

HORSMONDEN PARISH COUNCIL RESPONSE TO KEY PROPOSALS IN THE GOVERNMENT WHITE PAPER FOR PLANNING ('Planning for the Future')

Summary

The White Paper (WP) proposes that all generic (no-site focussed) Development Management (DM) policies are removed from Local Plans (LPs) and Neighbourhood Plans (NPs) – to be only contained in national NPPF generic policies, plus possibly some optional technical standards? There are also to be nation-wide Design Codes, Guidelines and Standards. Speed of planning decisions is stressed, increased with use of 'machine readable formats', 'more binary considerations' in decision making, and leading to greater focus on the remaining areas for subjectivity.

LPs are to set out three categories of area for 'Growth/Renewal/Protection' and Design Codes. Government states ongoing commitment to NPs, but their future role is less clear. You also have some other briefing papers on this.

The following sets out the key proposals and questions of interest to Neighbourhood Planning issues, with suggested response. The full document can be viewed at:
<https://www.gov.uk/government/consultations/planning-for-the-future>

Proposal 2: Development management policies established at national scale and an altered role for Local Plans.

Question

**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.]**

No. The proposals include the option of completely remove all generic (non-site specific) Development Management Policies from Neighbourhood Plans (NPs) and Local Plans (LPs) and restrict these to the National Planning Framework only. . While a reduction of duplication and rationalisation of Development Management (DM) policies has merit, there will inevitably be topics and matters of importance to the local community and of local distinctiveness that are not clearly addressed in the NPPF and warrant a DM development plan policy status (s38(6) refers) to be included in NPs.

Government are urged to retain the ability for a limited number of locally specific DM policies to address local matters to be included in NPs. These will of course be subject to the usual tests of the Independent Examination process and demonstrate that there is no unnecessary duplication with the NPPF.

Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

Questions

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.]

Not sure. Widely reported evidence shows that an existing backlog of supply of planning permissions for housing, demonstrating that a lack of land supply is not the principle reason why more home building takes place.

The recent Government proposals for reforming the *Current* Planning system included nationally set housing figures produced using a new national formula, these will be adjusted and integrated in the *Future* planning reforms. These initial figures produced perverse results, dramatically increasing target numbers in rural areas such as Tunbridge Wells Borough Council and reducing investment and new housing numbers in urban areas, notably 'depressed' areas in the north to be 'levelled-up'.

The numbers recently published fail to take proper account of local constraints and the references 'lump' all constraints together. However, the various constraints are very different – Green Belt policies that *manage* urban growth are entirely different to protections and policy designations to protect *finite* resources such as historic buildings and conservation areas, scarce natural environments, landscapes and the unique character of AONB. **The Government's proposed approach will threaten these finite protected resources.**

There should be further collaborative work and consultation including with representation of NP groups, to develop means to factor in existing land constraints into the generation of more realistic figures, and then for LPs and NPs to manage 'how' these figures are achieved

8(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.]

No - not as applied. The methodology puts too little emphasis on the size of existing housing stock and place and too much emphasis on affordability measured against local work based employment. Shifting from a 0.5% to 0.7% allowance requirement against existing stock has been shown by others such as Tunbridge Wells Borough Council, to lead to more sensible housing distribution nationally and between urban and rural places.

Nationwide, the current proposal leads to the perverse (and perhaps unintended effect?) that growth is directed to 'successful' economies such as London and the wider south east, and away from many areas in need of economic stimulation as part of the Government's 'levelling -up' agenda.

Moreover, the existing calculations are 'policy-off' so do not allow for policy constraints. In the case of Tunbridge Wells and Horsmonden increased housing targets are proposed into areas highly constrained by AONB, Green Belt and heritage designations – *inevitably leading to the provision of more housing at the cost of environmental quality.*

The emphasis placed in the current draft calculations on affordable housing, as above, appears 'hollow' when at the same time Government is proposing to dramatically increase the site thresholds before Affordable Housing contributions are required from development, including in

designated rural areas (as part of a response to Covid-19 and support for SME builders. The submissions of TWBC clearly shows the dramatic impact on critically needed affordable housing supply and that this is likely to have the intended benefits for SME builders and will significantly reduce affordable housing supply. Proposals to reduce site thresholds should be dropped.

Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

Question

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.]

Not sure. 30 months is unlikely to be realistic without a dramatic change in resourcing to both LPAs *but also* Neighbourhood Planning Groups and community organisations engaging in the Local Plan process.

The proposed Stage 1 (six months) is likely to be insufficient. This is the first stage of NP / LP preparation when 'calls for' sites and areas for the three categories of area ('Growth/Renewal/Protection') are made and informal early public and stakeholder engagement can most creatively and efficiently help shape the new LP or NP.

More time at Stage 1 with something more akin to the existing 'issues and options stage' is required – otherwise LPs will be less imaginative, public involvement curtailed and inevitably the overall programme will be delayed by challenges later in the process.

Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

The proposals state that: Neighbourhood Plans should be retained in the reformed planning system, but we will want to consider whether their content should become more focused to reflect our proposals for Local Plans

Questions

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

[Yes / No / Not sure. Please provide supporting statement.]

YES. Neighbourhood Plans and their preparation can provide insight to public sensitivity and support for the detail definition of areas suitable for Growth/Renewal/Protection, policy consideration that might overlay these, and even closer focus to very small areas that can set their own rules for the form of development which they are happy to see.

This role will be all the more important if Local Plans (perhaps prepared by larger Unitary Authorities) are constrained to 'high level' consideration in the shortened 30months.

The Government Proposals fail to reflect what an important role Neighbourhood Plans can have in helping coordinate local infrastructure requirements with new development and in expressing the

how the 25% Neighbourhood Plan share of CIL levy is spent (and in future, the Infrastructure level). See response to Q25

13(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?

Critically, NPs can provide a basis for local infrastructure planning (such as where further footpaths and pavement are needed), and a statutory basis for Design Codes and Design Guidelines either within or sitting alongside the NP.

NP are largely produced by volunteer NP Steering Groups and a PC. Some technical and financial support is available through LAs and Locality etc, however, if consistent cutting edge digital tools are to be required of NPs then specialist support to enable this must be provided.

Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.

Question

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.]

Not sure. Government proposals for increased use of National Design Codes, National Model Design Code and revised Manual for Streets are noted, as is the comment that these will be imposed in the absence of locally-produced guides and codes.

It is vital, as Government propose, that if we are to protect, celebrate, educate and maintain local distinctiveness into the future, that NPs are encouraged and enabled to include locally-produced Codes and Guidelines with ‘real teeth’ – this required development plan status statutory policy (s38(6) refers) applied in the approval process.

One mechanism is for the **NP to include an area wide or generic DM policy identifying the list of, and requiring that, local Guidelines and Codes are given full regard** in design process of new proposals and in decision making. In the case of Horsmonden this might include material produced by the PC, the AONB unit and TWBC as well as generic national codes and guidelines. In addition, there may well be specific requirements of individual sites, and overarching local priorities for infrastructure.

Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

20. Do you agree with our proposals for implementing a fast-track for beauty?

[Yes / No / Not sure. Please provide supporting statement.]

No. The general approach, seeking a ‘more binary’ and ‘machine readable’ format of policies so to speed up design and decision making appears likely to less local democratic expression, less scope for subjective judgements and less local discretion and distinctiveness. **The required speed of the approach will mean extensive use of ‘tick box’ lists requirements and compliance ‘yes/no’ with national standards.**

If the approach is to be followed by Government it is vital, as promised, that: neighbourhood planning groups would be able to use local orders to modify how the standard types apply in their areas, based on local evidence of what options are most popular with the wider public.

Proposal 22: More freedom could be given to local authorities' over how they spend the Infrastructure Levy

Questions

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

[Yes / No / Not sure. Please provide supporting statement.]

Not sure. As currently permitted by the CIL regulations, NP areas should set the priorities for the expenditure of the first 25% of Infrastructure Levy raised in their area.

NPs can have a critical role in advancing the case for necessary development and relating this to local community priorities for new infrastructure. **The future role for NPs should be far more than preparing locally supported Design Codes, and should expressly include the setting of local community priorities and projects suitable for 'Infrastructure Levy', enabling coordination with other expenditure programmes such as those for strategic and local transport infrastructure, physical utilities such as telecoms, water and energy transmission/storage, and local social infrastructure.**

The Government's **proposal that payment of Infrastructure Levy (combining previous s106 and CIL payments) should follow 'first occupation' is of great concern.** Very often with new development the first concern of existing residents is that existing infrastructure does not have the capacity to support new development; the concern is that new infrastructure is 'timely' and often works completed ready to enable construction or perhaps first occupation.

While the proposal state that Local Authorities can borrow in expectation of later income, this will inevitably be at the cost of the existing local residents, if work cannot be forward funded the impacts will be again at the cost of local residents.

Government are urged to drop the proposals in terms of timing of payments, and maintain the benefits of the current systems to draw payment for infrastructure work to be implemented at the time of need.