



EYNSHAM PARISH COUNCIL

CLERK: KATHERINE DOUGHTY,
91 BRIZE NORTON ROAD, MINSTER LOVELL, WITNEY, OXON. OX29 0SG

Telephone: 07956 901622 Email: epc.clerk@eynsham-pc.gov.uk Web: www.eynsham-pc.gov.uk

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

Emailed to - planningforthefuture@communities.gov.uk

20 October 2020

Dear Sir/Madam

Planning for the Future Consultation

General

The proposals have some fundamental flaws because they are based on false premises.

Firstly, the current planning system is blamed for our lack of housing, and affordable housing in particular yet no evidence is given to support this. The main reasons actually are dysfunctional markets and a failure to invest in social housing.

A second false premise is that public engagement is a hindrance, when actually it is helpful, if not essential.

Thirdly, such a massive overhaul of the system will inevitably mean yet more delay as many Officers will need retraining and time to adjust to the new ways of working.

And fourthly, these reforms will centralize decision-making, when actually local Councils across the country have a vital role to play which should be protected

The Government should go back to the drawing board and start again. But if these proposals are enacted, we should say at least they need to be road-tested in a few local councils first, before being rolled out to the whole country. Also, that there needs to be a greater emphasis on tackling climate change.

Continued

5. Do you agree that Local Plans should be simplified in line with our proposals?
- The proposals will remove the ability of local authorities to effectively address key local priorities or to give the opportunity to adopt an integrated, spatial approach linking up with other related areas including health and well-being, transport, nature recovery and climate change.
 - Broad-stroke planning rules threaten to result in mass standardized, character-less housing, which do not take account of local context and setting.
 - Back up with evidence is needed. In countries where zoning systems are used, such as in continental Europe, local plans are extremely thick documents, with an amount of detail that simply can't be produced in the proposed timescales with current resources.
 - Zoning systems, where introduced, are inflexible in the face of changing circumstances and can take a long time to change in practice, so won't help speed up decision-making.
 - Important for Councils to still have the option to carry out additional work on specific projects for specific areas which develop a coordinated set of standards such as has been achieved for the Area Action Plan for the Salt Cross Garden Village, rather than just three simple area categories for the whole District.
 - TCPA quote – Zoning is often highly complex, with exceptions and escape clauses that make allowance for exactly the kind of discretionary behaviour that is seen as problematic in the British discretionary system. The existence of such exceptions and escape clauses make accounting for decisions more complex, and there is a risk that decision making becomes covert. Research in France showed that where decision makers had some latitude in applying regulations, this resulted in decision making that was not transparent and less accountable.
 - Reforms will shift the cost of preparing an outline planning application from the developer to the council, which will have to do a lot of the work done previously by the developer, so therefore councils will require more funding

- 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?

The key thing is to better co-ordinate the delivery of housing with the necessary infrastructure, with a more holistic approach

- 7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?
- No real detail is provided in White Paper as to what mechanism would be used to address cross-boundary issues of strategic importance. This needs to be worked out in detail before the reforms go ahead.
 - One of the major reasons for delay recently in Oxfordshire is disagreements about sharing Oxford City's unmet housing need among its neighbouring councils, so this is important to correct.

- If an area designated for growth simply lacks the space to fit the numbers calculated by an algorithm, such as Oxford City, then the numbers have to be looked at more carefully and try to avoid exporting housing numbers to adjacent areas, or more pressure on the area to find ways to accommodate new dwellings
- More democratic accountability for cross-boundary bodies

8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

- Calculations of housing numbers should take into consideration if an area has already been found to be unable to meet its current need, e.g. restricted by the Green Belt, and is already exporting its unmet need to neighbouring areas.
- These proposals will load development in places already over-heated, by furthering existing trends.
- We should balance housing better between North and South of England - the reforms will mean a massive 50% more housing in the already overcrowded areas of London and the South East and miss opportunities for investment in less well-off areas of the country, achieving the exact opposite of the Government's proposed 'levelling up' agenda.

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?

No. The building of more housing in areas of the highest demand and the highest price promotes the interests of the developers ahead of the residents and would be residents.

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?

- It is difficult to see how local plans can be expected to take on the role of granting outline planning permission for large, strategic sites whilst the process for examining those plans is to be much simplified. There seems to be a direct conflict between the idea of local plans granting outline planning permission for identified growth areas and the relaxation of evidence needed to support local plans.
- Outline Planning Applications are extremely valuable for site-specific detail and local consultation.

9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

No. In the case of Protected areas the protection is insufficient. A protected area once established should be protected and ALL planning applications for Housing should be rebuffed.

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. If the Three Zone system is adopted, then new settlements could be brought forward in Growth or Renewal areas. There is no case for such settlements to be brought forward in 'Protected' areas.

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

The Council fully supports the greater use of technology to streamline decision-making, but this is already compatible (with some work) with the current system. If algorithms, ML (Machine Learning) or AI (Augmented Intelligence) are to be used in decision-making of applications then they should support the decision-making process, Design Support Tools, rather than take away human input altogether. A well-designed modern AI-enhanced system will give a recommendation e.g. for approval or not, and present the evidence for that recommendation to a professional (planner) who can then make the final decision. In addition, for planning, council committees provide essential democratic accountability for decision-making.

11. Do you agree with our proposals for accessible, web-based Local Plans?

Not sure. Whilst there are some aspects of the plans that are very positive, they completely ignore the fact that under this new system once the original consultation has occurred on a Local Plan the local community is powerless to influence planning decisions. The rush to offer ONLY a digitized, web based plan will inevitably leave behind some members of the community that are not comfortable with IT, even to the extent of not having a smart phone, tablet or laptop making engaging with these members of the community problematical with the proposed solutions.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

No. Difficult to even contemplate agreeing to this part of the process when at point 2.48 the response to a plan is subject to a word limit? The threat of Government intervention at 2.52 is made more difficult to comprehend when it talks of cooperation across boundaries when the duty to cooperate is under threat, see 2.19 Why the confusion? And at 2.53, the proposals are so anti-democratic it is difficult to comprehend how these could be put forward for consultation or consideration, "the automatic right to be heard' could be removed... ..at the discretion of the Inspector."

- 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?

Clearer guidance on Neighbourhood Plans, e.g. what they are permitted to contain and what they are not, would be very useful. Perhaps also some example templates. Local authorities should not be able to have a zero rate CIL tariff for areas, whether they are strategic development areas or otherwise. Eynsham Parish Council worked with the community for many years to produce its Neighbourhood Plan with the expectations of receiving CIL monies to improve the infrastructure and amenities for the residents of the 3200 new homes and existing residents. It is felt that regrettably the District Council has taken the side of the developers rather than the community.

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. During the back-bencher debate in the house on 8th October, the need to ensure build out of permissions was a recurring theme and a cross party theme.

Almost 1 million permissions are in place but not being built out. This 'land bank with planning permission' is an action by developers to maximise their profit. Once permission is in place the land is retained, not built out, until the marketplace offers the price point that satisfies the developer. It is for this reason that simply asking developers to build more housing will not work. Urgent action is needed to remedy this situation. Suggestions were made by MPs to include an exorbitant level of housing/council tax to be applied to these unbuilt plots. It may be as simple as having planning permission lapse if not built out before say, 18 months have elapsed.

15. What do you think about the design of new development that has happened recently in your area?

There is a democratic deficit in the shaping of new developments. All negative impacts experienced from developments would be further demonstrated under the proposals. There is a lack of co-operation and understanding between District and County Councils in areas such as Construction Management Plans and highway restrictions.

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

All of the options: Less reliance on cars, more green and open spaces, energy efficiency of new buildings and more trees.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

It is crucial for the design guides and codes to be prepared with extensive and meaningful community input and these should be used across the region.

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

- Beauty is difficult to define and be subjective, which emphasizes the point that professional judgement needs to be applied to decision-making rather than relying on algorithms.
- Runs the risk of standardized blocks of housing which each might happen to meet a simple criteria, but when together look monotonous.
- Independent Design Review Panels should therefore provide input to any individual large-scale applications.

- 22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

These should be set locally, and the formula should be clearly known and understood by the Community and the Developers including SME builders.

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?

It is essential that any uplift in land value is properly captured. At present, the Council would suggest that very little of this uplift is clawed back for the provision of infrastructure and this position clearly needs to change.

Yours sincerely

A handwritten signature in black ink that reads "K. Doughty". The signature is written in a cursive style with a large, looped 'D'.

Mrs Katherine Doughty
Clerk to the Council