

**Proposed SWT Officer Response
Planning for the Future: August 2020**

Appendix A: Schedule of Questions asked by Planning for the Future (MHCLG) Aug 2020 ('White Paper')

Question Asked	Comment / observation and proposed SWT response
<p>1. What three words do you associate most with the planning system in England?</p>	<p>Proposed response: Flexible, democratically accountable.</p>
<p>2. Do you get involved with planning decisions in your local area?</p> <p>[Yes / No]</p> <p>2(a). If no, why not?</p> <p>[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]</p>	<p>Proposed response:</p> <p>Yes.</p> <p>n/a</p>
<p>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?</p> <p>[Social media / Online news / Newspaper / By post / Other – please specify]</p>	<p>Proposed response</p> <p>We welcomed the commitment to digitise planning. Following years of austerity, this has to come with a commitment to resource and fund. As things stand, the government seems to have conflated digitalising planning with democratic planning – they're not the same thing.</p> <ul style="list-style-type: none"> • The proposed reforms would give only one opportunity for democratic oversight, when the design code is first prepared. This could be many years

**Proposed SWT Officer Response
Planning for the Future: August 2020**

	<p>in advance of particular schemes being given the green light. Determining everything that the Local Plan / at the policy stage will be very difficult for people to understand. It is likely to push people away from engaging in planning issues, reduced community participation with an adverse lasting impact on people and places.</p> <ul style="list-style-type: none"> • Our adopted Statement of Community Involvement ((SCI) (November 2019) sets out a wide variety of methods (both digital and non-digital) to enable community involvement in planning (ie Local Plan, development management and neighbourhood planning). It reflects feedback from our communities and issues associated with deep rurality and poor broadband connections / speeds in many parts of our district. • Our adopted SCI is available on our website at: https://www.somersetwestandtaunton.gov.uk/media/2149/statement-of-community-involvement-sci.pdf)
<p>4. What are your top three priorities for planning in your local area?</p> <p>[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</p>	<p>Proposed response</p> <p>As the planning authority for Somerset West and Taunton (SWT), all of the listed are important given that sustainable development is based upon the 3 pillars of the economic, social and the environment.</p> <p>Others priorities include:</p> <ul style="list-style-type: none"> • Strengthening the function, vitality and self-containment of all of our towns. • Ensuring a sufficient and varied supply of high quality homes to meet the needs of all sections of our communities. • Transport and Highways. • Improve wellbeing and a reducing inequalities. • Inclusive and democratically accountable. • Addressing issues associated with rurality / coastal planning, national parks and the construction of Hinkley Nuclear Power Station.

Proposed SWT Officer Response
Planning for the Future: August 2020

<p>heritage buildings or areas / Other – please specify]</p>	<p>The full list of planning priorities in SWT are set out in our recent Issues and Options document (January 2020) (available on the SWT web site at: https://www.somersetwestandtaunton.gov.uk/planning-policy/adopted-local-plans/local-plan-review-2040/)</p>
<p>5. Do you agree that Local Plans should be simplified in line with our proposals?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Proposed response</p> <p>No.</p> <ul style="list-style-type: none"> We acknowledge that the current planning system in England is not perfect. The Raynsford Review of Planning (November 2018) set out a package of reforms which appear to have been comprehensively ignored by government. (eg National policies, agreed data sets; progressing cohorts of Local Plans in the same region at the same time to address strategic / cross boundary matters, improved community access to skill's and resources - to increase accountability and community participation in planning). If implemented, these recommendations would have evolved the planning system rather than radically replacing it. <p>We welcomed the commitment to digitise Local Plans and the standardisation of data. This has long been sought after. Following years of austerity, this has to come with a commitment to resource and fund.</p> <p>However, it is unfortunate that the government seems to have conflated digitalising planning with democratic planning – they're not the same thing.</p> <p>We do not support the idea to abolish Local Plans in favour of national polices and local simplified housing plans and “design codes” to be prepared within 30 months by Local Planning Authorities.</p>

**Proposed SWT Officer Response
Planning for the Future: August 2020**

	<ul style="list-style-type: none"> • Unfortunately one size does not fit all. The brevity of a 3 zone approach supported by national standards (yet to be defined) is likely to create a policy vacuum. It creates an incentive to submit poorly conceived schemes until detailed design codes are in place. • It takes away the ability to set local standards for sustainability and the climate change agenda and other priorities listed in our response to question 4. • The greater degree of certainty under a zonal system is in direct opposition to what many believe is the best feature of the English planning system - its flexibility and adaptability to specific local circumstances at any point in time. It is important to emphasise that there is a trade-off between certainty and flexibility and that, by definition, zoning is <u>not</u> a flexible planning system (or at least, not as flexible as the current English plan-led system). • With regard to the ability to set local standards, there is too little detail within the consultation document to respond meaningfully to the “alternatives” presented. There are plenty of references to local but interestingly none to localism in the consultation document. It would be helpful if the single sentence on each alternative was fleshed out in more detail. As a local planning authority we want to build upon the good work that has been undertaken to date on local design standards and local initiatives associated with Taunton’s “Garden Town” status. (see https://www.somersetwestandtaunton.gov.uk/garden-town/)
6. Do you agree with our proposals for streamlining the development management content of Local Plans,	<p>Proposed response</p> <p>No</p>

Proposed SWT Officer Response
Planning for the Future: August 2020

and setting out general development management policies nationally?

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

We all know the current Local Plan process is slow. The proposed streamlining by the government is underpinned by a zoning system (as yet to be defined). This requires a great many regulations to deal with permitted/forbidden uses in each zone, related parameters and standards, and possible exceptions. In a very significant way this increases the legislative complexity and is likely to create a rich ground for lawyers to battle over and could take considerably longer to produce and lead to extended Local Plan Examination / Inquiry processes. As such, the introduction of the new system could hardly be coupled with any intention to cut red tape. It is contradictory the stated government vision of a new planning system.

It is disappointing that the consultation documents do not acknowledge that many of the problems of the current planning system result directly from the government's own reform agenda which have resulted in constant policy changes and underfunding. After 10 years the government seems to take no responsibility for the current system it created and now wishes to demolish.

The White Paper is also silent on matters relating to strategic planning, eg and county planning matters such as minerals and waste, renewable energy. Within any new planning system, these are significant omissions that have to be addressed.

The government should look towards implementing the package of recommendations as set out in the Raynsford Review of Planning (see our response question 5 for details).

**Proposed SWT Officer Response
Planning for the Future: August 2020**

<p>appropriate indicators of the quantity of development to be accommodated?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>In many areas the 0.5% existing stock figure will be irrelevant. The household projections are described as a 'top-up' (paragraph 24) to the existing stock figure. However, they will be more significant than a mere 'top-up' in many areas.</p> <p>In some areas the household projections are much larger than the existing stock so the robustness of the projections is questionable.</p> <p>Using SWT as an example, 0.5% of the existing stock is 365 but the annual average household projection is 861. If household projections generally exceed the existing stock figure then the use of the existing stock will not add much stability or predictability as areas will still be led by the more unstable household projections.</p>
<p>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?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Proposed response</p> <p>No:</p> <p>We welcome the government's commitment to a plan led approach and the consolidation of primary legislation.</p> <p>The evidence within the consultation documents to justify automatic permission this is almost completely absent. The current planning system not perfect but it does not justify the kind of radical change the Prime Minister's rhetoric advocates.</p> <p>On the information provided, there is a tension in the proposed new system in that:</p> <ul style="list-style-type: none"> • There is a clear separation of detailed local knowledge of the site and its characteristics from consideration of whether the site is suitable for development in principle.

**Proposed SWT Officer Response
Planning for the Future: August 2020**

<p>9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<ul style="list-style-type: none"> • There is a trade-off between certainty and flexibility and that, by definition, a zoning is not a flexible planning system (or at least, not as flexible as the current English plan-led system). • The White Paper proposes that plans provide land for a minimum of just 10 years (as opposed to the current 15). Will this reduce the incentive for local authorities to look at strategic large scale projects? Instead the focus will be more on small and medium-sized developments that can deliver in the first 10 years. <p>Under the current Local Plan system, sites are allocated based upon their general sustainable development credentials. The governments proposed changes appear to remove the current safeguards at the full planning application stage - in that detailed evidence through Environmental Impact Assessments (EIAs) on major sites, could lead to a legitimate refusal of permission on a site.</p> <p>The governments proposed approach raises various unanswered questions:</p> <ul style="list-style-type: none"> • In reality, how “automatic” is this green light to build, build, build? • Who’s to decide on whether or not the scheme meets the design codes and what happens if they don’t? • What about Environmental Impact Assessment (EIA)? What will this new streamlined EIA look like? • Will the green light be subject to scale, height, massing or density parameters, and if so who fixes them and how? <p>No</p> <p>Please see our response to question 9a above for why we do not agree.</p>
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**Proposed SWT Officer Response
Planning for the Future: August 2020**

<p>9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>No:</p> <p>We have a range of concerns about barriers to community participation and issues about making the voice of the public heard.</p> <ul style="list-style-type: none"> • Being a hybrid approach flowing from the 2008 Planning Act, the complex language and procedures that shape the Nationally Significant Infrastructure Projects regime are often unintelligible to members of the public. This creates mistrust and frustration to local communities. • Contrary to the principles of localism, the proposed change would take decision-making away from local communities and democratically accountable local planning authorities - with the final decision resting with Ministers. • If implemented, it will reinforced the perception of a planning system being constructed to benefit applicants and developers and not local residents and local communities.
<p>10. Do you agree with our proposals to make decision-making faster and more certain?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Proposed response</p> <p>No</p> <p>We welcomed the commitment to further digitise the process and the standardisation of data This has long been sought after. Following years of austerity, this has to come with a commitment to resource and fund.</p> <p>As things stand, the government seems to have conflated digitalising planning with democratic planning – they’re not the same thing.</p>

Proposed SWT Officer Response
Planning for the Future: August 2020

	<p>The focus of the Planning White Paper often appears to be on procedural problems that do not exist while ignoring those that do, particularly in relation to the delivery model for new homes.</p> <p>Planning applications are most often submitted via the Planning Portal. The vast majority of planning applications are delegated to officers. Over 80% are approved within statutory time scales. Records compiled by the Local Government Association show that over the last 10 years, about 90% of planning applications were approved, and of the 2.5 million homes granted planning permission only 1.5 million have been built. Accordingly, more than a million homes with planning permission that have not yet been built</p> <p>Yes of course there will be individual frustrations on individual cases but in general it's not the structure and process of the system that is problem. Rather it is the absence of the power to turn consents given to private developers into delivery.</p> <p>With its focus on build-out rates, and how housing delivery rates can be increased, the government should look towards implementing the package of recommendations as set out in Letwin Review.</p>
<p>11. Do you agree with our proposals for accessible, web-based Local Plans?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Proposed response</p> <p>Yes:</p> <p>We welcomed the commitment to further digitise Local Plans but as things stand, the government seems to have conflated digitalising planning with democratic planning – they're not the same thing.</p>

**Proposed SWT Officer Response
Planning for the Future: August 2020**

	<p>In seeking to enhance existing consultation procedures with digital elements, care must be taken not to sweep other forms of consultation away.</p> <p>There are certain groups that do not have access to a computer (eg those on low incomes). There are also communities, especially within deep rurality locations with poor broadband connections and speeds. Site notices attached to lampposts might be old fashioned but they do draw the attention of those at who walk past the site and potentially use or enjoy it.</p>
<p>12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Proposed response</p> <p>No</p> <p>In 2 tier Local Authority areas, a 30 month timetable for plan preparation is likely to be challenging / not long enough.</p> <p>With regard to strategic cross boundary planning on non-related housing matters (eg flooding, coastal erosion, national parks), in the absence of some form of “duty to cooperate mechanism, it is unclear how such matters will be resolved.</p> <p>Large projects are often the most challenging. Under the proposals, even the most complex infrastructure, design and environmental issues will need to be resolved within the stated time frame. Thus site promoters will need to promote their proposals in more detail to inform plan makers, with all the commensurate upfront costs. It is unclear as to whether the LPA can charge a fee for what is in effect the determination of an outline planning application ?. Will site promoters want to risk an increased scale of investment for the most challenging projects?</p> <p>There is also the practical matter of retraining for the appropriate technical, legal and procedural skills of the proposed new system. Continuing Professional Development of planning staff needs to be able to rapidly reflect such changes.</p>

**Proposed SWT Officer Response
Planning for the Future: August 2020**

	<p>We do not support the “alternative options” which speed up the planning process by removing the automatic ‘right to be heard’ at hearings at the discretion of the inspector. On the information provided, this would appear to be contrary Aarhus Convention, which sets out rights of access to information, participation and challenge throughout the planning process.</p>
<p>13. 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p> <p>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?</p>	<p>Proposed response</p> <p>Yes.</p> <p>We would like to see clarity about how neighbourhood planning would fit into the new code-based Local Plan regime. What power and scope will they have? While there is a great deal of material which stresses the need for things like public engagement and beauty in design, there is a lack of rigour as to how the system will operate in practise which simply makes this public consultation difficult to respond to.</p> <p>The White Paper appears to being avoid setting specific standards. We note that the Government recently announced it would double its grants to Neighbourhood Planning groups and is also proposing that these groups have access to additional technical expertise free of charge, such as for assessing their area’s housing needs, or developing masterplans. This commitment is welcomed.</p>
<p>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?</p>	<p>Proposed response</p> <p>Yes</p>

**Proposed SWT Officer Response
Planning for the Future: August 2020**

<p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>The House of Lords select Cttee: Building More Homes (2016) (https://publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf) was clear as to the measures and solutions required:</p> <p style="text-align: center;"><i>“84 The Government’s target of one million new homes by 2020 is not based on a robust analysis. To address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future. One million homes by 2020 will not be enough.</i></p> <p style="text-align: center;"><i>85. To achieve its target, the Government must recognise the inability of the private sector, as currently incentivised, to build the number of houses needed. Government action is required to address this, including helping local authorities and housing associations to increase their housebuilding.”</i> (<i>Highlighted text, our emphasis</i>)</p> <p>I Such messages were recently reaffirmed by the Letwin Review on Build Out Rates</p>
<p>15. What do you think about the design of new development that has happened recently in your area?</p> <p>[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn’t been any / Other – please specify]</p>	<p>Proposed response</p> <p>Other</p> <p>The Government has yet to publish its response to the Building Better, Building Beautiful Commission’s (BBBBC’s) final report (due this Autumn).</p> <p>The move towards a zonal planning system is presented with soft words about design and development management policies at a national level. But the devil is in the detail of whether such policies will actually uphold standards. We are being asked to accept this on trust while one half of the democratic basis of local planning is removed.</p>

**Proposed SWT Officer Response
Planning for the Future: August 2020**

	The governments proposed approach raises various unanswered questions:
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]	<p>Proposed response</p> <p>As the planning authority for Somerset West and Taunton (SWT), for our priorities, please see our response to question 4.</p>
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.]	<p>Proposed response</p> <p>No</p> <p>The governments proposed approach raises various unanswered questions:</p> <ul style="list-style-type: none"> • In reality, how “automatic” is this green light to build, build, build? • How appropriate will these documents be for local decision-making; given the wide variety of local building stones and materials within Somerset that create a wide range of local vernacular building styles. • Who’s to decide on whether or not the scheme meets the design codes and what happens if they don’t? • What about Environmental Impact Assessment (EIA)? What will this new streamlined EIA look like? • Will the green light be subject to scale, height, massing or density parameters, and if so who fixes them and how?
18. Do you agree that we should establish a new body to support design coding and building better	<p>Proposed response</p> <p>Yes</p>

**Proposed SWT Officer Response
Planning for the Future: August 2020**

<p>places, and that each authority should have a chief officer for design and place-making?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Similar to the Section 151 Finance Officer, we support the requirement that every local authority should appoint a suitably qualified officer responsible for design and place making.</p>
<p>19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Proposed response</p> <p>Yes</p> <p>We support the intention to re-establish a version of CABE within Homes England.</p> <p>However, the current fiscal levers and procedures that place a significant emphasis on “bangs per buck / cost / subsidy per dwelling” have to be more flexible if they are going to fundamentally change the way Homes England funds competitive bid processes.</p>
<p>20. Do you agree with our proposals for implementing a fast-track for beauty?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Proposed response</p> <p>Not sure</p> <p>This begs the question as to how appropriate these documents will be for local decision-making given the wide variety of local building stones and materials within Somerset that create a wide range of local vernacular building styles.</p> <p>The devil is in the detail of whether such policies will actually uphold standards.</p>