastructure Projects, but decisions on where these might be should only be taken after meaningful local engagement and, in the event of dispute, the onus should be on demonstrating that no other reasonable options are available.**

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

**Of course, these are desirable outcomes but not if they constrain unduly or seriously diminish local input to decision-making on individual proposals, so leading to bad outcomes the effects of which the local community will have to bear.**

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

**Web-based plans are OK in principle but must find way of allowing involvement for those who are not conversant with the digital age - otherwise democracy is being removed.**

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

**In principle, time-limiting development of local plans is a good thing. However, the timescale must be realistic and planning authorities must be allowed the resources necessary to deliver them. It may be better to start with a goal to complete within x months, to be reviewed in the light of experience.**

13.

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

**Neighbourhood Plans have the potential to give communities a real voice in the system, but it's hard to see how they would be effective under the proposed new system, where top-down imposition of zones and housing targets and presumptions in favour of development could, and likely would, render them useless. They should not be just documents about design, but about the aspirations of the community for the scale and type of development in the area and the sort of environment the community want to see created and maintained. If such Plans are retained, the process for getting them in place should be improved, and the process to update them is far too cumbersome - they take too long from inception to completion and adoption, and their update process is far too heavy.**

- 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?

**It's hard to see how the role and influence of neighbourhood planning as we know it could be maintained under the Government's proposals. So much will be imposed or pre-determined that the scope for Neighbourhood Plans to reflect local concerns on the big issues will be heavily compromised. Our current emerging Neighbourhood Plan has succeeded in capturing a local view about scale and type of development, design criteria and the aspirations of the community for green space, maintaining a village feel and access to the countryside.**

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?

**Great care should be taken with rapid, major build outs. Not only is there a danger that a rapid development of a lot of houses will flood and distort the market, but there is also a danger that major build outs will over-stretch local infrastructure, including schools, health facilities, water and power supply and sewage treatment.**

15. What do you think about the design of new development that has happened recently in your area?

**There has been a mix of recent developments in the PAPC area over the last ten years, mostly relatively small scale and in many cases with designs that imitate the vernacular. However, some of the new housing sits less comfortably with existing design, there has probably been too much infilling in small space (reducing green space), the highest environmental standards have not always been achieved and very little has been done to expand local infrastructure, including things like bus services, to meet the needs of a higher population. This is the result of little local input which is what we hope to rectify with the Neighbourhood Plan. It is important that designs principles are locally decided and not dictated solely by national codes and guidance.**

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

**With respect, sustainability is not at the heart of the White Paper proposals. Speeding up the planning process, making it easier for developers and building more housing are at the heart of these proposals. Sustainability for us means organic changes to our settlements - small-scale, sympathetic growth where needed, based on good design and high environmental standards and a fair measure of affordability. And all this needs to be under-pinned by contemporaneous upgrading of infrastructure to meet the needs of an increased population.**

17. Do you agree with our proposals for improving the production and use of design guides and codes?  
**For sustainable development, the build quality and environmental standards must be high. If that is what is intended, it is to be welcomed. But design has to reflect local circumstances and it would be retrograde to seek to attempt a national code which cannot be adapted locally. Remember that it is local communities that have to live with the consequences of local development.**
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?  
**Unsure about this. If one is established, it must be properly resourced long term and be ready to engage locally. It must also be completely independent.**
19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?  
**Yes**
20. Do you agree with our proposals for implementing a fast-track for beauty?  
**Design codes and guides are, in principle, a good idea, and one that has been already adopted by Local and Neighbourhood Plans. The key is that these codes and guides are really local - they cannot be nationally, regionally or county wide defined. They have to be specific to the local area they are meant for - and this should be at the parish/town level, where different parishes and towns can have very different characters and needs.**  
**However, all planning applications should still be carefully scrutinised with local people given the opportunity to make comments on any final application. The “fast-track” process should be slowed down with greater scrutiny if any material planning considerations are raised by anyone. It should be down to the parish/town council to decide that a development was “popular and replicable” and when these are replicated the application could be “fast-tracked” but NOT simply classed as permitted development. Planning permission should still be required and again, such applications should still be scrutinised with an opportunity to halt the process if material considerations are raised.**
21. When new development happens in your area, what is your priority for what comes with it?  
**The main requirement is that development should meet the local needs and fit with the local character. Affordable housing which is well designed and accompanied by protected green spaces. A share of development money to be used locally to improve infrastructure (parks, recreation grounds, village halls etc) and contemporaneous upgrades to more major infrastructure (e.g. roads, Surgeries, hospitals, schools) to cope with additional demand.**
- 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?  
**CIL and S106 have worked well in this community and we would be loath to lose access to the same level of funding locally. It is unclear whether, in practice, the same resources would be raised by the WP proposals. Moreover, S106 has been a key component in securing affordable housing locally and there is no guarantee under the new proposals that the new levy will be directed in this way.**
  - b. Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?  
**Set nationally, and at a level at which no local authority will lose out when compared to the current situation.**

- 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?

**More - but it must come back to the communities affected.**

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

**No. At least some - indeed a substantial proportion - of the levy should be paid upfront to enable contemporaneous upgrading of local infrastructure. Too often developments proceed and build up with nothing being spent on infrastructure.**

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

**Yes, probably.**

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?

**At least the same and preferably more.**

- 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?

**We think there should be scope for both, depending on what delivers the best outcome locally.**

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

**Yes**

- d. If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

**The quality of affordable housing is key if sustainability is really the aim. Any steps to achieve that would be welcome.**

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

**No. Authorities should not have discretion to subsidise things like council tax. The levy must be used for local infrastructure and for mitigating any negative effects of the development.**

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?

**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 and members of any other disadvantaged group are best served by open processes, which are publicised and available for comment or influence by people at the lowest level. The proposed schemes are inherently inimical to this objective, because power and influence would be moved to higher levels.**

## Conclusion

It will be clear from the above that the PAPC believes significant local democratic input should be retained in any changes to the planning system. We are not against streamlining it, improving consistency, and giving more certainty where possible - all would be improvements to what we have. But local communities must retain power to shape their own futures and we would argue we are best placed to know what will and will not be appropriate and acceptable. After all, we have to live with the consequences.

The current planning system no doubt has its weaknesses and frustrations. But it has served us well for the most part. S106 and CIL have been especially important contributors to local improvements and support and we should not want to see that disappear