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This is a submission to the Planning for the future consultation currently being run by the Ministry of Housing, Communities and Local Government.

**Introduction:**

This is, without doubt, the worst White Paper I have ever seen.

There is no proper evidence base for this White Paper.[[1]](#footnote-1) The Committee on Climate Change should have had a major influence on its content.[[2]](#footnote-2)

In order to have planning of value, with careful consideration of both the long-term and future generations, the two basis elements of planning needing legislation, resources, powers and democratic control are:

*The Climate Emergency*: There is a considerable body of evidence, summarised in many articles and published research works, that the UN’s belief in a 3 degree temperature rise by 2100, even if the Paris Agreement goals are attained, is an under-estimate.[[3]](#footnote-3) The Planning system must therefore be adjusted for the conservation of life in the long-term, with the expectation of stronger and quicker mitigation measures and adaptation to Climate Change where necessary. Policies should be set for carbon neutrality no later than 2030, and preferably earlier in some sectors, with Net Zero Carbon dates sector by sector to be no later than during 2030-2040.

*The Ecological emergency:* Species decline is currently occurring at 1000 times the natural rate, globally. We do not know how many species exist, but estimates suggest a minimum of 150 species are lost every day out of a crude estimate of 8.7million species, many unclassified by science.[[4]](#footnote-4) Within the UK, populations of specific types of wildlife have declined by an average of 60% since 1970 alone.[[5]](#footnote-5) Human activities account for much of the losses, including the effects of human-induced Climate Change.

The combination of these two critical crises, if unaddressed, offers a very different UK, and world, over the next few decades and beyond. It also offers a planet with a larger area of unliveable regions, prompting millions of people to move as displaced persons or international migrants. Numbers of people moving, in various research estimates are being revised upwards by research with 400 million and even 1.2 billion being forecast.

These considerations are not given adequate weight in this White Paper. But it has already been noted that it does not cover areas of local government planning responsibility such as ‘..minerals, waste, water resources and energy.’[[6]](#footnote-6)

The role of the planning system, and of local government as a decision-making level at which whole areas of England in this particular consultation, is to mitigate the effects of these emergencies, protect the interests of future generations and of species, and to do so by careful consideration of every area of planning, setting aside its past history of Climate, ecological and social failures. In doing so, Government would be assisting individuals and communities with the restoration of social hope: the belief that lives and the entirety of communities can be enhanced, everywhere in the country. This particular draft White Paper is not suited to these primary purposes and should be replaced by something more holistic and astute as soon as possible. To be more specific:

**Assumptions in the White Paper which undermine Planning:**

This White Paper has numerous questionable assumptions and observations which have a high likelihood of undermining the possibility of a sustainable, rational planning system which incorporates the protection and enhancement of existing communities. As the TCPA has noted:

“Any claim to restore a more ‘natural’ order of urban change is really about substituting one form of (at least nominally democratic) control for a freer-market that afford power to the property owners and developers to pursue their own material interests, irrespective of whether this benefits the wider community.”[[7]](#footnote-7)

This is accurate, and clearly wholly inequitable and will undermine local democracy still further than 10 years of austerity have done.

p.4 ‘ensure more land is available for development’ – This presumes development requires any more land anywhere. Since empty homes and buildings are abundant, greenfield site use for development assumes no better use for land exists. But the following list gives examples of why development should not take place:

* Flood plain and drainage needs.
* Water conservation for the long-term.
* Connection of biodiversity through maintaining and preferably increasing wildlife corridors.
* Eco tourism enhancement requires large areas of land are not blighted by very small and very expensive housing, or other development.
* No general effort to make dual use of car parks a normal feature of development has yet taken place. Local Plans should be open to amendment to zone car parks as potential housing sites. Car parks, private and public, can be build over in areas of air pollution and traffic congestion, especially in urban centres. Where still desired, car parks can be built around or have apartments built above them.
* Urban sprawl, a normal effect of Planning in the UK, is to be countered by any and all measures to restrict development to existing areas of settlement.
* Local leisure use for communities needs retaining: for walking, and dog walking, running, informal play and recreation areas, and maintaining local biodiversity as well as enhancing it.
* Housing needs to be near existing facilities and employment centres rather than be located more randomly, which creates demand for new facilities and infrastructure, as far as is practically possible. This helps to avoid the creation of car dependent development. New infrastructure must be blocked or modified in quality if not consistent with achieving net zero carbon goals.[[8]](#footnote-8)
* Decarbonisation of construction requires the re-use of existing buildings, as a first priority until the supply is used up. Where spaces, such as unused offices or minimal shop sites, are small, aggregation of structures or rooms must be considered to ensure better space per person than current new build provides.

This is not an exhaustive list, and would help to re-task the Planning system which has not, so far, absorbed all of the obvious implications of the pursuit of sustainability or the connected Climate and Ecological Emergencies. Since the publication of the *Our Common Future* report in 1987,[[9]](#footnote-9) the UK planning system is one of the elements of our society remarkably untouched by the implications of sustainability for development. The right words are often present in planning documentation, but not the right delivery. This is not a call for a removal of values in a mistaken pursuit of an objectivity that cannot govern planning in a democratic State.[[10]](#footnote-10) Sustainability is an over-arching value which offers within its many possibilities multiple ways to wrench planning from the hands of developers and Planning officers and committees who accommodate their inappropriate wishes all too often.

p.10 The Planning system is not too complex. Delays are caused by developers who wish to sell homes at optimum prices and are also restricted by skills shortages, both resulting in slow completions. What applies to housing also constrains but does not prevent speculative Office planning applications, at least up to the recent surge of online working which is becoming the ‘new normal.’ About 1 million homes have planning permission, but developers do not want to build without higher prices making them the key blockage to housing completions.[[11]](#footnote-11)

Development applicants often put in applications which attempt to push local planning committees into accepting things neither they nor the public would accept, creating avoidable delays and also wasting time when many sites simply never should be built upon e.g. flood plains and protected sites. The ‘market failures’ in this situation will not be resolved by more competition, since the limited numbers of major applicants are not in meaningful competition – or construction and infrastructure costs would be lower. Planning regulations could prevent this wishful thinking by empowering local planners to reject unacceptable proposals outright as illegitimate applications, without reference to Planning committees and without appeal rights. If an end to market failure in the housing sector is wanted, then England must follow Scotland and Wales in ending Right to Buy, and maximise funds to local councils to buy homes on sale for social housing, to exercise compulsory purchase on empty homes and buildings for housing, and to use compulsory purchase on private landlords unwilling or unable to improve defective properties.

Case by case decision making reflects the complex nature of reality any planning process faces. Adoption of strict rules on sustainability, the Climate and ecological emergencies, passivhaus construction and sustainable retrofitting could all provide a basis for reducing the market element in housing and thereby increasing the certainty of meeting the demand for very low-cost housing everywhere e.g. resulting in housing with rents below 30% of average incomes in the council areas where it exists, and mortgages taking less than 30% of average incomes too.

Concerning non-residential buildings, the Government could assist the planning process by legislating for online working to increase; to make flexitime compulsory for all employers; and give grants towards home conversions/extensions for more work to be done more easily at home. Clearly, the transport advantages of such measures will be considerable, reducing car movements over time and making deliveries, emergency services, public transport and taxes quicker moving.

p.12 Not enough decisions are over-turned, particularly on large, damaging and unpopular developments. The public must see democracy working, which means large projects should be renovations/regeneration rather than having very large environmental and social negative impacts like the colossal folly of HS2, and trunk road building.

The failure of the Local Plan system is simply that Councils cannot easily amend Local Plans. A simple measure would be to allow a Council to amend a local plan if there is a 2/3 majority vote on the Council to do so and if a subsequent consultation indicated public support for this decision.

The paragraph beginning ‘Assessments of housing need….’ is unreliable as a source of information for this consultation. Firstly, housing need:

Housing need cannot be determined without a considerably more generous, inclusive and standardised council waiting list system. Student numbers and whether they will be accommodated in purpose-built accommodation need accounting for, with plans in council areas to ensure all students, other than those already local residents, are able to live in such accommodation. This should include postgraduates. Allowance for migrants from overseas also needs to be guided by past numbers informing future projections.

ONS figures, whilst a better guide in principle than developer inflated versions of such figures, tell us nothing about how demand for housing is structured in terms of demographics, ability to pay, or what quality of housing people would prefer. As the country with the smallest new living spaces in Europe, it seems inherently unlikely that the public are placing a demand for ‘cabin fever’ size little boxes of the type often provided by developers. A better guide would be the typical spaces of pre-WWII apartments in contemporary Vienna.

‘Viability’ is about whether developers are able to maximise profits. Since they have often already done so by obtaining planning permissions which has increased the value of any given site they own, they are already in a privileged situation. Land Value Taxation would do a lot to cure this problem of excess profits,[[12]](#footnote-12) and to assist in zoning land as too expensive to be used for development ever e.g. greenfield sites, SSSIs, AONBs etc etc. If developers are building within existing urban areas, and renovating existing buildings, then their infrastructure contributions MAY be lower than in the countryside, where they should not build.

Public opposition to large scale development is endemic and, when unwarranted development goes ahead anyway, undermines faith in democracy. Local communities must be able to stop unsustainable developments they do not want. Ideally, local area committee structures in local government should be the norm, allowing direct input from the community in issues minor and major, to ensure councillors are fully aware of public preferences in open meetings. This would be assisted by full-parishing in urban areas, to create more elected representatives at small community level – as already exists in rural areas and the urban periphery.

p.13 Planning is not based on adequate technology, constraints or information. In brief, it is not holistic since it does not place sufficient weight on Climate, ecological or traffic limitations. Nor does development of new housing in particular necessarily address actual need for very low-cost housing. That communities have a variety of values[[13]](#footnote-13) and may therefore should not be forced into digitalised uniformity and an ‘objectivity’ that clearly gives primacy to developers over all other individuals and groups in communities.

Planning obligations create negotiations with developers which cause delays in the planning system. It makes sense to codify contributions and make them unavoidable for developers to remove this obstacle from within the planning process.

The third paragraph is a romantic view of design, planning and recognition of context. Ideally, local councils should have their own Supplementary Planning Documents governing design and quality alongside passivhaus and other regulations for new build and sustainable retrofitting. Bad design is cheaper, it seems, and all too frequently local planning committees let it through rather than haggle with developers. But developers should not be able to influence design quality.

p.14 Housing needs to arise from intelligent use of the existing built environment, and the recycling of land not used in industrial estate/science parks over long periods. New build should be occurring on the latter sites, and on car parks as noted above. Under-supply is the market failure of too much emphasis on the idea of housing as a market, rather than a social need for a place to live, with environmental and social needs for decent surrounding conditions. Developers want to build where home/other development prices suit them – not where there is real need for community regeneration. This market failure breeds long-term impoverishment of many communities in the north, and on our coastlines. Developers and builders need to be directed towards communities than need to be re-vitalised, with the use of Land Value Taxation to stop hyper-development of wealthier areas with higher house prices. This would help to generate a fair balance between citizens and their right to housing and the institutions which should be providing it in every urban area in England. This would be according to a combination of realistic assessment of local demand, with additions according to actual evidence of pressure for more housing from people – not developers.

The Government has not made ‘significant progress’ on housing since it is not meeting the demand for very low-cost decent housing, and has not done for decades in either rural or urban areas. Here in Oxford, the City is about half rental properties – council and private landlords – and about one in five private landlord properties are not rated as decent by Oxford City Council. Meeting housing need is not just hiding people in poor or very small spaces. I recommend a return to the Parker-Morris space standards of 1961-1980 for all new residential accommodation. Similarly, the total amounts of space per person in converted/renovated buildings should reflect very similar space requirements as far as is practically possible. I accept that some buildings would need gutting to achieve this, and that some disused buildings may need replacement by modular construction to ensure adequate space per person, and other requirements as suggested above.

p.16 The National Planning Policy Framework does not reinforce protections of designated sites and landscapes. It claims to protect Green Belts, but 40,000 homes are proposed for Oxford’s Green Belt alone; it claims protection for a variety of designated features of our landscape, many of which are violated by the appalling environmental destruction of HS2 with its unbelievable price tag – another market failure. And the proposed £27bn trunk road schemes are wholly destructive of the environment and will lead to induced traffic, meaning they should never be built.

Simplification of housing need does not meet need for very low-cost housing, which is always in short supply – particularly but not exclusively in southern England. Local Plans may be developed by local authorities, but the imposition of immense and probably unattainable housing targets for South Oxfordshire DC shows how central Government has little respect for local democracy. This is certainly not ‘democratic accountability over infrastructure planning.’ Giving ministers rather than local planning authorities power over energy, transport, water, wastewater and waste projects and programmes is to be rejected as part of a process of rebuilding and re-funding local government rather than having excessive centralisation with poor governance, as a result of having too many resources under central government management.

No, the Government has not protected Green Belts – this is simply inaccurate. Similarly, no absolute or effective protection exists from AONBs, SSSIs etc with HS2 as the biggest example of current damage to such sites. New resources and powers are needed for local government and relevant agencies to offer real protection, as part of addressing both the Climate and ecological emergencies.

No, the planning system has not been democratised or localised. The National Infrastructure Commission and England’s Economic Heartland are both bodies holding resources and running policies that rightly belong under local democratic control. Local Economic Partnerships similarly allocate resources away from local government and should be abolished. Local government should have a larger role in supporting new, sustainable enterprises especially in the form of cooperatives which require little capital per person to establish.

‘Unlocking growth’ is an exceptionally narrow and unhelpful view of all the needs of society. We can, after all, have prosperity without growth.[[14]](#footnote-14) And there will not be generalised prosperity unless the global crises of Climate and ecological emergencies and gross inequality are dealt with. In short, planning has to operate as if people and the Planet actually matter – implying reforms not present in this White Paper.

p.18 I have already commented above on the types of democracy which local government and the planning system need. User information on planning issues is difficult to obtain since, the larger the project, the more lengthy the documentation which appears online. There is a case for planning officers to edit down developer materials to remove promises that are made e.g. how many jobs a development might generate. Also, planning documentation must indicate that existing jobs may well be displaced by new development, meaning that a reliable figure for net employment creation is wanted. It is an illustration of a basic deficiency in development that some initiatives lead to net job losses despite claims of adding local jobs – notably supermarkets.[[15]](#footnote-15)

The expression ‘support home ownership’ is in conflict with developer preference for inflating home prices. I suggest widening and standardising the definition of ‘key worker’ in the country, giving key workers access to part-rent/part buy housing options to assist communities to retain people in many critical categories e.g. nurses, teachers, care workers, construction workers, NHS and other public service workers, and others.

Increasing the supply of land for new housing is not necessary if development makes use of the existing built environment and brownfield sites. And traffic generation needs suppression by better planning, something which clearly has a lot of public support. Councils should be able to buy homes on the open market for social and keyworker housing to help avoid greenfield site development. Clearly, the quality of poorer areas can be increased if very low-cost housing were expanding within them – alongside local employment in the public sector and council-supported new cooperatives, and other small-scale business initiatives.

It is not possible to protect our environment (near the bottom of first column) without resources and skills in local government and relevant agencies. Suggesting it is possible whilst disregarding past and present austerity is really not credible.

p.20 Abandon the idea of Growth areas. They drive home prices up; increase traffic pressures; create problems in the supply of public services; push essential workers like nurses and teachers away as housing costs are too high; fail to address the need to increase low pay to compensate for living in high rent/high home price areas. Oxford is an example of this type of failure of imagination and of markets. Targeted essential development should be focussed far more on the poorest areas of the UK, and indeed upon the poorest wards. Delivery, under Covid 19 recession and hard Brexit recession combined, needs a restoration of an upgraded version of the 1980s Community Programme in each local authority area, with integrated training. Given current conditions, Community Programme schemes need to be instigated and run for at least 10 years.

(2nd column) Councils deprived of funds under austerity since 2010, and now not compensated for their total losses due to the Covid 19-generated recession, are hardly likely to be ambitious in the Budgets they are discussing this autumn/winter for the next financial year beginning April 2021. They are already short of staff to fulfil their various functions, and this is about to get worse. If really good planning is wanted, then local government has to be funded properly including by the replacement of Council Tax with Land Value Taxation.

Over-simplification of sustainability, and of Local Plans due to the diversity of the areas they cover, offers nothing to a new, holistic and sustainable version of the planning system. Sustainability within local plans appears to be poor, from the ones I have seen in Kent and Oxfordshire, and simplification can only make them worse.

p.21 [first column] ‘Enforcement powers and sanctions’ presumes the existence of staff to do such work. This is highly improbable without re-funding local government.

Local plans should not be standardised since areas are different. Compare Islington with West Oxford, compare Greater Manchester with Cumbria. A full inventory of disused brownfield sites, car parks private and public, empty homes and buildings especially shops in an era of expanding online sales, should be a duty of local councils with powers for them to deny building on greenfield sites.

Standardisation assumes that salient facts are included. Biodiversity and air pollution improvements, retention of green spaces, Climate goals for district council areas – are all examples of things planners might find inconvenient, but which are essential and valued by the public.

[second column] The planning system should be under the discipline of a 2030 goal for carbon neutrality in each district/unitary/county area. Any later and councillors will regard as a long-term goal that they need not consider, and there will be minimal effect on planning decisions in practice. Similarly, specific ecological targets with dates should be introduced which will be positive for biodiversity, eco-tourism, community engagement and jobs in the Green economy.

Energy efficiency targets should be brought forward to 2025. This will push up employment in the Green economy, form part of a Green Recovery and create local employment in each council area. Passivhaus construction and renovation should be embedded in this local government led effort, with local business partners. As before, a reinstituted Community Programme could enhance this effort.

Design quality is very much a matter of considering local character and ensuring work is done in line with public preferences. Supplementary Planning Documents on design can be created and consulted upon.

p.22 [first column] Design uniformity or standardisation is not a goal to be included in any of this effort.

[second column] Infrastructure delivery is a variable need in all parts of the country. Areas of minimal new development will not get the developer contributions of a place like Oxford, where a considerable amount of development is taking place. In consequence, richer areas with over-concentration of development will get more infrastructure funding. In consequence, alternative funding is to be preferred. Land Value Taxation can be highly progressive to ensure major landowners make larger contributions to the common good.

‘Affordable housing’ is a meaningless term when house prices are so high in many places in relation to average incomes. Only very low-cost housing can be expected to absorb the real and socially-important demand for housing. This can incorporate: social housing; shared ownership schemes for keyworkers; secure moorings for boating communities on rivers and canals; co-housing schemes; housing cooperatives; self-build developments, etc.

p.23 Housing requirements should not be imposed on local authorities, other than meeting the demand for very low-cost housing without the use of any greenfield sites. Allowing over-heated areas to grow more just perpetuates concentrations of employment in wealthier areas. Housing targets should be in terms of the proportion of people in need of social or keyworker housing whose needs are to be satisfied by each council, each year. The percentage set would need to be considered by the council, with the objective of clearing the waiting lists within ten years or less. Council waiting lists should be expanded to meet these requirements.

Pp23-24 Public buildings may make use of unwanted retail units in urban centres, adding to employment in those locations and to spending in the businesses in their vicinity. Land use, rather than disposal, can assist SMEs and self-build, provided vacancies are filled. Predict and provide industrial estates often have long-term empty areas. The latter are best used for new social and keyworker housing, with more imagination applied to heights and density than is often current practice.

p.24 The user experience of the planning system is that major projects cannot be defeated even when obviously unpopular and unsustainable, like energy inefficient buildings still dependent on fossil fuels. Leaflet delivery about developments in an area is the best option to reach the public, not websites.

p.25 ‘more land available for development’ must not include any greenfield sites on any pretext. The existing built environment and brownfield sites should be used.

p.26 The National Planning Policy Framework is vague, lacks specifics, suggests priorities – like Green Belt protection – which are not kept to, and assumes a planning system that does not exist helping to prevent undesirable and unsustainable development. It needs a complete re-think with the removal of many areas of permissiveness that cause developers to waste time and resources of local councils. Amongst principles to be applied firmly is the imperative that no new or renovated development in an urban area may be created without planning restraints upon the generation of traffic. This means far more ‘no car’ developments, and a strong emphasis in Council publicity on hiring cars rather than owning them, to cut traffic levels e.g. in the ‘school run.’

p.27 Answering Qs:

1. Three words on the planning system: unsustainable, undemocratic and weak on developer constraint;

2a. Yes, I have been getting involved in commenting on local planning decisions for around 40 years;

3. Easier to access plans? Social media, online news via newsletter by direct email, local newspapers, direct leaflet delivery in areas with significant local planning applications.

4 Three planning priorities: 1) environment, biodiversity and Climate Emergency; 2) protection of green spaces; 3) creating homes esp for the homeless.

p.28 Proposal 1: categories inadequate: first, land retained or adapted to serve the goal of reducing greenhouse gas emissions permanently; second, land retained or adapted to address the ecological emergency of species/biodiversity loss (both of these categories being actually protected land); third, all local councils to be able to plan, with adequate resources, for sustainable development in their own areas, abolishing the idea of areas of concentrated growth or renewal.

p.29 Protected areas are not protected now. Strict and enforceable measures need creation and funding.

Bottom of first column: limitations on height and density within urban areas should be set aside as far as practically possible, subject to considerations such as historic views/viewing cones.

[second column]

5. Local Plan simplification – answer: no.

p.30

Proposal 2: No – development policies should be under local government control with a diminished role for national government.

[bottom of first column] paragraph implies centralising uniformity and should not be followed.

[2nd column]

Q6: Streamlining development: Answer: no.

Sustainable development should be determined by council and planning adherence to law and regulations for the achievement of sustainability. Government should not need to spend as much as it does now to regulate this, especially if listed breaches are made into laws requiring councils to pay very large fines. Commercial developers should not have any right of appeal to national government, since this is part of the problem of delaying adjustment by them to sustainable development where actually wanted.

p.31 Sustainability appraisal should be retained and improved. Local organisations should be consulted about the scope of such appraisals before they are done, to ensure they are holistic. Removing the Duty to cooperate is welcome. ‘Deliverability’ of any given Local Plan needs the test of full public acceptance NOT Government appointed Inspectors who do not protect the environment.

2nd column

The tests of soundness are too vague. All such tests should specifically be sustainable with a time period into the future, e.g. 125 years, within which the Local Plan should have enhanced the sustainability, Climate and ecology of the area as well as the proportion employed locally in Green Economy jobs. Year by year targets can be prepared for each five-year period of the Plan, which can be amended rather than revised as a whole in future years.

Q7a) local plan tests. Answer: no.

Q7b) ‘How could strategic, cross-boundary issues be best planned in the absence of a Duty to cooperate.’ Answer: Regional Government with elected assemblies, comparable to devolved administrations. Abolition of County Councils as part of this initiative, with full perishing of all areas within the regions and unitary councils created in line with local preferences resulting from consultation.

p. 32 Proposal 4. Answer: no. There is enough land in the existing built environment, empty slots in industrial estates and in other brownfield sites.

Housing numbers projected by developers and their allies would just provide expensive homes in expensive places, disregarding environmental and traffic concerns. See previous comment on housing demand arising from council waiting lists including keyworker housing needs. Market housing is not a ‘need’ since it includes developer preference about when to build and at what price, and private landlord desire to purchase homes for very high rents in existing expensive areas. Home ownership is beyond the incomes and wealth of many and forms too great a proportion of existing housing, and of household incomes. This cuts the capacity of people to sustain themselves, contributing to current very high levels of household debt that only low interest rates are preventing from being a social disaster. In a very low wage economy, we need very low-cost housing – not private homes where every home is an ‘Executive’ home, to judge by prices. Market housing should be only what is available on sale, after purchases by councils to meet very low-cost housing needs. Self-build schemes on brownfield sites for market housing, especially through modular construction, could offer lower cost market housing in some places. But the duty of councils should be to reduce waiting lists for very low-cost homes.

2nd column

Designated land is not protected, as the HS2 disaster emphasises.

p.33 Development needs according to whose preferences? Local opposition to unsustainable and unwanted development should be respected. Social and environmental needs are paramount. Given the high risk of expanded unemployment and more zero hours working/very low paid part time jobs, it is desirable local government absorb into its roles the achievement of the UN Sustainable Development Goals, as agreed by the Government, with resources fit to meet the particular needs of areas resulting from Land Value Taxation to increase local government income, with no capping of spending or of LVT levels set. LVT should be highly progressive with very low rates for the lowest income households.

Q8a) Standard method for establishing housing requirements. Answer, yes, by the means suggested above – that housing demand for social housing and keyworker housing should be established through a generous Council waiting list system, with councils having targets about the percentage by which the number of households in need should be reduced each year.

Q8b. Unclear conflation of different issues. ‘Affordability’ is meaningless when homes are too expensive to rent or buy virtually everywhere. The extent of urban areas should be retained at the current area extent.

Proposal 5. Automatic planning permission is a recipe for the slums of the not too distant future. Planning applications with environment and traffic implications need to be assessed by councillors, local organisations and the public in general. Such a system of granting automatic permissions would undermine local democracy and will increase cynicism and alienation from local community engagement.

Planning permission must be required for all applicants, with more specified reasons why large developments will be refused e.g. absence of adequate environment assessment/sustainability appraisals and realistic traffic assessments. Generally, there should be a presumption of sustainable re-development of the existing built environment to meet needs.

p.35 Planning applications to undertake development in protected areas should be rejected as inappropriate by local authorities with no right of appeal since the applicant has not bothered to consider existing, enforced laws maintaining protection.

9a) Automatic permission: answer, no and never.

9b) Consent arrangements: answer, no.

9c) New settlements will, under an ideal system, will be small communities within the existing footprint of development in a given area. Therefore, the idea that they would be large enough to constitute Nationally Significant Infrastructure Projects is therefore dismissed.

p.36 If faster speed in planning is desirable, then the capacity of developers to cause delays and force negotiations on aspects of development must be reduced as the highest priority. It should be easier for council officers to refuse developments that are neither sustainable nor a step towards addressing Climate/ecological emergency concerns. Building new rubbish developments in terms of space and quality should simply be banned, making applications to do so automatically dismissible. Digitalisation will not speed things up with developers still spending too long wasting council officer time.

p.37 Neither uniformity nor standardisation will do justice to the varied nature and needs of local government areas.

I note this observation:

“There is no reciprocal proposal for planning authorities to be compensated for their costs if the applicant is unsuccessful at appeal, no matter how ill-founded the original application.”[[16]](#footnote-16)

Q10 Decision-making suggest. Answer: no.

p.38 Web based maps up to now, especially when accessed on small computer screens or mobile phones, demonstrate the physical limitations of reliance on this as a basis for planning. We need very detailed physical maps that can be available in large-scale formats, and where local councils can print them on demand for sale. A major purpose of such maps is to indicate that many areas may not be built on at all. Also, areas suitable for sustainable retrofitting or re-zoning (like car parks, empty industrial land and long-term empty shops) should be identifiable on the largest scale maps.

p.39 If 70% of users in a trial of new technology for public engagement are under 45, this is clearly a failure.

Q11. Supposedly ‘accessible’ web-based plans: Answer, no – needs a rethink as above.

p.40 Proposal 8. Answer no. Abolish the Planning Inspectorate and make this a Regional Government function. Stop revising whole Local Plans and permits amendments by 2/3 majority of councillors on a council, subject to confirmation through public consultation. No more Local Plan inspection stages or hearings.

[2nd column]

Responses should not have a word limit. People are entitled, and indeed should be encouraged, to challenge assumptions and ideas both stated and unstated in council documentation, offering evidence and arguments as seem best to them.

p.41 Q12. 30-month Local Plan timescale. Answer no, not if existing Plans become subject to amendment.

p.42 Proposal 9, Retain Neighbourhood Plans. This needs some discussion:

The experience of Neighbourhood Plans, including here in Oxford, is that they use an enormous amount of community activist time, but cannot innovate as they are bound to stay within Local Plans. If all urban areas are Parished, then elected bodies can discuss planning issues with the public present, in their own Parish Council meetings, devising such plans, strategies and other documentation as they see fit according to their needs and preferences.

p.43 Q13 a & 13b – see preceding comments.

[2nd column]

Speeding up delivery of development will not occur if private developers have very long periods of planning permission within which to build. Not building is about pushing up prices for purchasers/users and is a market failure, not serving the common good.

Q14. Answer no. Faster development will almost certainly lead to lower quality. It would be more rational to restrict planning permission to 2 years with no renewal possible for the applicant or related company, in the case of commercial development. This presses developers to be serious about completions, with new regulations, and enforcement, to secure very high-quality development does occur.

p.44 The first paragraph makes claims about environmental protection which cannot be delivered from these proposals. Local Government would need substantial additional funds to run an effective planning system for actual sustainability. Additional powers to refuse to accept poor planning proposals are needed, as well as resources for enforcement e.g. checking private rental properties, checking quality of construction both during and at times after it has taken place, etc.

Q15 Design of new development nearby, views:

Atrocious, notable energy-inefficient student accommodation in three places with no solar PV. All rather blocky and unimaginative. Very small spaces per student as a normal feature of such design. Parker Morris space standards should apply to student accommodation and housing, new or refurbished.[[17]](#footnote-17) Housing development at Barton Park, Oxford, is also amongst the worst visually I have ever seen with the general problem of limited space per person in new build.

Q16 Priority for sustainability in your area. Answer: All policy areas must respect the need to address the combined Climate and ecological emergencies.

Explanation in brief: Planning should have regard to what is desirable 100 years from now, and preferably longer. Buildings with short life spans, whether new or the result of retrofitting, should not be permissible. Protection of designated and valuable environmental sites should be absolute, and extendable over time to increase wildlife corridors and to encapsulate new walking and cycling networks. Traffic reduction is an essential goal to improve quality of life, and deal with air pollution and noise, preferably with annual targets for busiest roads and LTNs throughout whole urban areas over time.

p.46 ‘Frameworks for Quality’ should be regulations so that the discretion of developers and local planning officers is more restricted: they can do good, but bad is not permitted.

p.48 Proposal 11. Local design and guidance: Expecting local government to develop these without having Design staff in numbers is unrealistic.[[18]](#footnote-18) Local Government needs to employ people with a variety of architectural qualifications and have a number of Supplementary Planning Documents on design according to the nature of the area it covers e.g. a predominantly rural council with a coastline might need such Documents on different village communities, for undeveloped and developed coastlines, for coastal and estuary protect, for natural adaptation measures for coastline and wherever else needed consistent with community needs, and protecting biodiversity and eco tourism potential etc etc.

p.49 Q17. Design codes: Answer: no, not without a lot of qualifications on how they are obtained and the variety of organisations/individuals/council staff that will need to be involved.

Proposal 12: Planning system: ‘more visual and rooted in local preferences and character’: But standardisation and uniformity emphasised throughout this White Paper would undermine local preferences and character.

‘A new expert body’, bottom of 1st column: No, this can be a function of Regional Government, under democratic control, to provide advice not control.

(2nd column) Improving resources of planning departments, and of under-funded local government, is much to be welcomed.

Q18 – Two questions in one, with only one set of answer options. Answer to a new design body, no we do not need more quangos – we need resources and powers operating under local government, and preferably regional government.

Proposal 13: Abolish Homes England and add resources to local government housing funds.

Q19. Answer – no.

p.52 Proposal 14: You cannot fast-track beauty when there is no consensus possible about it. Different design codes, reflecting different localities and preferences in Supplementary Planning Documents will not be uniform or standardised in how attractiveness or beauty is to be achieved.

p.54 There is no particular logic for stopping sideways two storey extensions that terrace separate homes. This is an efficient use of space and should be up to owners.

Q20. Fast-tracked beauty: Meaningless and potentially centralising so answer is no.

p.56 Places of environmental and cultural value are not being protected, and we await forms of protection, legislation and enforcement to make this so. Assertions do not make it so. This requires:

- an expansion of funds, staffing and powers for local government and bodies like Natural England and the Environment Agency

- an embedding of the Climate and ecological emergencies into legislation than can be implemented and enforced, as indicated in the introduction above

- a rebuilding of the entire cultural sector after the depredations of the C Virus/Brexit recessions.

p.57 Proposal 15: targeting only some areas of the country for climate mitigation and environmental enhancement is elitist and inappropriate. Every local government unit has a part to play.

It is not possible to strengthen how the environment is dealt with in the planning system unless legislation binds council officers, councillors and those writing planning applications. Simplification is the wrong assertion, with no apparent pressure intended on the developers who cause the most problems in the planning system.

Proposal 16: It is illogical to simplify environmental assessment when so much of our environment and species has been lost since 1945.[[19]](#footnote-19) It is important, in consequence, to increase protections, and the powers of relevant bodies to insist on far more comprehensive environmental assessment and more frequent use of strategic environmental assessment. The use of traffic impact assessment must be applied to new residential developments of any size, and new employment centres.

p.58 The critique of SEA, EA, and SA for length is intellectual laziness and a highly superficial approach to planning. Speed and simplification are not requirements which should be respected as goals in themselves. Preventing the creation of inappropriate development proposals at source would be a far more rational approach to sustainable planning.

Proposal 17: Conserving historic buildings: Supplementary Planning Documents in each local council area can stress constraints on adaptation to, or removal of, such buildings, and also how they might influence regeneration and adaptation of designs in their vicinity. As suggested above, each local council needs its own design department.

Proposal 18: Energy efficiency for net zero by 2050. This is far too slow. The suggestion of a revived Community Programme for each local council can contribute to improving energy efficiency in buildings particularly, with training. Local councils should be able to develop specific closure and redeployment plans for major emission sources and their employees in their own areas, drawing upon a national fund for the purpose, with carbon neutrality to be achieved by 2030 or earlier, and net carbon zero for such sites as soon as possible after 2030, and no later than 2040.

It is wholly inadequate to have new homes with 75-80% lower Carbon dioxide emissions compared to current levels, from 2025. New homes should be 100% below current emissions levels from 2025. This means standard features may include: solar PV, solar thermal, solar glass, heat pump technology, community energy schemes for very high-density developments of taller houses, or apartments, embedded wind technology e.g. in the tops of roofs; and exceptional insulation of homes.

p.60 ‘Land value uplift’ is best achieved by Land Value Taxation.[[20]](#footnote-20)

Community Infrastructure Levy use should apply in all local authorities. Minimum Levy rates should not be discretionary. Developer’s assessment of viability would have no place in determining the level at which CIL should be paid.

[2nd column]

The principles suggested for CIL use in future appear superior to what occurs behind closed doors at present. But the capacity of developers to delay implementation and waste council officer time needs formally blocking by rules.

p.61. Q21: Priority for what comes with new development in your area. Answer: very low-cost housing using the existing built environment and brownfield sites.

Proposal 19: Reform of the CIL: The idea of a fixed obligation in terms of percentages is good, but could be higher in areas which have far too many development applications. However, some obligations should be reduced:

Roads within new housing developments, resulting from sustainable retrofitting or use of brownfield sites, should be minimised as should car parking spaces. This would allow CIL money to be spent on: additional green space, preferably linked to existing green spaces, play areas, tree planting – with conservation plans to ensure retention of trees – to help with noise reduction, green walls and roofs, and preferably traffic free covenants.

p. 63 Q22a. CIL as fixed proportion of development value. Answer yes, but with higher rates for over-developed areas with high development pressure.

Q22b. Infrastructure level – where should it be set? Answer, locally but with minimum charging rates including a higher minimum rate in areas with higher unsustainable growth rates and high levels of planning applications.

Q22c. Infrastructure levy objective: Answer: more value.

Q22d. Should local councils be able to borrow against expected Infrastructure Levy gains? Answer, yes but only if the Council borrowing is very limited and has shown decline in the past decade.

p.64 Q23a Permitted development rights capture: Answer Yes. But local government control over such rights requires that they are subject to planning permission in detail.

Proposal 21 ‘The reformed Infrastructure Levy should deliver affordable housing provision’ Answer no, the term ‘affordable housing’ is meaningless and needs replacing by ‘very low-cost housing’ meaning less than 30% of household income to rent or to take out a mortgage to buy. Very low-cost housing can include as a first priority purchase of homes on sale for social housing/keyworkers; co-housing schemes; housing coops; provision of more secure moorings for residential vessels on canals or rivers; housing association homes meeting the 30% criterion as above.

p.66 Q24a – see answer to Proposal 21

Q24b Answer no

Q24c – No to in-kind delivery

Q24d – see previous answer

p.67

Proposal 22: More freedom for local government on Infrastructure Levy spending. Only available when local council waiting lists, reformed, reach 10% of initial levels after establishing full home demand, taking about 2 years after revision of the listing system/categories.

Q25 Fewer restrictions on infrastructure levy use? Answer no – primary use to be very low-cost housing purchase/ compulsory purchase of buildings & parts of buildings for housing.

Q25a ‘Affordable housing’ term to be abandoned and replaced as indicated above

p.71 Proposal 23: An effective planning system reformed on the lines of this submission would need to be enhanced by larger local government spending, assisted by the use of LVT.

p.72 Proposal 24: “we will seek to strengthen enforcement powers and sanctions” – utterly meaningless without far better funding for local government, and enhanced powers.

p.74 Q26> Impacts on people with protected characteristics: Best served by expanding the council house waiting lists suggested above.

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1. Planning Oxfordshire’s Environment and Transport Sustainably (POETS) – *“Planning for the Future” – centralising power while decentralising blame,* September 2020, p. 2. Hereinafter: POETS, with page reference. See also: Town and Country Planning Association – *The wrong answers to the wrong questions: countering the misconceptions driving the Government’s planning reform agenda,* August 2020, pp2-4. Hereinafter, TCPA, 2020. [↑](#footnote-ref-1)
2. Committee on Climate Change – *UK housing; fit for the future,* February 2019, is a major example of what the White Paper should have used. [↑](#footnote-ref-2)
3. See as examples: J E Hansen – *Scientific Reticence and sea level rise:* <https://pubs.giss.nasa.gov/docs/2007/2007_Hansen_ha01210n.pdf> ; Kevin Anderson et al – *A factor of two: how the mitigation plans of ‘climate progressive’ nations fall far short of Paris-compliant pathways*: <https://www.tandfonline.com/doi/epub/10.1080/14693062.2020.1728209?needAccess=true> ; Jonathan Essex *What would a UK climate emergency plan that faces up to reality look like?* <https://www.greenhousethinktank.org/uploads/4/8/3/2/48324387/climate_emergency_plan_that_fucr_may20.pdf> ; Mark Lynas – *Our final warning: six degrees of Climate Emergency,* 2020. [↑](#footnote-ref-3)
4. Source: IUCN. [↑](#footnote-ref-4)
5. <https://www.theguardian.com/environment/2019/oct/03/populations-of-uks-most-important-wildlife-have-plummeted-since-1970> [↑](#footnote-ref-5)
6. POETS, p.3 [↑](#footnote-ref-6)
7. TCPA, p.6. [↑](#footnote-ref-7)
8. See also: TCPA, p.32 [↑](#footnote-ref-8)
9. Available in full online. [↑](#footnote-ref-9)
10. TCPA, p.8. [↑](#footnote-ref-10)
11. TCPA, p.9 [↑](#footnote-ref-11)
12. See TCPA, p.33, for example. [↑](#footnote-ref-12)
13. See TCPA, p.37. [↑](#footnote-ref-13)
14. See: Tim Jackson – *Prosperity without growth,* 2nd edition, at: <https://timjackson.org.uk/ecological-economics/pwg/> [↑](#footnote-ref-14)
15. See: <https://www.thisismoney.co.uk/money/news/article-1714499/Supermarket-jobs-scam-to-swing-planning-decisions.html> & <https://www.lowimpact.org/supermarkets-destroy-jobs-and-local-resilience/> & <https://www.theguardian.com/commentisfree/2011/may/03/supermarkets-kill-free-markets-communities> & <https://journalistsresource.org/studies/government/municipal/impact-big-box-retailers-employment-wages-crime-health/> [↑](#footnote-ref-15)
16. POETS, p.2. [↑](#footnote-ref-16)
17. The TCPA seems to strongly agree, e.g. TCPA, p.17. [↑](#footnote-ref-17)
18. More planners are needed, see TCPA, p.22. [↑](#footnote-ref-18)
19. See for examples: <https://www.buglife.org.uk/resources/habitat-management/ancient-and-species-rich-hedgerows/> & <https://www.britishecologicalsociety.org/uk-woodland-loss-unprecedented/> & <https://www.theguardian.com/commentisfree/2018/mar/26/wildlife-modern-farming-insects-birds> [↑](#footnote-ref-19)
20. See: <https://www.london.gov.uk/sites/default/files/final-draft-lvt-report_2.pdf> & <http://www.landvaluetax.org/> [↑](#footnote-ref-20)