Epsom Civic Society

formerly Epsom Protection Society

shaping the future, safeguarding the past

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Planning for the Future Consultation
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<u>**To Whom It May Concern**</u>

<u>**Government Consultation: Planning for the Future – Responses from Epsom Civic Society**</u>

About Epsom Civic Society

Epsom Civic Society was founded in 1959 as the Epsom Protection Society, at a time when many historic and architecturally valuable buildings and houses in Epsom and Ewell were being threatened by developers. Then, our primary role was to halt the destruction of Epsom's heritage and to ensure that new development was compatible with the traditional character of the town. In 2011, our name was changed to Epsom Civic Society. Our purpose continues to be to protect the heritage of Epsom and to encourage high standards of new planning and building; but the change of name reflects the wider concerns of the Society to promote civic pride and to inspire progressive improvement in the quality of local life for everyone. We have over 1800 members. The Society is a founder member of Civic Voice, the national charity for the civic movement in England, and shares common aims with other civic societies.

Preliminary observations on this consultation

Aspirations and Reservations
The Society welcomes this opportunity to give its views on the planning system and on these proposals. <u>Our priority in terms of responding to this consultation paper is to support community voices in planning</u>. We want a planning system that works, in terms of genuinely embracing collaborative planning and valuing local knowledge; a system that retains and develops local

distinctiveness in the built environment, and cherishes green spaces and heritage; one that delivers a climate resilient and sustainable future and makes great places. We are pleased to see proposals here for continuing and strengthening public engagement in planning but nonetheless we have concerns about some of the proposals that will, in our view, reduce opportunities for community engagement and diminish the local democratic mandate in planning.

Technology

We recognise that there is an inherent contradiction between speeding up the system and increasing community involvement. This is not new. Generally, there seems to be a heavy focus on "technology" to "solve" the planning/building crisis and engage communities more effectively. Reference to gaining input from individuals using smart phones and apps seems tenuous. The Consultation Paper repeatedly refers to great planning examples of Bournville, Belgravia etc, yet these developments were achieved before smart phones and data sets were readily available. Similarly, the recent Covid crisis revealed how many households did not have smart phones, laptops and internet so moving the consultation phase to more online platforms and data heavy documents may unfairly impact poorer communities. Technology can be empowering and a force for good but expanding its deployment and accessibility should not come at the cost of displacing other established, more traditional, and effective channels of communication.

Quality Takes Time

Faster, more certain decision-making that removes local input and increases centralisation may mean cutting corners and a lack of rigour in decision-making. It is no guarantee for making sustainable places that meet communities' needs. The White Paper places a lot of importance on user experience rather than the quality of the end result. Quality takes time and cost. The extension of permitted development rights to 'streamline' the system presents a real risk of sabotaging the government's proposals for beautiful and sustainable places and high standards of design.

Practicalities of Implementation: Limited Details

Greater detail in some of the proposals would have enabled us to give more in-depth responses and explore wider issues raised, not least regarding practicalities and deliverability of the vision as currently expressed, for example the 'fast track for beauty'. Is this, perhaps a 'White Paper ahead of its time', paving the way for subsequent consultations on specifics? Particularly in relation to proposals for increasing community involvement, we would like to know more about how they will be under-written and delivered. We recognise, for example, the need for engagement of community champions with relevant expertise and availability in the consultation and preparation stages of local design codes. We would also like to know more about the various statements of intent (proposals 15-18, 23, 24). In particular, the proposal for 'ambitious improvements' to help deliver the net zero carbon by 2050 goal. It should be made clear that local planning authorities are able to set standards above the building regulatory minimum (pending the arrival of a zero carbon homes policy as originally planned for 2016). How this is to be encouraged in the new "Local Plans" as envisaged by this reform is unclear.

PILLAR 1: PLANNING FOR DEVELOPMENT

Q1. What **three words** do you associate most with the planning system in England?

Response

    a) **Time-consuming, comprehensive, enduring.**

'Time-consuming', not necessarily bad since <u>quality takes time</u> (and cost).
'Comprehensive', reflecting the multifaceted nature of planning as a discipline.
'Enduring', reflecting on the end-result / planning outcome.

    b) **Inclusive, local, democratic.**

'Inclusive' as the current planning system enables local views to be expressed in relation to individual planning applications - and for these views to be included in the information that is taken into account when planning decisions are taken.
'Local' as the current planning system is driven by local plans, local views and local decision making.
'Democratic' as the current planning system is based around locally elected councillors taking planning decisions that impact on the area they have been elected to serve.

Q2. Do you get involved with planning decisions in your local area?

Response

Yes – responding as Epsom Civic Society. We do not think that the planning system is broken and challenge the underlying assumption in this White Paper about the lack of community engagement. Local planning decisions in the Epsom and Ewell area do currently take into account the views of significant numbers of residents. The proposed changes to planning set out in this consultation would greatly reduce the opportunity for residents to express their views.

Q3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?
[Social media / Online news / Newspaper / By post / Other – please specify]

Response: **'Other', ie all channels listed above should be used plus site notices on lamp posts, fences etc, and external noticeboards at town halls / council offices / town centres to publicise local plan / neighbourhood plan consultations. It cannot be a single or very limited set of digital channels as different people use different sources – channels should also continue to include putting planning applications notices on lamp posts or fences adjacent to where development is proposed as that is where an appreciable number of local people going about their everyday tasks will see the notices. Information should be published as widely as possible.**

We would like to know how smart phones could be used to gain this information: would we need to make daily enquiries to see if any new application had been lodged, or subscribe to notifications?

Would councils be required to maintain databases of local mobile phone numbers? Existing methods seem more convenient and effective. A QR code on a lamp post notice could be useful.

Q4. What are your top three priorities for planning in your local area?
[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

Response: Most of the above are relevant. Confining relevant priorities to a 'top three' overlooks the wide-ranging impact of planning decisions on a local community. Those left out are not unimportant. Our top three priorities are:

    a) **The environment, biodiversity and action on climate change**

    b) **Increasing the affordability of housing**

    c) **Design of new homes and places.**

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

Q5. Do you agree that Local Plans should be simplified in line with our proposals?

Response: No.

The current system for plan-making does need reforming but the proposals are simplistic and too exclusionary.

Paras 2.8 – 2.10 - The three categories proposed, while superficially attractive, are, on closer inspection, likely to be unhelpful in terms of enabling local involvement.

'Growth' designation - gives local community virtually no control over what happens in these areas once designated. Combined with merger of use classes – introduced from 1 Sept 2020 - the coherence of areas will be lost with a market driven 'free for all' that destroys the carefully curated growth over many years of high streets with independent local shops, or streets where there are clusters of restaurants. How does a community stop lowest common denominator occupancy of high streets? What is to stop industrial processes (new Use Class E) setting up in depopulating high streets, making them even more unattractive to neighbouring retail or food outlets?

'Renewal' areas – the proposals talk about 'gentle densification and infill of residential areas, development in town centres'. The experience of what happens in practice in Epsom and Ewell is anything but gentle - developers submit applications for high rise tower blocks (eg for 13 storeys) completely out of keeping with existing surrounding building heights (typically 3 or 4 storeys in the town centre, 2 or 3 storeys outside of town centres) or seek to cram over 20 dwellings on a site that

currently has 2 dwellings, removing current green space and green corridors that enable biodiversity to be maintained. It is difficult to see the consultation as credible with its vision of gentle densification that is so far removed from developer practices.

'Protected' areas – how would this work where recent announcements allow householders to add two storeys to any existing building without any opportunity for immediate neighbours to object? The designation is not clear as regards retention of existing protections for Conservation Areas, Green Belt, AONB etc.

Para 2.11 proposal is even worse – making a growth 'free for all' to include renewal areas.

Para 2.12 is slightly better in that it seems to retain some local resident control over non growth areas though difficult to see this being enacted given the skewed argumentation throughout the consultation document.

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

Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

Response: No.

Setting general development management policies nationally is too 'top-down' and is best left at the local level. You cannot have local input through a centralised system.

Para 2.15 says …..."We want to move to a position where all development management policies and code requirements, at national, local and neighbourhood level, are written in a machine-readable format so that wherever feasible, they can be used by digital services to automatically screen developments and help identify where they align with policies and/or codes."

Underlining added.

This looks like an attempt to exclude local human involvement in the planning process by imposing an automated national set of conditions that cannot be challenged no matter how inappropriate for local circumstances.

These proposals sound quite a lot like the algorithms that the government sought to use to determine A level and GCSE results for 2020 exams – that did not work for the government nor the students and was abandoned.

Agree with suggestion in para 2.16 'to allow local authorities a similar level of flexibility to set development management policies as under the current Local Plans system' but disagree that local authorities could not repeat national policies in their local plan where these are adopted. For local people to make sense of the local plan, they need to see all the relevant polices in one place – that place is the local plan.

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

Q7(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?

Response: Not sure.
In principle a consolidated test is attractive in terms of streamlining the Local Plan process, as is basing it on 'sustainable development', bearing in mind, however, that term's fluidity of interpretation. We would like to see more details about specific and measurable criteria for assessment within the broad sustainable development test.

Q7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Response: the Duty to Co-operate is flawed but we do not support removing it without a replacement mechanism, otherwise we risk a vacuum in strategic planning, with consequent unmet development needs, delay in housing and infrastructure delivery, and an inability to meaningfully address bigger issues on the Government's 'levelling up' agenda. Given the demise of regional planning there is a need for some other form of integrated spatial framework, or local partnerships, regional associations, or forums.

Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

Q8(a). Do you agree that **a** standard method for establishing housing requirements (that takes into account constraints) should be introduced?

Response: **No. As currently presented, and without further details, we must disagree with this proposal. The Society supports delivery of affordable homes and social housing based on revised and detailed proposals for housing requirements that have sufficient flexibility to respond to local circumstances. As currently presented:**

a) This is a mathematical calculation: how will 'constraints' be reflected in the formula and how will the public participate? We need to know how local constraints will be identified, assessed and by whom. As well as identifying sites and areas with particular environmental and/or cultural characteristics and designations, decisions on constraints must be informed by drawing upon local knowledge, circumstances, community sense of place and local identity.

b) The proposal states a standard method is needed …"to stop land supply being a barrier to enough homes being built". As land is a finite resource, this makes no sense especially where local authorities will likely have significant areas defined as 'Protected'. The Borough of Epsom and Ewell, for example, has 42% of land designated as Green Belt. Having a "standard method" will not create more physical land. In other areas the issue is not to make more land available, but to develop land that is already available but held in land banks. A more effective approach would be to compulsorily purchase such land and assign small builders to build affordable or public housing on it.

c) Local policies are needed rather than a standard method that treats all areas of the country the same. It is already an accepted requirement to improve investment and facilities in the North. It therefore follows that the North needs a different method in order to favour it over the South, the North cannot be treated the same way or it will have no advantage. There will be similar considerations in other areas.

d) Our Borough has lived for too long with the threat of central government's housing numbers' requirements destroying the prospects for Epsom growing into a modern and resilient market town while retaining its heritage and local distinctiveness. The Council's Urban Housing Capacity Study (2018) and draft Masterplan (2019) reveal all too clearly the elephant in the room, namely that <u>delivering new homes requirements locally to a nationally adopted standard methodology, necessitates not only unacceptably increased heights and densities in town but also extensive building on the Green Belt with consequent adverse impacts for Conservation Areas and poor place-making outcomes generally</u>. We are reminded of what Eric Pickles said some 10 years ago when announcing the Government's intention to scrap Regional Strategies: *"Communities will no longer have to endure the previous government's failed Soviet tractor style top-down planning targets - they were a terrible, expensive, time-consuming way to impose house building and worst of all threatened the destruction of the green belt."* (6 July 2010). Many areas, as well as our own, are facing the same concerns now via a standard methodology route, hence we cannot support it.

Q8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

<u>Response</u>: **No.**

From initial reading, proposals seem to ignore levelling up agenda by forcing more building into already overcrowded south east of England. Earlier response to Changes to the Current Planning System (submitted on 1 October 2020), highlighted the disproportionate impact of the revised standard method on pressuring more building on areas which are already unable to meet housing targets.

How does it help retain character of area if housing requirements force ever greater density of development?

What incentives do developers have to build in areas of the country that need the investment in housing and other properties and infrastructure to revitalise their economies (eg NE England) , if the reformed planning system is concentrating housing development numbers on already prosperous areas such as SE - where traffic congestion is increasing , air quality diminishing , water shortages forecast , urban sprawl is threatened.

The proposed amendments to the standard method create a disproportionate inflation of housing need levels for SE England areas. Removing the affordability adjustment and just using ONS population projections would seem to be a more realistic and equable approach.

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

Q9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?

<u>Response</u>: **No**. **These recommendations seem to minimise the opportunity for residents to express their views on major planning proposals which may have a profound effect on their communities.**

Q9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

<u>Response</u>: **Not sure. Our caution is informed by our response to Q5 (simplification of Local Plans) and our reservations set out there. We do not support recommendations that seem to minimise the opportunity for residents to express their views on planning proposals. We support Para 2.36: "We will consider the most effective means for neighbours and other interested parties to address any issues of concern where, under this system, the principle of development has been established leaving only detailed matters to be resolved." It is essential to have a workable, accessible mechanism for this purpose that enables communication of meaningful feedback and requires the decision-maker to give that feedback due weight.**

Q9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

<u>Response</u>: **Not sure. These recommendations seem to minimise the opportunity for residents to express their views on major planning proposals which may have a profound effect on their communities.**

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

Q10. Do you agree with our proposals to make decision-making faster and more certain?

Response: Not sure. Speed and certainty, without more, do not always make for good decision making. Quality takes time and cost.

a) Proposals seem to be based on a weak assumption that: it is possible to automate and digitise many aspects of the planning process and that these steps will always be seamless and beneficial. Experience suggests a more cautious and less unquestioning approach would be more sensible. <u>Faster decision making will often have the effect of excluding local people from effectively participating in planning processes</u>.

b) Proposals are too vague to be implemented (e.g. "new digital services can be built to help people use this data in innovative ways").

c) There is no way to objectively test whether the aims have been met (e.g. did the system "improve the user-experience for those applying"?).

d) The most critical and time-consuming parts of most planning applications are beyond the scope of technology: namely performing site surveys and deciding subjective aspects such as effects on heritage and "beauty". At best, the proposed system will speed the part of the process that is already fastest.

e) There is considerable evidence that Government is unable to deliver such a project. Recent history of major Government IT failures includes Covid track-and-trace, army recruiting partnering, universal credit, the disclosure and barring service, the emergency services network and the home office tagging system.

f) Most importantly, this approach does not address the root problem. The root problem is that housing is being built too slowly. By far the greatest amount of elapsed time is from planning being granted to building being completed. Saving a few weeks of planning time will have minimal effect on a five-year building project. Builders need to be motivated to complete building work faster.

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

Q11. Do you agree with our proposals for accessible, web-based Local Plans?

Response: Yes, in principle, subject to the need for details, and subject to the reservations expressed about the delivery and functionality of the requisite digital systems in our response to Q10. If done well, digital engagement could encourage greater public involvement. More traditional, physical plans and traditional mechanisms for communication should nonetheless be retained in the interests of inclusivity, accessibility, and transparency.

Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

Q12. Do you agree with our proposals for a **30 month statutory timescale** for the production of Local Plans?

<u>**Response**</u>**: No.**

Given the proposals to remove the ability of residents to object to most new planning applications, the lack of central government funding for local authorities for the 30 month development and signing off of local plans looks like an attempt to force through plans that have little local public involvement or understanding. 30 months is not enough time for proper public consultation and the development of detailed design codes. There needs to be an allowance for slippage.

Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

Q13(a). Do you agree that **Neighbourhood Plans** should be retained in the reformed planning system?

<u>**Response**</u>**: Yes. Neighbourhood Plans are a useful vehicle for local voices. The role and status of Neighbourhood Plans will need clarifying in the revised system.**

Q13(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?

<u>**Response**</u>

Digital tools are important but should not be the main focus. The real issue is how to get local involvement in developing a Neighbourhood Plan. Usually requires affluent, retired professionals in an area with interest and time to develop the Neighbourhood Plan. How does this work for less affluent areas? Research is needed. What support is proposed to help such areas?

Proposal 10: A stronger emphasis on build out through planning

Q14. Do you agree there should be a stronger emphasis on the build out of developments?
And if so, what further measures would you support?

<u>**Response**</u>**: Yes**

From the press it is indicated that between 600,000 and a million homes have planning approval to be built but developers are sitting on the permissions to restrict supply and increase prices. What sanctions are proposed here to take back permissions from developers if they fail to build out in a timely manner? Alternatively, a scale of increasing charges should be levied on developers for each month they fail to progress or complete development build out.

Reform of CIL

PILLAR 2: PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES

Q15. What do you think about the design of new development that has happened recently in your area?
[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]

Response: Mixed results: sometimes well-designed, often poorly designed, uninspiring, generic, with use of poor-quality building materials. The Society has been severely disappointed in recent years: new development is not up to the standard we would have liked, and sustainability not an apparent priority. We are concerned about the dichotomy between extended permitted development rights and delivering well-designed places. 'Chasing' housing numbers is also a concern in this context.

Q16. 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]

Response:

a) We would like to see buildings that deliver on creating low carbon / carbon neutral homes, that reduce emissions, have lower running costs, and improve the wellbeing of the community.

b) We would like to see an improvement in air quality for the benefit of public health.

c) We support less reliance on cars, recognising that reduction in the number of individual private car journeys is in large part dependent upon increasing investment in public transport.

d) We support retention and enhancement of our green and open spaces and the planting of trees.

e) We would like to see more emphasis on prioritising <u>social</u> sustainability: we need self-sufficient communities with amenities nearby, that promote health and well-being, community cohesion and social resilience, that also cut stress *and* pollution *and* combat climate change. <u>We would like to see local levelling-up for isolated communities to reduce existing inequalities and improve their quality of life.</u> In the context of Covid, this is increasingly important.

Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement and ensure that codes are more binding on decisions about development.

Q17. Do you agree with our proposals for improving the production and use of design guides and codes?

Response: Yes, with provisos.
If communities are to be involved in developing design guides and codes, they need resources so that they have:

- access to different design guide models and types,

- advice on how these could be deployed,

- mock ups of what they would look like,

- understanding of the impact of building density and heights on 'human scale' of towns,

- information about the adverse creation of wind tunnels next to tall buildings,

- knowledge about the fire risks of tall buildings (taking lessons from Grenfell fire tragedy),

- data on the impacts on air quality,

- research on the transmission of respiratory diseases in cramped accommodation,

- briefings on the impact of the removal of green spaces and green corridors on biodiversity and wellbeing.

Design codes are good for projects but probably less good for Local Plans. How long do they last? Will they constrain innovation, or will they be sufficiently flexible? We support their deployment as an enabling tool for local communities but we are alert to the risk they could be used in such a way as to limit local democracy and dilute local distinctiveness. <u>This proposal should not be a backdoor attempt to enable developers to push their preferred lowest cost building options that would undermine the look and feel (the character) of an area.</u>

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

Q18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

<u>Response</u>: Yes

a} Confidence in the quality and independence of the chairmanship and membership of the design body is critical if they are to be seen as credible and useful. At minimum the design body should met the following criteria:

- **Civic Societies, local authorities and residents should be strongly represented on the design body,**
- **meetings of the body should be held in public,**
- **agendas and papers should be published in advance,**
- **minutes of meetings published in a timely manner.**
- **evidence taken from 3rd parties should be published,**
- **funding of the design body should be transparent.**

- **members of the body should declare their interests in advance and should not be involved in decisions that impact business interests they may hold.**
- **failure to do so should lead to expulsion from the design body.**
- **the body's aim should be to work in the best long-term interests of communities.**

b) In principle we support a chief officer for design and placemaking for each local authority, but the post should be properly resourced to avoid the mere re-designation of existing planning officers' roles. The remit of a chief officer should include a requirement to work with and support local communities. This links to our response to Q17, use of design guides and codes.

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

Q19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

<u>Response</u>: **Yes. A leadership role for Homes England in delivering on design quality enables Government to set an example for local authorities and commercial developers to follow in raising design quality standards.**

Design should include minimum standards in terms of

- **space (m2) per occupant**
- **building heights in relation to surrounding and nearby buildings**
- **energy efficiency**
- **transport sustainability**
- **non-flammable building materials**
- **fire safety access and egress (including building height).**

Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

Q20. Do you agree with our proposals for implementing a fast-track for beauty?

<u>Response</u>: **No.**

Interesting idea, good in theory but we cannot see how a fast-track for beauty will be meaningfully delivered. Beauty is difficult to define, should not be stuck in the past, should embrace innovation and quality and is best underpinned by established and sustainable design principles and standards. Beauty should address contemporary priorities, including resident safety – it is beautiful to be alive and safe.

There may be a risk to the local vernacular with over-use of 'pattern book conformity'. The retention of local distinctiveness is of key importance at a time when policies promote significant increases in house building.

As we stated in our response to Q15, we are concerned about the dichotomy between extended permitted development rights and delivering well-designed places. We object to the proposals to expand permitted development rights. The independent report for Government from UCL and the University of Liverpool (July 2020) demonstrated it is not creating high quality development, which is one of the fundamental aims of this White Paper.

PILLAR 3: PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

Q21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

Response: Our initial response is to say that 'everything is connected' because all are important. Development is about making sustainable places. Identifying 'a' priority overlooks the wide-ranging impact of planning decisions on a local community. Those left out are not unimportant, a point previously made in our response to Q4.

If pressed to choose we would prioritise public transport / design / green space.

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

Q22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

Response: Not sure. CIL is heavily criticised by practitioners and should probably be replaced.

Q22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

Response:

Levy should be set locally. Circumstances vary significantly within an area and even more so nationally. Trying to set a levy nationally would lead to charges that do not at all reflect local needs.

Q22(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?

Response: More value.

Levy should capture more value - especially as proposals are attempting to get local authorities to fund affordable housing from these levies which limits the amount of infrastructure that can be built.

Q22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

Response: Not sure.

Superficially appealing for local authorities, but we think that the risk should be borne by party best able to bear it. Allowing this puts the cost of borrowing onto the local authority, yet it is the builder that makes the profit.

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

Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Response: Yes.
Important to capture every opportunity to secure a proportion of development value for the benefit of the community in which it is located.

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

Q24(a). Do you agree that we should aim to secure **at least** the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

Response: Yes.

Yes, if S106 not being used for this purpose.

Q24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

No comment.

Q24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

No comment.

Q24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

No comment.

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

Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

Response: Not sure.

If the levy is used to plug other gaps in local authority funding (which authorities will be under significant pressure to do, for example in relation to social care), how will infrastructure to meet expanding housing numbers be provided? On balance, while local authorities should have greater flexibility over where within their boundaries they spend the levy, it should still be applied in relation to infrastructure and affordable housing rather than other purposes.

Q25(a). If yes, should an affordable housing 'ring-fence' be developed?

Response: Taking our response to Q 25 as a tentative 'yes', then yes, also to developing an affordable housing 'ring-fence' for reasons given above.

Q26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

Response

Protected characteristics have a close correlation with poverty indicators, for example on average people with one or more of the protected characteristics tend to be lower down the income scale, often due to discrimination that is systemic, overt or hidden.

The planning proposals should therefore seek to promote social housing which is beneficial to lower income groups, thereby assisting people with protected characteristics – while also being environmentally sustainable, meeting rigorous design codes and retaining the character of existing townscapes and communities.

It is not clear that the proposals overall do this. Rather the main thrust of the proposals is to take control away from local areas and centralise it to sit with national government and with developers.

Yours faithfully,

Margaret Hollins

Chair, Epsom Civic Society