

Friends of Lewes response to the UK Government's 'Planning for the Future' Consultation on proposals to reform the planning system in England

September 2020

The Friends of Lewes is the Civic Society for Lewes and represents some 399 members. The Society is generally supportive of proposals to simplify the planning process, speed up the delivery of local plans and increase the quality of design. The introduction of digitalisation is supported but it should not be to the exclusion of those in the community who do not have access to the technology due to income, age or disability. The proposal to increase community consultation is welcomed provided sufficient support is made available to neighbourhood groups who may lack the technical skills needed to deliver key elements such as design codes. The planning system is always blamed for the lack of housing yet there are many sites with planning permission that have not been built out to completion for purely commercial reasons. This weakness should be addressed by including a time limit for *completion* (not commencement) in all permissions granted, after which permission will lapse.

The Society's response to the questions raised in the consultation is shown below.

*Questions*

1. *What three words do you associate most with the planning system in England?*
2. *Do you get involved with planning decisions in your local area?*  
[Yes / No] **Yes**  
2(a). *If no, why not?*  
[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]
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]

**Online news, email**

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]

**Protection of existing heritage buildings or areas; the design of new homes and places; the environment, biodiversity and action on climate change**

5. *Do you agree that Local Plans should be simplified in line with our proposals?*  
[Yes / No / Not sure. Please provide supporting statement.]

**Yes. Local Plans are the foundation of the planning system and proposals to simplify their content and speed up their delivery are supported. The Society supports the alternative approach set out in 2.12 to limit automatic permission in principle to Growth areas. It considers other areas should have the flexibility to consider different forms of development that reflect local character.**

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 Society supports the alternative option in 2.16 which gives local authorities flexibility to set development management policies as under the current system. It questions whether community neighbourhoods have the professional skills and experience necessary to deliver the production design guides and codes proposed in paragraph 2.14.**

- 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.]*

**Not sure. The Society supports the concept of a simplified process for environmental impact of plans but is concerned how the removal of the Duty to Cooperate test will work with no incentive to re-allocate housing provision to an adjacent authority when space is not available in a ‘Protected area’ such as a National Park.**

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

- 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. A standard method by national allocation is supported in principle but the details of what happens if sufficient land is not available because of environmental constraints requires clarification and further consultation. A mechanistic approach will not succeed if sufficient suitable land and infrastructure is not available locally.**

- 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. Where environmental constraints, aesthetic or physical, restrict the supply of land available for development neither indicators help quantify how much development can be accommodated in the area.**

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

**Yes. However, the Society considers that detailed planning permission matters should be subject to public consultation.**

- 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.]*

**Yes. However, the Society considers that detailed planning permission matters should be subject to public consultation. It also considers it essential that adequate infrastructure capacity is available to accommodate any additional development before occupation.**

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.]*

10. *Do you agree with our proposals to make decision-making faster and more certain?*  
*[Yes / No / Not sure. Please provide supporting statement.]*

**Yes. The digital validation of applications, integrated with the submission, to ensure all information is available at the start of the process is particularly supported.**

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

**Yes. The introduction of digitalisation is supported but it should not be to the exclusion of those in the community who do not have access to the technology due to income, age or disability. Training should be offered for their use, free of charge, and paper based documentation should be made available upon request for those that need it.**

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.]*

**Yes. Speeding up the production of Local Plans is supported provided adequate resources for their production are guaranteed.**

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. The Society fully supports the retention of Neighbourhood Plans, which reflect local community priorities for development; provided adequate resources for their production is guaranteed.**

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?*

**Developing Neighbourhood Plans relies on local volunteers with an interest in planning. Professional support is required to assist them in the development of plans and design guides. Financial support is required to fund these resources and training in the use of digital tools.**

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. The planning system is always blamed for the lack of housing yet there are many sites with planning permission that have not been built out to completion for purely commercial reasons. This weakness should be addressed by including a time limit**

**for completion (not commencement) in all permissions granted, after which all permissions granted for development of the subject site will lapse.**

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]*

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]*

**Sustainability should be at the heart of all planning decisions and thus be the key priority.**

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. The proposal is supported; however sufficient resources and training must be available to Local Planning Authorities and the wider community who are being asked to develop them. When first introduced in 1973, the Essex Design Guide (one of, if not the, first such guide) was widely acclaimed, but quickly resulted in a series of “design guide developments” that were formulaic and failed to respect local variations in vernacular use. For that reason, the guide has since been considerably revised. The range of materials, and the ways in which they are used locally in vernacular buildings varies considerably across the Society’s area. A one size fits all guide will not suffice.**

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.]*

**Yes. The National Infrastructure Commission is an example of a successful body which shows that a national yardstick of guidance can be developed and effectively implemented, given the resource and opportunity. However, it is essential that design codes are kept up to date and reflect local character.**

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. Homes England should consult with the local community and engage with them in the wider aspect of design, particularly in Protected areas and Conservation Areas.**

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

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

**No. Whilst the proposals may be suitable for Growth and possibly Renewal areas, they are inappropriate for Protected areas where applications for small development need to be considered on a case by case basis. The Society does not support Proposal 17 to reduce control on ‘routine’ works to listed buildings from ‘suitably experienced’ architectural**

**specialists. It is the detail which allows the character of an area to be preserved eg brickwork colour and type of pointing and should be open to consultation. It is essential that design codes do not end up with everywhere looking the same.**

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]*

**Design of new buildings, the provision of green space, increased tree cover, more affordable housing, better infrastructure.**

- 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.]*

- 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]*

- 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.]*

- 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.]*

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.]*

- 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. The level of affordable housing provision should not be reduced from levels in existing adopted Local Plans.**

- 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.]*

- 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.]*

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.]*

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

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

**No. Local Authorities should potentially have greater geographic restriction as a presumption and need to have special conditions to spend money further than the Neighbourhood Plan area in which the Infrastructure Levy was generated.**

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

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

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?*

Ruth O'Keeffe

Friends of Lewes, September 2020