

Planning for the Future - Questions

Deadline for response is:

Thursday 29 October 2020

You may respond by going to the website:

<https://www.gov.uk/government/consultations/planning-for-the-future>

or Email to:

planningforthefuture@communities.gov.uk

or Write to:

Planning for the Future Consultation
Ministry of Housing, Communities and Local Government
3rd Floor, Fry Building
2 Marsham Street
London
SW1P 4DF

There are three 'Pillars' or sections to the White Paper:

- Planning for Development
- Planning for Beautiful Places
- Planning for Infrastructure and Connected Places

Note that a 'Green Paper' invites views and alterations more than a 'White Paper' which implies 'this is what we are going to do'.

Proposals are **highlighted in green**

Sometimes the proposals are genuine proposals leading to questions (eg Proposal 1). Sometimes they are effectively just headings (10). Sometimes just statements with no opportunity to comment on them (15 to 18, 23, 24).

One-word responses are **highlighted in blue.**

A list of proposals, questions and draft responses follows...

Pillar One – Planning for Development (p26)

1. What three words do you associate most with the planning system in England? (page 27)

**Whitehall-centric
Ministerial-control
Developer-dominated**

2(a). Do you get involved with planning decisions in your local area?

Yes

2(b). If no, why not?

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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

Other

Need Not Greed Oxfordshire (NNGO) notes that you don't mention TV and Radio, Public meetings and face to face contact with local councillors, all of which are key for many people.

NNGO considers that all of these approaches are appropriate and indeed, necessary.

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]

Other

NNGO takes a broad view, including and balancing all the factors mentioned above, plus the need to protect and enhance agricultural land

NNGO wants to see the right houses, in the right place, for the right people and at the right cost.

NNGO is opposed to excessive development plans and plans that damage the environment and protected areas such as the Green Belt and AONB, particularly in Oxfordshire.

Page 12 says:

'Local Plan preparation takes an average of seven years (meaning many policies are effectively out of date as soon as they are adopted).'

But won't the plans you suggest also be out of date in a few years as well????

On page 16, you note that:

'our reforms to change-of-use rules have supported delivery of over 50,000 new homes;'

But is converting a large office block to a very large number of minute flats 'beautiful'? NNGO is inclined to think they are the slums of the future. This 'permitted development' was allowed by the government. It has no developer contributions to provide other necessary facilities, such as schools.

On page 16, you also say that:

'we have continued to protect the Green Belt;'

And this is reinforced on page 23, where you say that the Green Belt would be a 'land constraint' in the new system.

And similarly, on page 33...

'The existing policy for protecting the Green Belt would remain.'

But the opposite is true in Oxfordshire, where extensive building on what was the Green Belt has been actively encouraged, allowed and in South Oxfordshire's case – enforced by ministerial diktat. Excessive employment and population growth forecasts, that are turning out to be wrong, have enabled this.

On page 16, you say that:

'we have democratised and localised the planning process by abolishing the top-down regional strategies and unelected regional planning bodies,'

Removal of regional planning was not a damage-free exercise. NNGO considers that this led to the excessive growth forecasts for Oxfordshire and many other areas. Also, recently, NNGO is aware of plans to create 'Statutory Sub-National Transport Bodies' which are regional bodies covering numerous local authorities. Whilst these might renew consideration of wider issues and lead to power being delegated locally, NNGO is concerned that they are run by local councillors who were not elected to make decisions that affect places many miles from their constituency. And as they focus on just one element of planning (transport) they risk making unbalanced decisions.

Also, on page 16 you say that there is:

'... a policy framework which makes it almost impossible for them to insist upon beautiful and sustainable new homes and places.'

But given that the government put this 'policy framework' in place and has reinforced it and undermined planning in other ways, it is clear who is to blame for the problems. The government should recognise the error of its ways and reverse these changes. NNGO however, is not convinced that a government that has introduced these problems, who then blames others for them, will advocate or introduce anything better.

On page 12, you say that the planning system has '*lost public trust*'. Perhaps this is because of central government interference in local decisions?

Page 16 also has several mentions of the word 'beautiful'. What this actually means is far from clear. Who will define what is or is not 'beautiful'? Classical? Georgian? Modern? Picturesque cottages? Houses clad with wood and painted grey? How can a million square foot warehouse be 'beautiful'? Where is the clear guide to identify what planned houses or buildings are (or are not) beautiful? Maybe, beauty is something that is only in the eye of the beholder?

Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected. P28

5. Do you agree that Local Plans should be simplified in line with our proposals?

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

No

NNGO considers that the zoning approach is too simplified and would not allow sufficient discretion locally. For example, there is no reference to how 'ordinary' countryside and/or protection of agricultural land should be approached. It is very difficult to predict local needs in ten years but the proposed system requires this. Concepts like 'beauty' are too vague and ill-defined to be imposed by national government.

NNGO does not think that the White Paper proposals will improve the planning system or make it more fit for the future. NNGO considers that it is central government who are mainly responsible for the current housing problems.

Despite there being planning permissions for more than a million houses, houses are not being built and are unaffordable in many areas. Developers buy land which is valued based on the prices in the local area and do not build unless they are confident that they can sell at that price – this is known as the 'absorption rate' (as mentioned by Oliver Letwin, in his letter to Philip Hammond and Sajid Javid on 9 March 2018). If economic conditions are difficult, developers don't build houses that they can't sell. New houses tend to be priced slightly higher than local prices, so

prices are not reduced by building more new houses and affordability is not changed. So, it is not planning that is to blame for current problems.

The government has funded several schemes supposedly to reduce prices, notably 'Help to Buy'. But also, various other incentives or tax changes like changing Stamp Duty. These changes increase the ability of people to pay for housing. Developers know that and so they pushed up prices to absorb the funding and make more profits.

Local authorities could build more affordable houses but are limited by the government controls and the effects of 'Right to buy' which gives large windfalls to people who are already well-housed.

The planning system is heavily controlled by central government. There are pages and pages of guidance issued by ministers, with related legal judgements. Ministers have the power to finally decide planning appeals and local plans. Fairly arbitrary requirements on local authorities, the Housing Delivery test for example, are enforced by ministers. (Incidentally, we welcome the removal of the five-year land supply requirements – Page 33). If authorities fail, ministers grant permission, more or less at random, for applications that don't fit into the local plan, so penalising local residents with unsuitable development. It is not surprising that many people are dissatisfied with the planning system.

Currently, very low interest rates tend to push up the price of assets such as housing. Mortgages are less expensive, so people can afford to borrow more based on any given income – so housing can appear less 'affordable' than it was. Interest rates are low for macroeconomic reasons, due to problems with long term persistent low growth, austerity and now the Covid crisis. Housing has become an investment rather than just a service.

Jobs are increasingly insecure, of poor quality, featuring low pay, part time, zero hours contracts and enforced inappropriate self-employment. This makes it much more difficult for young people to find a long-term steady job which is essential if you take on a mortgage to buy a house. Central government has done little to deter these changes in the labour market. For example, it could have cracked down on bogus self-employment used by employers to lower standards and avoid paying National Insurance contributions.

Additionally, local authorities, who might build more affordable rented housing, are tied up in red tape to prevent them doing this. 'Right to Buy' gives people who are already well housed a windfall benefit at the taxpayers' expense.

In Oxfordshire, plans have been pushed through promising very rapid growth, much more than past trend rates. About half the growth can only be achieved if large numbers of people move here from other parts of the country. This seems unlikely to happen, but nevertheless we have been forced to give up extensive areas of green belt around Oxford. If the approach was successful, it would undermine attempts to 'level up' the struggling regions.

On Page 10, you say that:

'Planning decisions are discretionary rather than rules-based: nearly all decisions to grant consent are undertaken on a case-by-case basis, rather than determined by clear rules for what can and cannot be done.'

NNGO thinks this is untrue. Decisions are not *'discretionary'*. Decisions on particular applications are based on the law, government guidance, precedent, local circumstances such as flood risk, AONB and Green Belt and the local plan and its policies. Local plans and their policies are based on the law, government guidance, the results of extensive local consultation, liaison with neighbouring authorities, infrastructure providers, land owners and an examination in public, followed by an inspector's report and confirmation by ministers, with amendments (or government interference) possible at more than one stage. Which bit of this process is 'discretionary'?

So NNGO considers that Central Government should look to its own past policies, decisions and behaviour, where, we believe, it will find the solutions to the current housing problems.

2,564,600

The number of homes granted
planning permission since
2009/10, according to the LGA

1,530,680

The number of homes built by
February 2020

Proposal 2: Development management policies established at national scale and an altered role for Local Plans. P30

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

Having a National Development Management Policy (Proposal 2, page 30) would limit appropriate local variation, adaptability and innovation.

Having an automated system for screening developments (page 30) would encourage a robotic tick-box mentality that would produce look-alike development everywhere. There would be no room for a local vernacular, for experimentation or – again – for innovation.

Setting most development matters in stone at the start of a ten year (or more) long plan would fossilise the options at that time (Page 32). Almost inevitably, the

passage of time, technical change or the pressure of events (eg large scale working at home during Covid) would make these decisions inappropriate.

Proposal 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness. P30

**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.]**

No

NNGO is concerned that you propose to replace the ‘soundness’ test and rely on a test of ‘sustainable development’. The soundness test is a detailed and complex one, with guidance stretching over 29 pages in one case (Planning Advisory Service, Soundness Self-Assessment Checklist). We can’t identify what is now considered to be unnecessary. There are no details of what ‘sustainability development’ tests will be applied.

How is NNGO supposed to comment on changes that you have not specified? We cannot agree to changes that we have not seen and understood.

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

The ‘Duty to Cooperate’ produced some strange consequences in Oxfordshire and it would not be missed. Effectively, it has allowed the transfer of housing away from urban areas to green field, primarily Green Belt, locations. It also appeared to apply to housing numbers only, not to co-operation around environmental protections or land designations for example.

Support for Strategic planning – the Oxfordshire Plan 2050

NNGO has supported the creation of an Oxfordshire- wide joint statutory spatial plan. This should allow for consideration of the cumulative environmental and social impacts of development at the same level as the economic and housing market area (that is at the same level as jobs/housing growth is considered). It also keeps the plan-making process within the jurisdiction of locally elected representatives, who can therefore be held to account by the local electorate.

It is disappointing that the White Paper makes little reference to joint spatial planning in this way. We hope that any final proposals would continue to support planning at this level.

The role of unelected/unaccountable bodies

In contrast, NNGO rejects entirely the increasing role being given to unelected and unaccountable bodies that appear to be trying to impose regional growth decisions

outwith the democratic process, for example the National Infrastructure Commission, England's Economic Heartland and the OxCam Arc Leaders Group.

On balance the 'Alternative option' (page 31) which allows a 'stock of reserve sites' would be preferable. NNGO has previously argued, in vain, that not all sites should be zoned for development at once. This is because growth may not materialise and then too much land is available. In which case there is no control over which sites are developed first. Worse, development can start everywhere but no sites are completed. This would be a problem for developers as well as local people.

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. P32

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.]

Yes

Yes – but NOT the one proposed. Figures should be based on ONS household projections, adjusted to allow for local / environmental constraints and taking into account the national strategy of 'levelling up'.

It should not be based on arbitrary uplifts to meet unevidenced policy ('more housing permissions will lead to a fall in house prices') or un-evidenced Government targets (300,000 dwellings per annum).

On page 12, you say:

'Assessments of housing need, viability and environmental impacts are too complex and opaque: land supply decisions are based on projections of household and business 'need' typically over 15 - or 20 - year periods. These figures are highly contested and do not provide a clear basis for the scale of development to be planned for.'

So why are these assessments so widely used in the existing system to impose figures on local authorities?

On page 33 you say that the revised system does not make allowances for the Green Belt in any area. You 'welcome proposals' to do that. NNGO would support allowances being made for Green Belt in the housing need calculations. Recent experience in Oxfordshire, where 20,000 houses are now proposed for the Green Belt, suggest that current protections are failing.

NNGO also draws attention to other concerns, one of which is that there are very rural areas in some parts of Oxfordshire, where infrastructure limitations, distance or environmental considerations prevent significant developments.

So, it is not quite clear what the new system mentioned by the question or your other consultation paper will be. Further unspecified changes may be introduced. Hence, it is hard to respond to this question.

NNGO also notes that the figures used in Oxfordshire plans have been much higher than the government figures (which did not take account of Green belt or deeply rural areas) and this has highlighted the excessive growth planned for Oxfordshire.

We also feel that the use of the so called 'buffer' has been used to zone even more land for building when targets have not been met. This penalises local people by allowing more unsuitable sites to be developed. Local authorities can't build any houses, but present arrangements mean that they and their residents are penalised when developers don't build fast enough.

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

Figures should be based on ONS household projections, adjusted to allow for local / environmental constraints and taking into account the national strategy of 'levelling up'. The decision-making on these issues should rest with local authorities, based on an agreed evidence base.

It should not be based on arbitrary uplifts to meet un-evidenced policy ('more housing permissions will lead to a fall in house prices') or un-evidenced Government targets (300,000 dwellings per annum).

Continuing to pile housing into areas already subjected to high growth levels will merely serve to diminish the attractiveness of these areas over time, as well as placing enormous strain on environmental and social infrastructure. In contrast, other parts of the UK, that may have more brownfield land in need of regeneration, are likely to be under-provisioned.

Proposal 5: Areas identified as *Growth* areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building. P34

9(a). Do you agree that there should be automatic permission for areas for substantial development (Growth areas) with faster routes for detailed consent?

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

No

The new system would be based on a significantly weaker new style 'Local Plan'. That would be very limited in scope compared to existing plans, would have been completed in a very short period and in many cases, would be years out of date and irrelevant to actual needs (both for locals and developers). You acknowledge the problems caused by going out of date, but only allow alternatives if '*local circumstances had changed suddenly, or an unanticipated opportunity arose*' (Page 34). NNGO is not clear when these very necessary changes would be allowed.

In 'Growth' areas you are proposing that outline permission would effectively be granted by adoption of this new style Local Plan. Then any details would not be agreed by seeking detailed permission, but would focus only on '*securing good design and addressing site-specific technical issues*'. This removes most controls on what is actually built and where. NNGO does not think that comparatively uncontrolled development will be appropriate. Development might start with little warning to local residents. NNGO is opposed to this undermining of the existing planning system.

In 'Renewal' areas there is a general presumption in favour of development. But again, 'automatic consent' would be given by the new plans.

Only in 'Protected' areas would there be any remains of the existing system. But NNGO has little faith in the government's promises to protect the Green Belt and environment in Oxfordshire or the rest of England.

9(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.]

No

See response to Question 9(a)

9(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.]

No

The case for new settlements in Oxfordshire would be best considered through the Oxfordshire 2050 joint statutory spatial plan, not removed from local democracy/accountability through the NSIP regime.

Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology P36

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

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

No

Eight weeks is too short a period to consider a major application. Failing to meet this should not be penalised by *'automatic refund of the planning fee'* (Page 37).

You comment that, *'For major development, beyond relevant drawings and plans, there should only be one key standardised planning statement of no more than 50 pages.'* This is a ridiculous suggestion. Are you also going to specify a word count, font sizes borders and paragraph spacing as well? We would be interested to see what has to be left out. Do you have an example of an existing large planning application showing which documents and pages you think should now be omitted?

More public information about developer contributions would be helpful.

The increased reliance on digital systems for decision making leads to a tick-box approach to development which oversimplifies too many issues (such as, can we run a completely new large sewerage system all the way across an existing medium sized town to the sewage works, what are the traffic implications of this site, what provision needs to be made for cycling and pedestrians, which trees should we keep and so forth). In view of the government's conspicuous lack of success in implementing national software for local use for example in the NHS, the proposed *'national data standard for smaller applications'* (Page 36) is completely unrealistic.

NNGO thinks that although decision making may be faster and more certain for developers, the resulting poor decisions will be damaging to local economies, local people and the local environment.

Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template. P38

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

Not sure

On page 13, you say that the system is based on old fashioned software. It may be, but that is no reason to get rid of the system - but it is a reason to improve the software...

On page 18 you say that:

'Residents should not have to rely on planning notices attached to lamp posts, printed in newspapers or posted in libraries.'

There is nothing wrong with these approaches, they are helpful. There is a general requirement to let neighbours know about any planning applications – as they are most likely to be affected. Many planning authorities also provide things such as online maps of applications in any particular area, or applications near to particular addresses. Local plan maps and documents are typically online as you may have noticed, these days...

NNGO has considered and is concerned that some of this suggestion is about standardising planning systems in different parts of the country. This would mainly benefit large developers. But it would ignore local differences and produced dull, bland and homogenised results.

Publishing updates instantaneously (Page 38) can be helpful, but you need to be able to show what has been changed. So previous versions should still be available and a clear list of changes should be maintained.

Further digitisation can help but it is not necessary or a panacea. Digitisation may have to vary from area to area to reflect local issues, concerns and priorities.

Some people just can't cope with online systems. Others find online systems difficult to use and frustrating. It is easy for regular users to think the system is 'easy to use' when they do not understand other people's difficulties. The system you propose may be able to inform people more widely about forthcoming developments, but what they will find is that they are too late to influence what is to be built, that they should have got involved 10 years ago and that this is due to the actions of your government.

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. P40

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.]

No

Plans take time because of the complications required by the government. Many of these are necessary and reasonable requirements to listen to local views, consider options and make key decisions about our environment. Now you say that the time will be reduced from around seven years (Page 12) to 2.5 years (30 months, Page 40). There may be interventions if plans are late.

That means that broadly over 60% of the time currently taken must be saved. You are not clear what steps, time for consultation, analysis and thought is being taken out of the existing system.

You have no analysis of why plans take a long time to finalise. So, no understanding of what takes a long time or why. Maybe the delay is due to problems setting up the Examination in Public? Or time take sorting out information about the locality? Who knows? Despite this apparent lack of knowledge, you allege that a 30-month timetable will be possible. You are prepared to penalise authorities that don't meet the deadlines. Presumably you will blame them if delays are caused by circumstances beyond their control?

NNGO disagrees with this proposal. We see it as a means of substantially weakening local control of what is planned for all areas. NNGO thinks that in the rush to get something that prepares for the next 10 years mistakes will be made by developers, planners and decision makers.

Considering the details, NNGO is very concerned that local authorities would submit plans to the '*Secretary of State for examination*' at the same time as they '*publicise the plans for the public to comment on*' (Page 40). Is six weeks enough time to allow for public consultation, analysis of their comments and then making necessary amendments? NNGO thinks not (you have allowed twice as long, twelve weeks for this consultation (Page 5) and analysing results will add to that). What if feedback from the public says they want many things clarified, changed or cut out?

Then any member of the public might get a chance to be involved in the 9-month inquiry – or might not. What happens if there is substantial public disagreement with the plan at the inquiry?

The lack of control is emphasised by the strong implications that local people will no longer be able to comment on detailed planning applications.

So, the role of the public in being consulted, preparing and checking the plans for their areas would be neutralised by cutting down the time available to 30 months.

Another issue is the logistics of the whole operation. Will existing plans that run into the 2030s be removed? This would waste a lot of time and money and upset many local people and businesses.

Also, the workload on individual authorities is considerable. They would face a ridiculously short period when work on the plan peaked would be forced to recruit staff for short periods. But if all authorities in the country were trying to do the same thing at the same time, these resources would be spread too thinly. Delays would then lead to 'interventions'. And how could central government cope with a barrage of plans that all needed to be agreed at very short notice?

NNGO does not want existing plans to be replaced with stripped down toothless minimalistic travesties. These will only be designed to allow development more or less everywhere at any time. The public will no longer have an opportunity to comment and get involved in the details of particular developments that concern them.

Standardised tick-box plans are a simplification that favours large developers but does not encourage local differences as mentioned earlier. Perhaps you should run trials of this new system in a few areas?

NNGO has seen the effect of direct ministerial intervention in Oxfordshire (page 41). Ministerial involvement overruled a local council that was elected to resist unjustified excessive growth, most of which was in the Green Belt.

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 P42

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

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?

It would be helpful if Neighbourhood Plans (NPs) were less expensive to develop. The key things are local involvement, listening to local views and being able to introduce policies and proposals that work and are effective. Room for experimentation should be allowed, with no involvement from central government.

It is not clear how NPs would interact with the new Zoning system.

Given the length of time NPs can take to develop, and the intention to prepare Local Plans within 30 months, considerable care needs to be taken to ensure that large numbers of NPs are not rendered invalid overnight. This would seriously jeopardise public involvement in the NP process.

Proposal 10: A stronger emphasis on build out through planning P43

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.]

Yes

Developments that drag on for years are a nuisance to existing neighbours. Also, developments that are promised but do not start can be frustrating for locals and they may prevent the local authority meeting targets for house building - through absolutely no fault of their own.

So, speeding up development would help, but it is not easy.

NNGO considers that more phasing of site release should be allowed in plans. Particularly where rapid growth is planned. Some large sites might be parcelled up appropriately and only released for development in phases.

Pillar 2 Planning for Beautiful Places (p44)

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]

Other

NNGO sees a mix of good and bad design in Oxfordshire. NNGO is aware of buildings that are beautiful, but not sufficiently functional. And buildings that whilst they are beautiful are an eyesore because they spoil a view. At the other end of the scale, how do you make a sixty-foot high, million square foot warehouse look beautiful? Careful painting can help, as has been shown on the East side of Milton Keynes (A421, John Lewis warehouse). But it is functional, not beautiful...

NNGO commented about 'beautiful' in response to Question 4. Beauty is a difficult concept.

Interestingly, the photograph under Question 15 on Page 44, is of Roussillon Park, Chichester. To the writer, these seem flat, repetitive and slab like structures, built with unvarying dull brick, lacking any interesting detail. They have slit shaped, inadequate windows and have hidden roofs. So not at all beautiful! But did you think they were?

So again, where is the clear universal guide to what is or is not a beautiful development?

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]

Other – all of the above, plus other issues such as the protection and enhancement of agricultural land, supporting soil quality and long-term food security.

You say that '*Sustainability is at the heart of our proposals*' but earlier (Question 7(a)) you said you would simplify this. However, there are no details of the simplifications so it is hard to comment or be reassured that you are firmly committed to this issue.

NNGO supports all of the approaches mentioned in the question. We will need all of them to decarbonise transport, the economy and more generally by 2050 or earlier.

NNGO supports sustainability, but the government has failed to make zero-carbon homes a requirement. The government has failed to provide them through the existing building regulations, so we are not confident that will change. As most houses will last for a century or so, the need for low or even better zero carbon homes, has been clear for decades.

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. P48

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

Having a National Design guide, National model design code and Manual for streets seems likely to be a little too prescriptive. It will be difficult to provide advice that is applicable, reasonable and accepted in every area. It might be an opportunity for large scale developers to inflict designs across the country that are not appropriate everywhere.

Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making. P49

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.]

Not sure

Design guides are already in general use by local planning authorities. A new body might be unduly prescriptive and limit local choice.

A Chief Design and Place making officer may be useful in giving priority to these issues. However, it should be within a local authority's discretion as to how best to fulfil the tasks required, rather than being prescriptive over a job title.

Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places. P50

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.]

Yes

Design is an important issue that Homes England should consider.

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. P52

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

No

NNGO is concerned that a fast-track will end up being a route for inappropriate look-alike development by major developers throughout the country. This might masquerade as 'beautiful' by meeting tick box requirements which are contentious and not agreed by local people and authorities.

Much development is essentially 'functional' and often not attractive. For example, petrol stations, warehouses...

As you note on Page 54, more testing is needed to develop this proposal and make it clearer what you mean and how it might work.

Opportunity to comment on Proposals 15, 16, 17 and 18?

These four proposals are tacked on at the end of 'Pillar 2'. They are as follows:

Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits. P57

Proposal 16: We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England. P57

Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century. P58

Proposal 18: To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050. P59

Proposals 15 to 18 inclusive cover important issues but there is no Question at the end of this section to allow NNGO or anyone else, to comment on these four significant proposals.

Suffice it to say that NNGO reserves the right to comment. We support measures to deal with the climate emergency and consider that conserving and enhancing our historic buildings and areas is very important. NNGO would like more detail on how 'net-zero by 2050' is to be achieved.

Pillar Three – Planning for Infrastructure & Connected Places (p60)

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]

Other

NNGO considers that all of these factors are important and they all need to be in the balance when considering new development.

Affordability is key in Oxfordshire. Infrastructure is a particular problem for very large developments or where existing infrastructure is inadequate. Charging points for electric cars and excellent internet connections are a critical part of any new infrastructure. Green space has proved its worth during Covid. Design is important for the long-term value of any development.

Proposal 19: The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished. P62

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.]

Not sure

NNGO has a number of concerns:

- Levying the charge at the point of occupation may be too late in some cases and gives more unscrupulous developers far too much opportunity to renege on agreements right at the end of the process. Some buildings have been left empty deliberately as their value increased even if empty. There should be a time limit after completion as well, at which point the levy can be charged even if the property is not occupied;
- NNGO would need to be convinced by figures showing that the proposed levy would generate sufficient funds to replace or exceed the existing income. The distribution of this between areas is also a concern. And – a fixed rate levy might not meet the costs of that;
- Some sites may need much more infrastructure than others. NNGO is concerned that a flat rate charge on development value might not be enough

to cover the costs of these developments. Perhaps part of the charge should be variable by local agreement to cover these circumstances?

- There could be problems in areas where land value is low; and
- Borrowing against levy revenues could be risky for local authorities – if developers collapsed for example.

The *'Alternative option'* (Page 63), where local authorities have more flexibility would be preferable. Charging zones within authorities may well be appropriate, especially if developing in part of the authority has more infrastructure costs.

Land Value Capture – any reform to the planning system should explore better ways of capturing the uplift value of land granted planning permission to share with the local community in terms of investment in infrastructure and services.

22(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]

Locally

NNGO believes the levy should be set locally. See response to Question 22(a).

22(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.]

More value (and certainly not less)

The levy should have various objectives – to meet the cost of necessary infrastructure (sewers, gas and electricity supply etc), to pay for additional social infrastructure (schools, doctors surgery, sports facilities etc) and to provide for other social benefits (decisions to be made by local councils).

No evidence is presented about whether the existing system covers costs or its distribution. Nor is there evidence about whether a fixed rate would cover the costs of a range of sites with different infrastructure requirements.

22(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.]

Yes, but they need to be cautious

Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights P64

**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.]**

Yes

This seems a reasonable proposal.

On page 64 you say that the levy would be applied:

'for some permitted development rights including office to residential conversions and new demolition and rebuild permitted development rights'

This would be an improvement where conversions from offices to very small flats have caused problems, as mentioned in response to Question 4. But a better solution would be to make change of use something that needs a new planning application, so all issues can be considered.

Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision P64

**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.]**

Yes

**24(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.]**

Yes

But there should be local flexibility to make other arrangements.

**24(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.]**

Yes

NNGO thinks that the risk of a 'market fall' (Page 66) should be borne by the developers and should not affect the number of affordable homes provided.

**24(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.]**

Not sure

NNGO would support any reasonable steps to increase quality.

Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy P67

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

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

Yes

25(a). If yes, should an affordable housing 'ring-fence' be developed?

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

Yes

The government should end the practice whereby developers can come back and say they can't build the affordable properties as the site is no longer viable... This risk should be borne by developers and not the public.

Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms. In doing so, we propose this strategy will be developed including the following key elements: P71

Proposal 24: We will seek to strengthen enforcement powers and sanctions P72

There are no questions about proposals 23 and 24. However, NNGO:

- Agrees that planning gain should fund the planning system;
- That fees should cover costs;
- Considers that New regulations (as well as removing old ones) may be needed to make this system practical;
- Considers that 'continuous improvement' may not always be possible;
- That intervention should be minimised;
- That digitising things does not necessarily make them better;
- That planners won't get much time to plan with a 30-month time limit;
- That planning issues will always be complex so judicial review has a role to play; and
- That enforcement powers are worth reviewing.

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?

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