



Community Voice on Planning

Response to Consultation on

Changes to the current planning system

September 2020

General comments on the consultation

We think that it is a drawback to this proposal for reforming planning that the overall thrust of the argument seems to be based on an assumption that planning control is a barrier to any development rather than a tool to ensure that all development is appropriate to its place and takes into account good practice, national standards and local conditions. Many of the issues raised in the preambles are not reflected in the questions and a lot of the assumptions that are made do not appear to be fully supported by the evidence. This seems to be an academic exercise that assumes a lot and that does not appear to reflect on the ground experiences of the challenges facing planning authorities, communities and aspiring homeowners or those with particular housing needs. We regret the failure to promote modular or prefabricated solutions to housing-shortage and the paucity of provision for social housing in the proposals. Regretfully, we can see no benefit to communities in this document but huge benefits to landowners and developers who will have the opportunity to exploit these policies.

Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is *whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?*

No. In principle, we support the idea of uniformity of method of approach but this proposal is very narrow. We also support the view that existing housing stock should also be brought into the equation, provided that empty and un-used housing is taken into account. The equation suggest that it is the number of houses, rather than the type of housing that is the issue and we are not convinced by this argument. Many of the numbers used in this proposal are not supported by evidence and seem to have been plucked out of thin air. How has the figure 300,000 been arrived at and why 0.5%? The base line projections are based on 2014 figures for demographic trends, but these will change over time. Household projection, whilst being difficult to predict is better than a percentage which seems to have such a hard and fast rationale behind it. If we have understood the proposed equation correctly, then the ratio is only going to drop if either house prices drop or salaries increase. House prices are decided by shortage of supply. This can be managed by builders who are not required to flood the market. The prices are also dictated by variables such as size, location and factors such as transport, employment, schools and so forth. This methodology assumes uniformity across a region, whereas local need and the local economy is subjected to local variation at a much finer grained level. The proposed method does not appear to address this in any way.

Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.

Whilst existing stock is important, provided empty stock is taken into account, neither the number nor the assumption that a percentage of existing stock at a given time would equate to future or existing need seems to make much sense. Existing stock shows what a settlement looks like at a fixed period of time, but even taking into account the rest of the equation, it does not provide any evidence that there would be a future need or how much this would be. Existing factors such as employment opportunities, projected employment opportunities and sustainability through transport modes also suggest whether a settlement has a need or can be sustained. It is a failing to have an equation which does not take such factors into account.

Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.

No. How would this account for differences between commuters/local residents and non-working residents? Would it be fairer and more accurate to use a combined median or a system that takes into account local variation amongst residents? We disagree profoundly with abolishing the cap as this can lead to inappropriate development in some areas. This has been shown by the application of the 5 year housing land supply versus sustainability argument in the existing NPPF. It is difficult to understand why this has not been understood. It is disappointing that there is a gap where the non-owners segment of the population should be represented.

Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.

Please see Statement 36: "If an average worker cannot get a mortgage for an average home in the area without additional help then there are not enough homes in the area." This is a highly debatable statement. As an example, the south Manchester commuter belt has areas, especially areas like Alderley Edge, Wilmslow, Prestbury and Knutsford doesn't have a shortage of houses, it has a shortage of affordable homes and an over-provision of high-end luxury homes at inflated prices. This hasn't caused prices to fall in those areas, it has driven the less affluent areas further away from Manchester and into countryside where there is a high dependency on private transport. Where is the evidence that the proposed formula will reduce housing costs in this area to a level that the lower paid and unemployed will benefit?

Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

No. As above, affordability is presented as a relationship to higher earnings. A person whose salary would be considered adequate to support a household in an area with low earnings would not be able to afford a home in areas with higher earnings although their job may be in that area. There needs to be some account taken of the variability within an area. The proposal does not seem to satisfy this.

Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:

Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?

The time scale seems very short given the length of time it has taken many Authorities to produce their plans. How will this allow for proper public consultation and what extra funding will be in place to support this?

Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?

If not, please explain why. Are there particular circumstances which need to be catered for?

Again, these revised plans are subject to initial consultation and then further amendment. If the new formula requires further consultation and exercises such as a further call for land, how can this timescale be considered adequate? These proposals are building an extra layer of insecurity into the planning process.

Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):

i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.

No preferred option as don't feel qualified to answer.

ii) Negotiation between a local authority and developer.

No.

iii) Other (please specify)

With regards to current exemptions from delivery of affordable home ownership products:

Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to this First Homes requirement?

No.

Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.

Non viability. This should be confirmed before any application is accepted. This is too often used by developers to cheat the taxpayer. Any decent company would know whether their plans are marketable before they commence.

Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.

No.

Q12: Do you agree with the proposed approach to transitional arrangements set out above?

Time scales seem too short.

Q13: Do you agree with the proposed approach to different levels of discount?

Yes, in principle. Should like to see greater flexibility to allow a greater number where there are issues such as high unemployment.

Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?

Yes, if strictly controlled, but no more than 5%. Our concern would be the extent to which rural development would become sprawl. We are conscious that rural areas can be “desirable” and feel it is important that, in order to retain the rural nature of settlements, development should be targeted at reducing lack of housing for the rural poor rather than dealing with urbanisation and gentrification of rural settlements.

Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?

No. We are concerned that planning policy should not lead to over-development in areas such as greenbelt, greenfield and that large sites should not be developed in rural areas.

Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?

We believe that sites in rural areas should be exception sites.

For each of these questions, please provide reasons and / or evidence for your views (if possible):

Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?

(see question 18 for comments on level of threshold)

No. The argument is really unconvincing.

Q18: What is the appropriate level of small sites threshold?

i) Up to 40 homes

ii) Up to 50 homes

iii) Other (please specify)

Up to 20 houses. It is difficult to see how affordable housing will be increased if smaller sites are not required to contribute. Real concern that these sites would then be used for exclusive or expensive homes or that developers will develop sites piecemeal to avoid the obligation. This proposal seeks to mend something which is not broken.

Q19: Do you agree with the proposed approach to the site size threshold?

No, for reasons stated above. We note that there is absolutely no supporting evidence to show a need for this policy.

Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?

No. In difficult economic circumstances it is those who need assistance who should be considered. With the advent of COVID 19, we should be looking to support those people and not worrying about the profits of the development industry. This proposal could make serious incursions on rural areas. The relationship with affordable homes should be led by local conditions rather than a blanket policy.

Q21: Do you agree with the proposed approach to minimising threshold effects?

No. There doesn't appear to be a policy, just a form of words. How are we supposed to comment on the phrase "we propose to set out in planning guidance how local authorities can secure contributions for affordable housing where it is apparent that a larger site is being brought forward"? You do not say how you would do this. All a developer would have to do to escape the charge would be to put forward phased applications. Communities have to make good these shortfalls through taxation rises. This is an appalling proposal.

Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?

Yes.

Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?

Encourage grant-making by local authorities, housing associations or set up a government fund for the same purpose. We would particularly like to see grants for land reclamation schemes, grants for small-site clearance, and restoration schemes for empty and derelict housing. We feel that this would encourage and support economic regeneration in areas with derelict or sub-standard housing stock and recognise that much of this kind of work, if supported, would be very suitable for SME builders who do not have the same capital reserves or borrowing opportunities of large development companies. We also feel that this would be very productive and encouraging in depressed areas.

Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?

No. We do not support permission in principle as we believe this will lead to poor practice in the house-building industry. We do not believe that the scheme has been properly considered. Please define the statement in 98 that "non-housing development should be compatible with the proposed residential housing development". There is no definition of what is meant by "compatible" and no indication of how this could be enforced. This has the potential to lead to bad practice.

Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.

Yes. Some commercial operations can clearly be anti-social and cause problems for adjacent housing. Examples would be abattoirs, hand car washes, all-night or late entertainment venues, electricity pylons. Any commercial operation that causes noise, air or light pollution should be automatically excluded from residential areas.

Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?

We do not agree with the Permission in Principle policy. There seems to be an assumption that this will not have any detrimental effects on housing or on existing areas. This seems to be very short-sighted and to fly in the face of evidence that a developer-led planning system can produce some bad decisions. We have particular concern for the ecology and the environment and also feel it would be in conflict with the Build Better, Build Beautiful scheme. Who will police this scheme and how will it prevent disasters like Grenfell Tower or excess flooding?

Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.

We do not believe that raising the heights of buildings through permission in principle is a good policy. The problems caused by loss of light and over-bearing development cause great distress to individual householders and can seriously blight whole areas. It is a matter of concern to us that the Government still seems to be unaware of this factor in planning. We have particular concern for rural areas and market towns where planning blight in the past has had serious impacts including the loss of individual character and inappropriate development which cannot then be removed. The proposals do not show any method for planning authorities to intervene where this is obviously going to be the case.

Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:

- i) required to publish a notice in a local newspaper?**
- ii) subject to a general requirement to publicise the application or**
- iii) both?**
- iv) disagree**

If you disagree, please state your reasons.

We do not accept that large sites should be granted Permission in Principle but if this happens, then the public should be kept informed by every possible means.

Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?

Yes, provided the fees cover the cost to the local authority of processing the application in full.

Q30: What level of flat fee do you consider appropriate, and why?

No comment as we do not feel qualified.

Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.

We do not agree with Permission in Principle as we consider it to be poor planning practice, however, if the policy were to be passed, we agree that it should be included in the register.

Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.

We do not accept Planning in Principle and think it is a retrograde and mistaken policy. The lack of site investigation and proper regulation might lead to a position where mistakes and difficulties are glossed over and ignored because money has already been invested. We draw your attention to the cladding errors which cost lives at Grenfell Tower and which are now rendering similar blocks either dangerous or too expensive to rectify. Nothing in your policy would prevent serious mistakes like this. It's a serious concern that poor quality can creep into unregulated planning.

Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?

The scheme would reduce development costs but at the risk of safety and jerry building. We have serious reservations about this and whether developers will exploit the policy at the expense of communities and of individual consumers.

Q34: To what extent do you consider landowners and developers are likely to use the proposed measure?

As this is a money-saving scheme and which would allow unscrupulous developers to cut corners, there will probably be high take-up. However, there will be a concomitant amount of community resentment and political blame attached to this policy. We should like to point out that not all developers use ethical business models, we again refer to Grenfell Tower and the current cladding scandal and find it difficult to understand why the Government is promoting such a policy.

Q35: In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty?

If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?

No. The scheme has reduced scrutiny and over-sight from bodies who do not have vested interests in the outcome. It is the amount of housing, rather than the types of housing or specific shortfalls in targeted localities, which is prioritised. There are no specific elements to ensure that suitable standards for disability, adequate provision for groups like senior citizens and a real lack of provision for social housing. We particularly regret the failure to tackle shortfalls in social rented housing and the failure to promote prefabricated housing. It is difficult to see how these proposals will ensure compliance with the Equality Act or why the policymakers felt it would do this.