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**Planning for the Future: public consultation by DHCLG
Central Ealing Neighbourhood Forum response**

**Introduction**

In August 2020 the Government began a public consultation on its White Paper (see details through the link [*Planning for the future),*](https://www.gov.uk/government/consultations/planning-for-the-future) which proposed reforms of the planning system “to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed.”

If approved, the proposals would have a major impact on the planning system and on neighbourhood plans in particular. The Forum responded to the consultation as below. The questionnaire was structured under three “Pillars” with specific questions which have not been repeated here and did not allow space for alternative proposals, which accounts for the limited nature of our comments.

We will report on any developments and our reactions as they arise.

**Pillar 1-** **Planning for development**

We believe the present planning system is undemocratic, opaque, and under-resourced.
To make it easier to access plans and contribute our views to planning decision, we would best like to find out about plans and planning proposals by direct notification by email. Our top three priorities for planning in our local area are to support the high street and the local economy, protect existing heritage buildings or areas, and protect open spaces.

Our response to specific proposals in the White Paper were as follow.

**A NEW APPROACH TO PLAN-MAKING**

**Proposal 1**: We do not agree 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”. As a London Metropolitan Town Centre with 75% covered by Conservation areas, dividing the area into the areas proposed makes no sense. Any sites deemed suitable for redevelopment would require an unnecessary and probably impossible amount of detail at the stage of policy development. Plan approval could become over-detailed and drawn out.

**Proposal 2**: We also disagreed that development management policies should be set nationally. This top down approach clashes with the concepts of localism. Development policies should remain broadly based and allow individual site plans to be developed in line with local character and needs.

**Proposal 3:** We are unconvinced that Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.

A single test would need to be very broad but with sufficient detail to avoid losing essential elements now covered. The risk is that it would replace specific requirements with a vague generalisation and introduce a lack of clarity.

**Proposal 4**: We are not sure that a standard method for establishing housing requirements would be of benefit. At present housing targets in London appear to be handed down with little input from boroughs. The London-wide housing assessment (SHLAA) is already carried out without any local consultation with recognised neighbourhood forums. If there is to be any change, it should be in the direction of strengthening accountability. Densification should not be at the cost of allowing development where access to adequate green and open spaces is already restricted. The introduction of consistent rules for safeguarding protected land would be welcome, and should include MOL as well as Green Belt.

We do not see how *affordability and the extent of existing urban areas could be appropriate indicators of the quantity of development to be accommodated,* as how this could be done without imposing arbitrary quotas is not clear. Plans should start from a proper analysis of the capacity of any area to absorb densification without damage.

**A STREAMLINED DEVELOPMENT MANAGEMENT PROCESS WITH AUTOMATIC PLANNING PERMISSION FOR SCHEMES IN LINE WITH PLANS**

**Proposal 5:** We oppose the proposal that areas identified as Growth (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**.** This approach would nullify the concept of neighbourhood plans being made to give local communities the ability to influence how their own areas look in the future. This would also be the case for *Renewal and Protected areas*, unless current levels of protection are at least maintained, particularly for Conservation Areas.

**Proposal 6:** We are suspicious about suggestions that decision-making should be faster and more certain, with firm deadlines, with greater use of digital technology, if these mean removing accountability and local democratic input. “Digital technology” is not defined, and cannot be used to replace proper consultation. Developers are not the best people to judge the validity of local interests, which can best be assessed by more, not less, preplanning consultation with local communities.

**Proposal 7:** We are also doubtful about what it meant by proposing that Local Plans “should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template”.Good visual presentation of plans is needed, but they should aid understanding and not add a requirement for greater technical competence or adherence to a single national technical approach, which has proven disastrous in the past. Paper-based documents should not be discarded in favour of a wholly digital approach.

**A STREAMLINED, MORE ENGAGING PLAN-MAKING PROCESS**

**Proposal 8:** Speeding up plan making through legislation to meet a statutory timetable with sanctions **could** heavily disadvantage local neighbourhood forums, particularly if greater details and research is necessary to contribute sensibly to more detailed local plans. The process of public examination is a valuable way of introducing an external, objective view, particularly where LPAs have not engaged widely with local communities in preparing their plans.

**Proposal 9:** Neighbourhood Plans (NPs) should be retained as an important means of community input. Changes should not be introduced which would reduce NPs to commentary on minor issues, and procedures should strengthen the requirement for full consideration of NP policies at pre-planning stages. Changes are also needed to the neighbourhood planning process, particularly to address local voluntary resource constraints and lack of expertise and to rebalance the undue influence that LPAs currently have to override local wishes.

Use of digital tools is an issue of resources and skills as well as communications, which has to be resolved**.** Neighbourhood forums also need to be engaged in the preparation of design codes and participation in panels. The imbalance that exists allowing the undue influence that LPAs have to override local wishes should be redressed. We also doubt if planning at such a micro-level as an individual street would be helpful.

**SPEEDING UP THE DELIVERY OF DEVELOPMENT**

**Proposal 10:** A stronger emphasis on build out through planning could be helpful**.** Extended redevelopment periods can have a negative effect on town centres, creating a loss of confidence and discouraging other potential developers. Stricter definition and application of rules for the cancellation of planning permission should be developed, to prevent nominal activity resulting in sites being left derelict.

**Pillar 2 - Planning for beautiful and sustainable places**

The design of recent new development in our area has generally been mixed. Some has been sensitive *but* some has been out of keeping with local character.

Local development has been a mix of very small and very large scale, influenced by the sites coming available. The small units have generally been amongst the best, with design sensitive to neighbourhood character, particularly where prior consultation with CA panels has taken place. The more significant and larger developments ave often been out of scale with the surrounding character, largely justified by “viability” arguments producing mass and scale out of keeping with the area.

On sustainability, our neighbourhood plan gave priority to all items, including the need for general environmental sensitivity, including the impact of tall buildings. The Local Plan however gives little or no attention to this, and it needs higher visibility at all stages of planning.

**Proposal 11:** We would support a proposal to make design expectations more visual and predictable by having design guidance and codes prepared locally with community involvement. Codesproduced with local engagement should be more binding on decisions about development. Their interpretation and application also needs to be subject to robust public examination.

**Proposal 12:** We would also support a body to ensure the delivery of provably locally-popular design codes, and the propoal that each authority should have a chief officer for design and place-making. However, this shouldnot be at the expense of a wider responsibility for conservation. LPAs should be required to have qualified officers in place to help interpret design guides, in conjunction with neighbourhood bodies including conservation panels, civic societies and neighbourhood forums.

**Proposal 13:** We agree with moves to ensure that Homes England’s strategic objectives can give greater emphasis to delivering beautiful places**,** provided “design” is seen as relating to context and not involve imposition of any current architectural fashion.

**Proposal 14:** The idea fora” fast-track for beauty” sounds like a single central concept rather than a “local sensitive” approach, and we would therefore not support it.

**Proposals 15 - 18:** We agree there should be full consideration of the environmental impacts of development, and that this should not be sacrificed in favour of speed. EIAs could be simplified but in return should be a requirement for any major or otherwise significant development. Local Design Guides should be required to include consideration of environmental impacts.

**Pillar 3 - Planning for infrastructure and connected places**

“Sustainable development” should be interpreted widely, and consider issues of economic and social infrastructure. S106 is often left to “off record” negotiations between developer and Council (as development agency rather than LPA). Ealing has adopted a Community Infrastructure Levy (CIL) policy but has never introduced it, which left the local communities with little or no engagement on questions of environmental impact.

**Proposal 19:** At present, our local communities have no say in how the impacts of development can be mitigated or used to benefit the surrounding area. Some statutory requirement or process is needed to ensure local engagement which reflects the general impact as well as that of specific sites. CIL should be reformed to be charged as a fixed proportion of the development value above a threshold, with ratescontinuing to be set locally, but subject to local engagement. They should be much at the same rate, but with the possibility of a premium being agreed where there are particularly pressing local infrastructure needs (eg areas of high economic decay, or high levels of deprivation). Where a Neighbourhood Plan is in place, an element should be included to help fund the ongoing work of the responsible body such as the sponsoring neighbourhood forum.

Local authorities could be allowed to borrow against agreed CIL to support infrastructure delivery in their area at the same time as the development which is generating the need*,* particularly where development has a long period for completion and CIL is staged.

**Proposal 20:** We agree that the scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights.

**Proposal 21:** While rates of CIL could be set to encourage higher proportions of genuinely affordable housing, it is unclear how effective this would be unless the amounts were significant, which would unbalance the total CIL levy. However, LPAs should not be permitted to accept payments in lieu of provision, or reduction in a previously agreed quantity, of affordable housing.

 Infrastructure, particularly provision for social or other environmental needs, should not be traded against other considerations.

**Proposal 22:** We do not believelocal authorities should have fewer restrictions over how they spend the Infrastructure Levy*.* There should be certainty on all parties, including the local community, on what is being levied and for what purposes. LPAs should continue to be obliged to spend monies from CIL on local infrastructure projects and monies from s.106 agreements on infrastructure and housing that is relevant to the development to which to the s.106 relates. They should be required to give full and proper regard to the views of the local community.

If s.106 provisions for affordable homes disappear, some other provision is required to safeguard the required amounts of such housing.

**Delivering change**

 All attempts at using clearer and better communication must be welcomed, whilst recognizing that over-simplification of complex planning issues will hinder rather than help understanding and subsequent acceptance. Methods of communication and the messages contained in consultation documents must aim at objective neutrality rather than persuasion.