



CHELTENHAM CIVIC SOCIETY

**Our comments on
Planning for the Future –
the Planning White Paper**

October 2020

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Foreword

At its best, town and country planning can be a pillar of our democracy. It is the means by which citizens can help shape the future of cities, towns and villages; identify and help protect the natural and historic heritage; achieve high standards of design; and create sustainable places where people can live, work and play.

Our experience as a Civic Society in Cheltenham suggests we are falling well short of this ideal. Planning comes across as a bureaucratic process from which people can feel excluded. Often the results are mediocre.

So, we welcome the intent of the White Paper. And there are parts of it which we strongly support – such as the emphasis on good design. But we believe it is fundamentally mistaken for three over-riding reasons, and which we develop in our detailed comments:

- The absence of supporting evidence for such a far-reaching set of proposals. Tearing down the present system which, for all its faults, is well established and well understood, cannot be justified by the thin arguments offered in the White Paper. Nor are the alleged benefits convincing.
- The focus on housing almost to the exclusion of everything else. Of course, there is a national housing crisis, but planning is about more than housing (and housing is about more than planning). The White Paper's superficial treatment of sustainability and public health issues facing the nation – and which planning can help resolve – is deeply disappointing.
- The threat the White Paper poses to local democracy. Its proposals would deny people the chance to comment on the details of schemes, reduce rather than increase citizens' rights in the planning process, and weaken the hand of local authorities trying to deal with pressures from developers. Whatever the rhetoric in the White Paper, people will be the losers.

These and other concerns are widely shared. Planning does need to change but the White Paper is not the way to do it. We have set out another route in our detailed comments below. We hope the Government will listen to what people are saying and use this consultation for a fundamental rethink of their plans.

Andrew Booton

Chair, Cheltenham Civic Society

October 2020

Executive Summary

Our experience of planning in Cheltenham (for full text, see Section 2)

- The basic development control system operates well but it often sets up conflict and discourages real public engagement.
- The number and quality of staff and elected members are critical to the success of the planning system.
- The public often feel excluded from key aspects of the planning process.
- The division between county and district can undermine efforts made at good planning.
- The skills and knowledge of bodies like our Civic Society are not being used by the Local Planning Authority (LPA) as much as they should.
- The Local Plan is a difficult document to engage with.
- Planning is at its best when the LPAs lead joint approaches with other LPAs and undertake master-planning.
- There is often a gap between planning rhetoric and the reality of what happens on the ground.
- Conservation policy is too often interpreted as avoiding any change, whereas good conservation can help to shape and facilitate new development.
- Planning is only as good as the enforcement system.

Our views about the Planning White Paper (WP) (for full text, see Section 3)

- Little evidence is offered to support the key proposals. Several authoritative studies and much data contradict the analysis in it. The WP has been mainly driven by ideas from free market think tanks and pressures from developers.
- The proposed move from the discretionary basis to zonal planning is unconvincing. It will not provide the promised benefits and will require volumes of mandatory documentation if acceptable standards are to be maintained.
- The three-tier application of the zonal planning proposed is insensitive to the complexity and variety of conditions in our towns and countryside.
- However, the focus on improving Local Plans and retaining Neighbourhood Plans is welcome.
- Other factors as well as the availability of planning permissions hold back the supply of new housing, but the WP ignores these. The WP proposals mean that the quality of much new housing will decline without detailed planning control, brownfield sites will be neglected, and the supply of affordable housing will be reduced.
- The WP largely ignores the implications of the climate and biodiversity emergencies and of public health issues that pre-date COVID. Dealing with these matters should be at the heart of new planning policies and changes in the planning system.
- The best part of the WP is its emphasis on beauty and good design; but the section on heritage leaves questions unanswered.
- The proposals for a new Community Levy are good, but the details need working out.

- The WP largely ignores the need to improve the number and quality of LPA staff and to continue to invest in the professional development, expertise and broad experience.
- Most seriously, the WP will undermine local democracy and disempower local communities.

Our proposals (for full text, see Section 4)

- Keep what is good about the WP – emphasis on good design, better Local Plans, retaining Neighbourhood Plans, simpler funding, stronger enforcement powers and greater use of digital technology.
- Put into law a statement of planning purpose, that makes clear that it is a democratic process to facilitate necessary development, resolve conflicting interests and shape the places where people live, work and play.
- Put sustainability, environmental issues and public health at the heart of planning and so make our towns and cities greener and healthier places.
- Adopt a new approach to housing that puts more emphasis on affordable and social housing and requires higher space standards.
- LPAs should produce master plans for major development, and actively develop and facilitate such areas through ownership, infrastructure provision and partnerships with the private sector.
- All three pillars of planning - plan-making; development control (or development management); and enforcement – must be properly staffed.
- There should be more clarity about how funds raised from planning are used and who can draw on them.
- Civic societies should be statutory consultees for all planning documents to give ordinary citizens a coherent voice on planning matters.
- Citizens should be given new, deeper and entrenched legal rights to engage in all aspects of the planning process.

1. Introduction

1.1 Who we are

The Cheltenham Civic Society (CCS) is an independent charitable organisation which aims to maintain the special architectural qualities of Cheltenham and its environment, and to encourage good design in new developments. It is a formal consultee to the planning authority, Cheltenham Borough Council, including an interest in the Cotswolds AONB. The society's advice on planning issues is provided by its Planning Forum.

1.2 How the report was compiled

On receipt of the White Paper *Planning for the Future* (WP), the Planning Forum set up a Working Group to prepare the views of the CCS. The work of the group was informed by:

- The experience of its members
- A call to all members of the CCS to offer their views on the WP
- Discussions held with other civic societies in Gloucestershire
- Monitoring the views of, and information provide by, concerned national bodies, including the parent body of the civic society movement, Civic Voice
- Informal discussions with planners in Cheltenham Borough Council.

1.3 Scope of the response

Our report provides answers to the 26 questions in the WP – see annex. However, we do not wish to be constrained by these questions. They do not allow people to challenge some basic assumptions around the WP, nor some of the claims it makes. They do not cover all the questions people might want to ask about the proposed changes.

Therefore, our commentary goes wider than the questions asked in the WP:

- In Section 2, we look at how planning works in Cheltenham at present - what works, what doesn't, the reasons for this and the consequences.
- In Section 3, we ask nine questions about the big issues that are raised by the proposals in the WP and consider how far the WP responds to the needs we have identified in our review of how planning works at present. Our comments are referenced with supporting material.
- Section 4 draws together the conclusions of Sections 2 and 3 and makes recommendations for how the planning system might better meet our needs in future.
- The Annex tabulates our answers to the 26 questions.

Two other consultations were launched at the same time as the WP: *Changes to the current planning system* and *Transparency and competition: a call for evidence on data on land control*. We do not directly address these, but they do touch on the issue of deregulation that is common to the WP as well.

2. Our experience of planning in Cheltenham

Cheltenham Borough Council is the Local Planning Authority (LPA) within the two-tier county of Gloucestershire. The Cheltenham Civic Society interacts with the borough's planning functions mainly through a monthly review of some of the more important planning applications. Our comments below derive from this experience. Our impressions may seem critical, but they are not intended as a commentary on individuals' performance. Rather it is the system that inhibits staff, limits their resources, and often demands too much of them.

2.1 Operating Environment

Democracy and accountability: The online system of consultation on planning and listed building consent applications is efficient and generally effective but relies on awareness of applications being made, familiarity with the system and access to online computing. Even with efforts to move the process online, it remains reactionary and does not encourage involvement and contributions by stakeholders such as residents' groups, neighbours and service providers – and indeed ourselves, the Civic Society. It discourages positive ideas and suggestions to improve schemes and instead drives defensive behaviours by all parties. Too often, this results in conservative, lowest common denominator designs and poor detailing, generic forms such as grey windows with white render, or apathy and disengagement.

Engagement by our local councillors tends to be patchy except on the most contentious proposals. Councillors receive some training in planning law and process if they are on the Planning Committee but training appears to be ad hoc and driven by officers' interests and changes to process rather than in a spirit of continuous improvement or continuous professional development (CPD).

Officers often seem over-cautious in face of pressures from groups or individuals, maybe to avoid undue influence or even accusations of corruption. Our impression is that they tend to be risk averse, often feeling they have little time for originality and innovation. Indeed, their training and personal development reinforce safety, risk aversion and deconfliction and can discourage imagination. Suggestions and consultations are often handled defensively and with some scepticism, such an arms' length response discourages public engagement. Offers that we have made of joint approaches, support and training have not been responded to. We recognise that the Cheltenham planning team is often under great pressure and that they do not have much time for pro-active work. But whatever the reasons, the impression is sometimes given that our planners need to show more empathy, imagination, openness and trust.

The effect is that, too often, planning feels like a function that is imposed on people rather than a product of cooperation, mutual agreement on aims and integrated approaches to their pursuit. Members of the public who are affected by proposals often do not understand them, are forced to react at a relatively late stage through comments and are uncertain of the proper grounds for comment.

Once consultation periods are over, the planning system becomes opaque and closes its doors to further scrutiny or observation. Important matters are sometimes

decided through private discussions with developers to satisfy 'conditions' that may not relate to the public concerns that have been identified earlier in the process, but which deserve to be.

Political structures: We have often found that planning in Cheltenham is hindered by the built-in conflict between the LPA and the county council as highways authority. Thus, essentially local but important issues in Cheltenham – such as details of street furniture or roadside trees – are dealt with by a different team, including contractors in a more distant office. Issues that could be resolved quickly and simply, seldom are because of the inherent inefficiencies of two levels of bureaucracy. Decision making between district and county adds time and costs for developers and local authorities. It will be difficult to address inefficiencies in the planning system if multiple tiers of local government are in place.

2.2 Plan Making

Plan making process: Cheltenham's plans and policies are generally well considered, paying due regard to the various legal requirements such as the duty to cooperate, and passing Planning Inspectorate scrutiny. However, the Local Plan format is not working well. This was evident in the recently-adopted Cheltenham Local Plan: despite the best efforts of those involved, both the preparation process and the plan itself (which seemed to be principally concerned with allocations of land for housing) discourage public engagement and help to mis-represent planning as being all about housing. Another problem is that some plans for large scale proposals in Cheltenham fail to be implemented (see below). Sometimes it seems that the local planning authority is required to devote so much effort to process that it neglects implementation.

Joint approaches: Higher level policy, such as the Joint Core Strategy produced in partnership with Gloucester City Council and Tewkesbury Borough Council, has worked well. Such policies, however, often fail at lower levels of policy development and implementation. Detail that would enable development of specific areas and sites is missed. Local planning often fails to engage with those most affected and needs to set out intended changes in greater detail if it is to work.

Master-planning: In Cheltenham at least, planning is probably the most market-led public sector activity, responding almost entirely to a demand from a landowner or developer on a speculative basis. This makes for an ad hoc approach to development that lacks integration and continuity. With a few exceptions, like the West Cheltenham Cyber Park, LPA-led master-planning, which could significantly help to improve matters, has been absent.

Design guides: Planning often fails to capitalise on, be inspired by or complement Cheltenham's rich architectural heritage. The Borough has produced one design guide (for shopfronts) and it has not been kept up to date and has often been ignored when it comes to making planning decisions. That does not mean we favour Regency pastiche and there are some examples in town of using sites well, drawing on nearby heritage buildings for inspiration and understanding context and street scene. We wish there were more of them. Our experience is that design guides will only work if

they are carefully written, well-illustrated and thoroughly tested – and then followed through in planning decisions.

Balance of proposed and existing: The West Cheltenham Cyber Park scheme is an example of a recent, welcome pro-active master-planning project. It shows the benefits of partnership approaches with an active role by the LPA, co-operating with its neighbour, Tewkesbury, and with other public and private sector interests. However, the LPA focused on the new scheme without appearing to give enough thought to how it can be integrated with the existing developed areas alongside - thereby creating potentially new problems and missing opportunities.

2.3 Development Control:

Many detailed planning decisions are taken each month by our planners in Cheltenham and very often this leads to an improved scheme. On occasion, our input has had an influence over the outcome. But, in addition to our comments above on design, the system seems to be falling short in two important respects:

- The failure to develop key sites: Cheltenham has numerous sites whose planning history dates back several decades yet remain undeveloped. This is simply unacceptable and undermines trust in the planning system. Two examples:
 - the former, five acre, Black and White bus station site in the middle of town still lies vacant, 36 year after the station closed. Frequent efforts to develop it have failed. Millions of pounds have been spent on it. The future remains uncertain but in a town with serious housing needs, this empty site should be an embarrassment to all concerned
 - Oakhurst Rise, an area of land proposed in the local plan for development which has been the subject in the past three years of three planning applications by a developer and a fourth considered at a public enquiry. The future of the site is still uncertain. A stronger role from the outset by the LPA, including public engagement, would have saved much time, money and anxiety to local people.
- Failure to deliver on the promise: In Cheltenham we find that the planning system often fails to match rhetoric with delivery. For example, high aspirations to achieve architectural beauty are not fulfilled and the Borough's ambitious promise to cut carbon emissions to net zero by 2030 is frustrated because it cannot demand high enough standards of insulation or micro-generation in planning decisions.

2.4 Enforcement and Protection

Pragmatic conservation vs development: Cheltenham is renowned for its architectural heritage. Cheltenham has one of the largest conservation areas in the country, but such expanses of designated area creates problems of distinction, education and enforcement. The town cannot afford to be 'preserved in aspic' and must move with the times to ensure it remains a desirable, viable and vibrant place to work and live.

We see the need to rebalance town's valuable past with an opportunistic approach to its future. This requires investment in recruiting, selecting, training and retaining people with appropriate skills, knowledge and attitudes in commercial development as well as planning. It also requires a more discerning approach to analysis and concentration on quality and appropriately scaled management approaches.

Conservation officers are, by nature, conservative and protective: too often they thwart appropriate development that would promote the regeneration of a building or area. We must strike a balance between heritage protection and the continued evolution of buildings, structures and areas to ensure their sustained vibrancy and use: for example, to upgrade them to higher standards of thermal efficiency.

The importance of enforcement: As Historic England states, 'If the police, local authorities and Historic England do not enforce the law there is no effective heritage protection in England.' This applies as much to provisions such as the Town and Country Planning Act 1990 s.215 as to the protection of heritage assets. We have had experience on several occasions of development going ahead which is not in accordance with the approved plan. Planning is only as good as its enforcement.

2.5 Conclusions

Our experience in Cheltenham leads us to these conclusions:

- The basic development control system operates well but it often sets up conflict and discourages real public engagement.
- The number and quality of staff and elected members are critical to the success of the planning system.
- The public often feel excluded from the end-to-end planning process, having minor parts to play in only certain aspects.
- The division between county and district can undermine efforts made at good planning.
- The skills and experience of bodies like our Civic Society are not being used by the LPA as much as they should.
- The Local Plan is a difficult document to engage with.
- Planning is at its best when the LPAs leads joint approaches with other LPAs and undertakes master-planning.
- There is often a gap between planning rhetoric and the reality of what happens on the ground.
- Conservation policy is too often interpreted as avoiding any change, whereas good conservation can help to shape new development.
- Planning is only as good as the enforcement system.

3. Nine questions about the Planning White Paper

We answer the 26 questions asked in the WP in the Annex. But the WP raises some much more important questions. We ask and seek to answer them below.

3.1 Is there a convincing evidence base for what is proposed?

The WP proposes the most radical changes to the operation of the planning system since the Town and Country Planning Act of 1947. One would therefore expect that it would be presented along with detailed research to underpin its recommendations. Such research would have drawn on the experience of private, public and voluntary organisations who have worked with the planning system for many years. But research of this kind is not presented. The evidence for some of the claims made in the WP is just not there – or at least is disputed by reputable sourcesⁱ.

Even more surprising, the WP does not reference several important studies and reports, some commissioned by this Government, that have looked at the workings of the planning system and its interface with housing in recent years. For example:

- *The Barker Review on Housing Supply* (HMG, 2004)ⁱⁱ
- *Planning 2020: the final report of the Raynsford Review of Planning* (TCPA, 2018)ⁱⁱⁱ
- *The Independent Review of Build-out* (Letwin Report) (HMG, 2018)^{iv}
- *Research into the quality standard of homes delivered through change of use permitted development rights* (HMG, 2020)^v

The WP acknowledges some outside sources that have been drawn on, notably papers and recommendations from Policy Exchange. This is an influential think tank which has supported some innovative thinking, and it sponsored the Building Better, Building Beautiful Commission (chaired by the late Sir Roger Scruton) – a report which is much referenced in the WP. Policy Exchange has a strong commitment to promoting free market policies, whereas planning is about securing the public good whilst responding to economic forces. Its annual income is about £3m, but it does not disclose the source of these funds.

A long list of reasons is given by the Secretary of State in his introduction to support the proposals in the WP. But it is clear from the Prime Minister's Foreword and the publicity surrounding the launch of the WP, that the principal drivers are the need to meet national targets to build more houses and complaints about the slowness and uncertainty of the system. A few weeks ago Christopher Pincher MP, the Housing Minister, told the Chartered Institute of Housing that: "my department announced radical new proposals for the country's planning system, so that building homes is quicker, easier and more affordable than ever before. The WP will reduce the burdens on small builders through simplifying the planning process and reducing its associated risks, delays and costs"^{vi}. But while housing targets and the perceived inefficiencies of the system are the main reasons that are given to justify the proposals, the WP is also a response to a political desire, in the words of the Prime Minister, to do away with a "relic from the middle of the 20th century".

But what is the reality? **The Local Government Association (LGA) report that while planning consents have been given for 2,564,600 housing units since 2009/10, only 1,530,680 (60%) have been completed. Also 90% of all planning applications have been approved since 2012/13**^{vii}. Permissions are not being taken up, the LGA report, because of economic conditions and reduced confidence; and because potential land-banking ensures higher profits. They conclude that the number of homes granted planning permission has far outpaced the number of homes being built.

So, we agree with a group of planning academics and researchers who believe that the thrust of the WP has been driven by free market think tanks and property lobbies rather than sound evidence^{viii}.

While the weak evidence base offered in the WP does not support the radical changes proposed in the way that planning operates, we accept that the present system could be improved in various ways, as our experience in Cheltenham shows (Section 2) and our recommendations (Section 4) will demonstrate.

Because the evidence base is unconvincing, we call on the Government to use this consultation exercise to reach out to the public and voluntary sector bodies – such as the civic society movement, of which we are a part – and listen to their concerns as well the housebuilders'. This will ensure that its final proposals better accord with the evidence and are better designed to meet the needs of society.

3.2 Is there a case for replacing discretionary planning with zonal planning?

We address here the principle of a zoning approach to planning (our comments on the particular zoning system proposed in the WP are in Section 3.3).

This is a fundamental shift in the way that decisions that affect all of us are taken. Little evidence is advanced in the WP to show that it would produce better outcomes. The Town and Country Planning Association report that “evidence from other countries with zoning systems in place suggest that they do not necessarily improve efficiency or outcomes, and that they can lead to bad decisions because they are inflexible in the face of changing circumstances”^{ix}. In France, for example, a zoning system does not lead to quicker decisions^x.

A recent review by Litchfields consultants^{xi}, on the benefits or otherwise of a zoning approach to planning, noted that while a zoning system would provide a “ greater degree of certainty, (this) 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.** ... There is a trade-off between certainty and flexibility.... **Zoning is not a flexible planning system... zoning systems require a great many regulations to deal with permitted/forbidden uses in each zone,** related parameters and standards, and possible exceptions; this increases the legislative complexity of such systems in a very significant way. **As such, the introduction of a zoning system could hardly be coupled with any intention to cut red tape**” (emphasis added). Many other

concerns have been raised about how the proposed new zoning system would work by experts who have studied the question^{xii}.

We believe a zoning system will struggle with urban complexity. Zoning will not speed things up, and zoning plans will never be the simple documents its advocates propose. They will have to be full of detailed rules if they are to substitute for development control. It is therefore unrealistic to suggest, as the WP does, that Local Plans need to be only one third the length of existing documents, and that satisfactory documents can be produced in less time than now.

The WP seems to suggest that a zoning system plus a Local Plan can introduce some kind of scientific rationality that will provide better planning decisions, but decisions on development are essentially political in nature and need to be recognised as such.

We conclude that the evidence has not been produced to support such a drastic change in the way in which we do planning in England and that the risks of so doing have been ignored in the WP. It would have been far better to have considered what needs to be done to make the existing system provide the additional certainty and greater speed that all agree is desirable but within the limits of democratic accountability.

3.3 How will the division of land types into three categories work in practice?

The WP proposes a simple (or crude) zoning system of three categories: for growth, renewal and protection – it even floats the idea of reducing these to two by merging the growth and renewal zones.

There are theoretical benefits of being able to reduce all land to such a simple division: it would be clear, easy to understand and perhaps easier to apply. But it is also extraordinarily contemptuous of the infinite variety and local distinctiveness that makes up the places and landscapes of England - see, for example: the work of Natural England in local characterisation^{xiii} ; the many county and district based studies of this kind^{xiv}; and the work on historic landscape characterisation by English Heritage^{xv}. Similar work has been done on townscape and urban character by planning authorities and others, much of it very fine-grained. Astonishingly the word 'landscape' does not appear anywhere in the WP (except in the phrase "software landscape"); and although much is made of the need to respect local character, none of this important work is referred to in the WP. This does not inspire confidence.

At present this richness of material informs the local development plan and of course it could also inform the new plans required for the development of land in growth areas. **But the simple categorisation of land as for "growth" will make it much harder to argue against the large-scale developments that will effectively obliterate much local character.**

When it comes to *renewal* areas - the greater part of the urban environment - we believe that the small scale and hugely varied nature of much existing development does not lend itself at all to a one-size-fits-all zoning approach. The existing combination of local policies and detailed development control works well in our experience and should not be swept away. However, we welcome the intention to

retain Neighbourhood Plans, and indeed the aim of giving them greater importance so as to guide new development and ensure that it reflects local character.

As to the areas for *protection*, we understand that things will not change very much. For a town with a rich architectural heritage like Cheltenham - with one large Central Conservation Area and several others - and surrounded by the Cotswolds Area of Outstanding Natural Beauty (AONB) and Green Belt, this is welcome news. Along with proposals for a greater focus on design standards, this should mean that the WP could bring some benefits to such places. However, there is no indication in the WP that areas for protection will receive stronger safeguards. Indeed, there is a worrying hint on page 35 that Permitted Development (PD) rights may override protections currently available.

3.4 Will a more permissive planning regime produce better places and address housing needs, especially for affordable housing?

A central purpose of the WP is to create the circumstances in which more houses get built and are better designed. So, three questions arise: will changes to current planning system **increase the quantity of housebuilding** as the WP claims? Will relaxation of the planning system produce **the quality of housing** we need? And will the proposals increase the **supply of affordable homes being built**?

Quantity: It might seem logical that the designation of more land for housing, and a generally more permissive approach to development will accelerate house building. **But the reasons why there is a shortage of housing is not only – or primarily – to do with the supply of planning permissions.**

In her government-commissioned review of housing supply, the economist Kate Barker (2004) argued that reform of the planning system would not be enough to increase the number of homes built. What was needed was a huge increase in productivity by the housebuilding industry. This has not taken place. So why not take up the proposals in the Letwin review (2018) which the Government commissioned to close the significant gap "between housing completions and the amount of land allocated or permissioned in areas of high housing demand"^{xvi}? His report concluded – as other surveys have - that housebuilders limit the number of homes built each year. Building no more than 60 homes per site keeps prices high and stokes demand for new homes. The Letwin report favoured a more proactive role by LPAs to broker the development of large areas of land and ensure that housebuilders create more diverse, varied and socially-balanced communities – including by giving local authorities the powers to encourage the sub-division of large sites to speed up the delivery of new homes. Action of this kind would address the problem of land-banking.

Another concern is that the zoning of large areas of greenfield land as growth areas for new development will make it harder to persuade developers to invest in brownfield sites, thereby undermining a stated aim of the WP.

Quality: **We do not believe that removing the need for detailed planning permission for much new development, and extending PD rights, are compatible with WP's welcome commitment to creating new housing**

that is beautiful and sustainable. At present, as we know from examining dozens of detailed planning proposals in Cheltenham, many schemes fall badly short on a range of detailed design aspects, such as: building materials; fenestration; parking arrangements; landscaping; impact on the street scene – and so forth. It is unrealistic to think that all such matters can be prescribed in advance in design advice, still less in a set of rules in a Local Plan. Scrutiny and public engagement at the detailed scale are essential – though we fully support the greater use of design guides etc.

The recent relaxation of PD rights allows the conversion of offices, light industrial premises etc. to residential use. It suggests what happens when detailed control in the public interest is removed. This has led to a large amount of sub-standard accommodation being created. Around the time that the WP was published, the Government's own advisers on the exercise of PD rights reported that “**only 22.1% of dwelling units created through PD would meet the nationally described space standards, compared to 73.4% of units created through full planning permission**”^{xvii}. Such developments have been called the ‘Slums of the Future’^{xviii}.

Affordable housing: We share the National Housing Federation (NHF)'s concerns over the proposal to increase the threshold at which affordable housing contributions can be sought under Section 106 from 10 homes to 50 homes. **This seems bound to reduce the number of affordable houses being built and will create less balanced communities in towns**, like ours, where the scope for building new 50-plus housing estates is very limited. If we want to increase the supply of social housing, then local authorities need to be resourced and empowered to provide such homes.

3.5 What will the reforms do for carbon reduction, biodiversity and public health?

As noted above, the WP gives several reasons for the changes the Government is proposing, but principally the need to meet housing targets and the slowness of the planning system.

However important these issues are, the single-minded focus on them means that other key areas of public policy and public concern, where the operation of the planning system is critical, are treated as secondary. For example, the Government is committed both to achieving net carbon neutrality by 2050 and to reversing the hitherto inexorable decline in biodiversity. It is also concerned about public health issues which have a close bearing on how our towns and cities are planned and managed. One would therefore expect these aims to drive a review of the planning system and help it deliver on these ambitious national targets as well. But the treatment of these topics under Pillar Two – Planning for Beautiful and Sustainable Places is very disappointing. The report of the Building Better, Building Beautiful Commission has had a welcome influence on the proposals. However, despite a promised new focus on sustainability, **the proposals under the section Effective Stewardship and Enhancement of our Natural and Historic Environment (pages 51-57) fail to respond to the urgency and importance**

of other paramount environmental and related health issues that we now face.

To give some examples:

- There is no commitment to achieve net carbon neutrality in the new housing stock before 2050. Previously this was a target set for 2016 until abandoned by the Government after the 2010 election. Unless all new housing is made carbon neutral far sooner, there is no chance that the nation's housing stock as a whole will achieve that target by mid-century; this is because meeting carbon reduction targets with new houses is much easier than with existing ones. LPAs need to be able to demand the highest sustainability standards now of all new housing schemes, especially where - as in Cheltenham - it aims at a 2030 net carbon neutrality target.
- There is no recognition that the climate emergency is forcing entirely new ideas about how towns should grow and the infrastructure that they will need, both to make them carbon neutral as soon as possible (mitigation) and to insulate them from the worst effects of climate change (adaptation). Our fear, based on the kind of development we see in Cheltenham, is that the WP will lead to more of the familiar car-centred developments on the periphery of towns, with minimal provision for cycling, walking and the introduction of electric vehicles, and too little respect for the growing dangers of flooding. Instead, the planning of new development should be built around the idea that all services - work, health, education, shopping, culture - should be provided within 15 minutes walking time of homes, as for example is planned in Paris^{xix}, or 20 minutes, as promoted by the Town and Country Planning Association^{xx}. The need for such new ideas about how towns should be planned in future has become even more compelling as we look to re-designing them after the COVID-19 experience^{xxi}.
- There is no recognition either of the desperate plight faced by nature and the role that planning can play in its protection and making it available for all to enjoy. The WP repeats the Government's welcome intention to achieve net biodiversity gain through new development, but fails to say that protections must be strengthened, and that big new steps are needed to help nature to recover everywhere. The Prime Minister's casual and ill-informed remarks about newt protection standing in the way of new development have caused alarm among those who care about wildlife. Planning must be an instrument by which nature is helped to recover, not further marginalised. It is also a key means by which people can be given better access to nature for their physical and mental health. So we support the call of the Wildlife Trusts: "wildlife recovery and people's easy access to nature must be put at the heart of planning reform by mapping a Nature Recovery Network", and specifically their imaginative idea of a 'Wildbelt' designation for areas for nature recovery^{xxii}
- It is very disappointing that there is only one passing reference (page 56) to green infrastructure (GI), one of the most powerful ideas around about how towns should be planned in future and how green space can be woven into new development. GI can bring nature-based solutions to many contemporary

challenges: reducing flood dangers, absorbing carbon, restoring nature, improving the quality of life and health for citizens, and making it easier to bring beauty into towns that the WP espouses. We have been impressed by the benchmark for GI developed by the Gloucestershire Wildlife Trust and now being promoted nationally: 'Building with Nature' defines high quality GI at each stage of the development process, from planning and design, through to long-term management and maintenance, showing how wildlife, water and well-being can be included in new development.^{xxiii} It should be promoted as the national norm.

- Proposal 16 (for which there is no question - why?) talks of designing a "quicker, simpler framework for assessing environmental impacts". In view of the relish with which some have welcomed the opportunity to do away with EU habitat and species protections, we fear that this is a cover for weakening the current safeguards. No nature conservation body has welcomed this suggestion, which suggests that they fear this will lead to more damage to our already depleted wildlife. It also runs counter to government promises to enhance wildlife, which surely requires stronger protection.
- In the entire document, 'health' is referred to on only four occasions – but 'housing' nearly a hundred times. There is one passing reference (page 16) to the way that planning affects our physical and mental health. Otherwise silence on an issue that has been of central concern, even before COVID-19. It is further evidence of the WP's priorities and skewed thinking. Public health concerns gave rise to planning as we now know it and they should to be at the centre of public policy for planning in future.

We conclude that climate change, biodiversity and health, which should have had a central place in a document entitled "*Planning for the Future*", have been largely ignored.

3.6 What will the reforms do for better design and heritage conservation?

This question relates to matters of central concern to the Cheltenham Civic Society. We have answered questions in the WP (18, 19, 20) – see annex, but our views on design may be summarised thus:

- **We welcome the emphasis on good design** and the follow through of the report of the 'Building Better, Building Beautiful' Commission. The poor quality of much new development is a major concern and one reason why new housing schemes are often resisted by local communities.
- **We support in principle the measures to raise the profile of design nationally** (improving the quality of design codes, a new body to develop and promote higher design standards, and a greater role for design in the work of Homes England); and locally (a designated chief officer for design and place making). But:
 - o Good design requires good designers, nationally and locally. Builders, for example, need to use architects and landscape architects more. Local authorities need the resources to build their design capacity

- Good design must be sensitive to place. The role of any national body should not be to impose top down design solutions. Instead it should: make clear that good design matters as a national priority; encourage better design standards in the building industry; and support local authorities in maintaining high standards, for example by employing qualified staff for this work and developing local design advice. We need such local design guidance in Cheltenham and are ready to work with the planning authority in its preparation.
- **We do not support the idea of a fast track for beauty.** The planning process should not be side stepped. If a proposal is well prepared it will achieve consent quickly anyway.
- **We are strongly opposed to removing so much new development from detailed control and public scrutiny** (see 3.4 above).

As to heritage, we are not clear what the WP is saying when it refers to reviewing and updating the planning framework in respect of listed buildings and conservation areas. Given the trend towards looser planning controls in recent years, we fear this may be a cover to weaken protection. While some fine-tuning may be required, for example to provide more flexibility in adapting listed buildings to meet higher energy conservation standards, listed buildings and Conservation Areas are successful precisely because they have been permanent and reliable features on the planning scene. **Nothing should be done to weaken these forms of protection.**

3.7 What are the financial implications of changing the current S106 and CIL arrangements?

The proposals to replace Section 106 and Community Infrastructure Levy (CIL) payments with a new Community Levy (CL) are generally acceptable in principle as a formula for assessing developer contributions. We welcome these aspirations: the need to increase overall the provision of affordable housing (but see below); the stronger focus on environmental issues; and the importance of considering the needs of future beneficiaries – such as today's children. However, when it comes to making the new CL work, the devil will be in the detail.

For example:

- A big question hangs over the distribution of developer contributions. A clear definition of what is paid for from local contributions and what is central government funded or commissioned is needed. There may be problems in two-tier local authority areas – such as ours - where responsibility for infrastructure is divided.
- Receipts by the LPA may need to be ring-fenced – another reason for a clear decision on what this money is for.
- A neighbourhood share may not be the most effective way to spend CL receipts. Much of this money is probably being spent on low priority or vanity projects by parish councils or other local groups. LPA's should be prepared (or even required?) to fund parish inspired projects that are genuine priorities from CL receipts.

- Borrowing against the CL for forward funding infrastructure may be very helpful, but issues in two-tier situations are not properly addressed. A central system might be preferable for setting rates under the new CL to avoid markedly different regimes operating in close geographical proximity. It is appropriate to include the use of PD rights in calculating CL contributions
- We think there should be a legal bar to stop central government raiding the pot.

At present, Section 106 agreements fund 28,000 homes, about half the nation's supply of affordable housing, so any changes that might endanger this funding rightly alarms the NHF^{xxiv}. There is a need for clarity here.

The key questions that need to be answered through the development of these proposals are: will the funds benefit the areas affected by new development? And will there be sufficient funding for community needs and affordable housing?

3.8 What are the staffing implications of what is proposed?

From our experience in Cheltenham, we would say that there are too few staff to assist it to perform all its planning functions properly and that too often they are under-qualified or inexperienced to carry them out. Since the authority is required to carry out its development control functions within a legal time span, this work always takes priority when staff numbers are pared back. What suffers then are the two other legs of the planning system: plan-making and enforcement. The WP claims to address this by removing the need to do so much development control, believing this will enable staff to be deployed more efficiently to prepare better plans and to enforce them. It makes only one reference to the need for training and skills development – and none to the need for specialist skills like ecology and archaeology, which have suffered grievously from local authority cuts.

While we welcome the call for “a significant enhancement in digital and geospatial capability and capacity across the planning sector”, planning decisions cannot be reduced to a data-based technocratic process that will replace judgment and aesthetic sense. We support the WP's proposals to up-skill the planning profession and to focus more on plan-making and enforcement. **But the Government needs to recognise that many planning authorities are under-staffed, and that local authority planning needs sufficient numbers of well trained and qualified staff across a wide range of professional areas.**

3.9 Will the reforms lead to greater democracy and participation in the planning system?

The WP, from the foreword by the Prime Minister onwards, makes frequent claims that the reforms will improve wider engagement and “move democracy forward in the planning process”. Yet it is far from clear how the WP proposals will achieve these ambitions; indeed, **there are real concerns that they will actually marginalise local people and/or their democratically elected local representatives at critical points in the planning cycle from the**

preparation and assessment of local plans to development management decisions^{xxv}.

Increasing the speed and certainty of the planning process is a desirable objective, but not if the legitimacy of the planning system is undermined by imposition of remotely calculated housing targets which fail to take account of local circumstances or by inappropriate and wholesale extension of PD rights and central regulation of local place-making.

Dealing with local plans, we accept that LPAs should be given a clear framework to work in and the three-category proposal could in theory be helpful (but see Section 3.5 above); but if ill-used, this system could promote a free-for-all within Growth Areas, leading to an uncoordinated and piecemeal approach to development.

As currently framed the proposals may tempt many LPAs to designate all land that is not 'protected' as part of Renewal areas rather than Growth areas in order to retain some residual influence over the nature of what is built. The government would, set against its own stated aims, be wrong to override local democratic decision making and prevent such an approach.

Whilst the proposed replacement of the soundness test in favour of a sustainable development test seems desirable (and limits the ability of non-elected inspectors to override the will of democratically elected local representatives), there is a clearly stated intention on the part of the government to dictate what can and cannot be included in the Local Plan. An over-proscriptive approach could set up a vanishingly small margin of local discretion which, again, would be contrary to the democratic principles which the WP claims to espouse.

Also, in relation to local plans, the WP appears to unpick much good work achieved through the 'duty to cooperate'. LPA boundaries are often arbitrary and areas of land with strong development potential regularly cross those boundaries (this is the case in Cheltenham); and yet political or philosophical differences between councils may militate against cooperation without the duty to cooperate. Many authorities' local plans provide for housing beyond their own 5-year land supply in order to assist neighbouring areas with unmeetable housing needs – it is illogical in the context of the WP objectives to threaten this collaboration and the WP gives no justification for doing so. And of course, cooperation between neighbouring LPAs is needed across a far wider range of issues than housing: from transportation planning to flood control, and from employment policy to developing ecological networks. **It simply is not good enough to promise further consideration will be given to such issues when no justification for removing a mechanism which works has been provided. It is even worse to propose replacing cooperation with a central government diktat as to the amount of new housing each local authority should provide.**

On development management, there appears to be an assumption by government that developers are primarily motivated by the requirements of good design (the WP seems to equate this with public benefit) and that design guides and codes will thus enable a move from development control to development facilitation by the state (in local and national form). The impression is given that local place making is, in effect,

being privatised. However, the reality is that developers are commercial businesses and profit is paramount in their approach. Because effective place making takes time, costs money, involves extensive public engagement and collaboration with other stakeholders and has unpredictable outcomes, many developers will only bother with it if they are required to (but this is what the WP proposes relaxing).

There is also much in the WP to be concerned about on the issue of participation in the planning process by citizens both at local plan stage and the proposals to limit citizen involvement at the development management stage. On this subject we commend the Town and Country Planning Association's (TCPA) response to the WP on the subject of a democratic and effective planning system^{xxvi}, but would mention in particular:

- **The proposed shift towards engagement taking place at the plan-making stage denies citizens the right to see exactly what developers propose for their area when they have their (perhaps) sole opportunity to test and (if appropriate) challenge it.** It is much more difficult to appraise the value of a project when it is only presented 'in principle'.
- **It is proposed that the current right to be heard in person by an inspector considering a key planning document will be weakened or removed,** which is hardly a credible way to improve engagement.
- **In the entire WP, no new rights for citizen engagement are proposed**
- **The idea that digitising plan-related information** (desirable in itself) **will improve engagement is nonsense if opportunities to influence what gets built and where are diminishing** – as seems to be the thrust of the WP proposals in the pursuit of speed and certainty.

3.10 Conclusions

We are critical of key aspects of the WP. We believe that many of the far-reaching changes proposed are not justified by the evidence. It is clear that the WP is driven mainly by a view that planning is a technical process that is intended to facilitate the private market – especially the house building sector - through a form of land licensing to enable it to grow. In our view, **planning should be about achieving long-term public interest objectives in relation to sustainable development and harnessing the private sector and others to deliver that.** While this latter view surfaces from time to time in the WP, it is clearly a subordinate one.

This matters because market mechanisms alone are unable to deliver a full range of public interest outcomes which respond to the challenges that face the nation. We think that decisions with a lasting impact on people and places should be subject to democratic accountability. This fundamentally different view of what planning is about means that we are opposed to many of the WP proposals, although we share some of its aspirations. We do not think the case has been made for a drastic overhaul to the discretionary planning system, which was established in 1947 and has been modified from time to time since, substituting in its place a crude three tier

zoning system. We doubt that the proposed new system will deliver the promised changes – indeed they may make work in the opposite direction. We see a real danger that citizens and locally elected representatives will lose their voice under the proposals and that the democratic foundations of planning as we have known for more than 70 years will be replaced by a framework where private interests drive most decisions. We do not believe that is what people want.

4. What we recommend

4.1 What we like in the WP

Notwithstanding our fears about the proposals in the WP, we agree that all is not well with planning at present. Also, we support some of the proposals in the WP as we make clear in our detailed answers to the 26 questions. We particularly welcome the following elements of the WP:

- the emphasis on better design and on more visually appealing new development, and encouragement for local design guides to guide new development (see section 3.7 above)
- the simplification and improvement of local plan process (provided the democratic underpinning of plan making is not weakened)
- the intention to retain Neighbourhood Plans
- the intention to consolidate the Section 106 and CIL funding into a new Community Levy (see section 3.8 above)
- the emphasis on stronger enforcement powers, without which much good planning can be undermined
- the greater reliance on digital tools, which could be very powerful in the planning process. However, because they are value-neutral, they could be applied in ways which either illuminate or distort planning decisions. They need to be used in a democratically accountable way.

4.2 Our recommendations for a better planning system

But while the Government should retain those aspects of the WP, we believe that it should reassess many of its proposals and replace them with a different approach.

We recommend as follows:

A new legal statement of planning purpose: the starting point for a reform of the planning system should not be a housing target, but an updated statement of the broad purposes of planning that meets the needs of the twenty-first century.

Planning is not at heart a technical exercise – as the WP too often seems to imply - but a democratic process that is intended to shape the places where people live, work and play. As a former Local Government Minister, Nick Raynsford, wrote: “planning is about outcomes for people across all parts of our country, and about the prospects for generations to come. It is about aspiration for a better future in which we and our successors can create places of beauty and opportunity”^{xxvii}. Above all, it is about creating sustainable, beautiful and healthy cities, towns, villages and countryside - an environment that is fit for people to live and work in, and to enjoy. A sustainable and people-based vision like this rather than a profit-centred one, should be embodied in law.

Putting sustainability and health at the heart of planning: This statement of purpose should put the de-carbonisation, the greening of our towns and cities and support for healthy lifestyles at the centre of national ambitions for the planning system. Planning must be used to create and reshape cities for a sustainable and healthier future. This will be even more important in the post-COVID context. The

delivery of sustainable development should be a legal duty of the planning system. To help LPAs fulfil that duty, the Government should:

- set a much earlier target date than 2050 for all new houses to meet the next zero carbon standard
- promote a 15- or 20-minute standard for access on foot to all basic services in the planning of towns and new development
- promote Building with Nature^{xxviii} as the national assessment tool for GI
- map England's Nature Recovery Network and require its incorporation in development plans
- require all development plans to encourage healthy lifestyles, e.g. by giving walking and cycling priority over cars, and mandating standards for access to greenspace.

A new approach to housing: The Government should:

- break down the present global house building target into a set of city regional housing plans drawn up with LPA involvement – with LPAs required to work together to deliver the land needed, and supported by national and local investment
- include within this city regional target, a specific target for affordable housing
- retain the requirement that affordable housing must be integrated into all housing developments of 10 or more units
- curb the practice of land-banking for housing so that developers are required to take up planning permissions within a set period of time
- address the structural shortcomings of the housebuilding industry that have been highlighted in Barker and Letwin reports, and which hold back housebuilding
- set high standards for all new housing, including carbon neutrality well before 2050, and space standards no lower than those set by Parker Morris in 1967 (suitably adapted to modern needs)
- encourage LPAs to lead major new housing developments in their area – see master planning below - so as to create the beautiful, sustainable developments and socially mixed communities that the WP claims to aspire to.

Master planning: LPAs should be required to produce master plans for the development of areas designated for major development. This could involve, where necessary, LPAs operating as development companies: purchasing land, including through compulsory purchase for comprehensive development where needed; commissioning work; and forming partnerships with the private sector. More use could be made of the Charette approach to joint planning to bring all parties together.^{xxix}

Resources for planning: Planning must be properly resourced in terms of the numbers and quality of staff that are required. All three pillars of the planning process - plan-making; development control (or development management) and enforcement - need to be adequately staffed. If this is done, the quality and speed of decisions making will improve. Government must lead here by setting out the staffing standards that LPAs will need to deliver across all three pillars.

A better use of funds raised from planning: There should be greater clarity about what infrastructure (including affordable housing) should be funded from the new Community Levy and what from other public funds.

A statutory role for Civic Societies in planning: the civic society movement is a powerful voice for a better local environment. Therefore, local civic societies should be made statutory consultees for all planning documents in their areas.

Strengthening democracy in planning: Finally, we call for a new deal for citizens in planning, including a legally-based transparent process of democratic accountability in all decisions, making clear whether this is based on representative, direct, or participative democratic models; a clear statement in law of citizens' rights; and support for communities to participate meaningfully in decisions. The WP refers often to the desirability of citizen engagement in planning but makes no new proposals in this regard. Our recommendation should be put this requirement into law.

Annex: Our answers to the 26 Questions

No. of Question and Question text	Our Answer	
1	What three words do you associate most with the planning system in England?	Democratic, Slow, Over-cautious
2a	Do you get involved with planning decisions in your local area?	Yes, mainly through the scrutiny of planning proposals for the Cheltenham Civic Society. We try to make these proposals acceptable to the existing community. We also comment on other planning issues - such as this WP!
2b	na	na
3	Our proposal will make it much easier to access plans and contribute your views on planning decisions. How would you like to find out about plans and planning proposals?	We do not accept the premise - see main report. But in answer to the second sentence: all the means suggested. We also call for developer-led community consultation meetings so residents are informed of the proposal and can question the promoters.
4	Top priorities for planning in local area?	Protection of existing heritage buildings and areas. Supporting the High Street. Better design of new homes and places. More affordable homes. Better care of the natural environment. Making our town carbon neutral. Creating a healthier environment for all.
5	Do you agree that Local Plans should be simplified in line with our proposals?	Simplification is a good thing but the WP will put many demands on the plan that will in reality require it to become far more complex – because it will have to foresee and plan for all the issues that are currently resolved at the development control phase. Unless we are careful, the Local Plan will become vast rule-based compendium.
6	Do you agree with our proposals for streamlining the development management content of Local Plans and setting out general development management policies nationally?	No. We are all for better Local Plans (e.g. by removing lots of repetitive policy texts) but it will be impossible to achieve the kind of ‘streamlining’ advocated with all the new functions being proposed for Local Plans or to shovel all the detail into design guides. We are not convinced that planners have the necessary skills at present to prepare such plans, nor that digital algorithms are a substitute. A massive investment in upskilling staff would be needed.
7a	Do you agree with our proposals to replace the existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?	<p>In principle, yes but there is a danger that much will be lost in the process of consolidation. Focus must be on assessing the economic, social and environmental impact of specific proposals. It could though help to reduce the size of consultants’ documents. It would be important to clarify if this new test included scope for planning gain or off-setting.</p> <p>Since there is no question specifically to the proposal to reduce the requirement for affordable housing in smaller developments, we wish to register our strong opposition to this as it will reduce the supply of this kind of housing and reduce social integration. This will undermine social sustainability.</p>
7b	How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?	The proposals to remove the duty to cooperate is a retrograde step. Neighbouring LPAs must work together and there should at least be a requirement on LPAs in subregional or City Region groupings to collaborate. Ideological objections to regional planning get in the way of good strategic planning and will undermine - rather than strengthen - local authorities by exposing

		them to greater centralised control. Because the WP is fixated on housing to the exclusion of practically everything else, it fails to see that strategic planning and local authority cooperation are essential for many other areas of policy: transport, many aspects of environmental policy, flood protection, economic development, health etc.
8a	Do you agree that a standard method for establishing housing requirements (that take into account constraints) should be introduced?	No. We object to the way that Local Authorities will be side-lined by central government targets. We advocate collecting extra funds from owners of vacant and holiday/second properties.
8b	Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?	No, of course not. You cannot calculate the quantity of new development unless you have assessed the area's ability to absorb it. Cheltenham, for example, is surrounded by AONB and Green Belt and there is little land within the boundaries to accommodate any new significant development (even allowing for maximum use of brownfield sites).
9a	Do you agree that there should be automatic outline permission for areas of substantial development (<i>Growth</i> areas) with faster routes for detailed consent?	No, we think this is fundamentally the wrong way to go. Instead the LPA's should be encouraged and resourced to act as development brokers, buying land and entering partnerships with private sector for major new sites that require development – and leading the delivery of affordable housing. A so-called 'faster route to detailed consent' is cover for removing the democratic right of people to have a say in the kind of development that will affect them; or to raise questions about the suitability of the site for development (e.g. whether the site will flood or cause flooding; whether there are nationally important habitats; and whether the transport or education infrastructure are in place to cope with the development).
9b	Do you agree with our proposals above for the consent arrangements for <i>Renewal</i> and <i>Protected</i> areas?	No. The proposal to ditch the existing two tier planning system (Develop Plan and Development Control) is made without any serious research and should – in a transparently democratic world – have been emerged from a searching independent enquiry in which the public had a say. Instead it seems to be driven by papers from Policy Exchange – a free market think tank that will not say who funds it. No wonder people suspect high level corruption. If the idea of <i>Protected</i> areas survives into legislation, then existing protections should be considerably strengthened in them.
10	Do you agree with our proposals to make decision making faster and more certain?	No-one could argue against the aim, but it is naïve (or misleading) to suggest that there is no tension between the desire for speedy decision making and the need for greater inclusivity in the decision-making process. Some of the best LPAs work with developers to get a better outcome compared with those who just approve anything. This practice should be encouraged. Standardising documents would help. Drawings can be misleading, and visualisation software still has difficulty in showing curves etc. so developments are often dictated by the technology with straight lines.

11	Do you agree with our proposals for accessible, web-based Local Plans?	In principle this is sensible, but if Local Plans are to replace a lot of the detailed decisions that are currently taken through the DC process, it is hard to see that they can be shortened in terms of length or time taken in their preparation. Getting rid of reams of repeated policy stuff would be good – but the new plans will need to describe in far greater detail than now many aspects that are currently covered through DC. Also, the accelerated timetable means that there are risks of premature adoption of untried systems and tools.
12	Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans	For the reasons given under Q11 above, the limit is likely to be breached or lead to sub-standard plans.
13a	Do you agree that Neighbourhood Plans should be retained in the reformed planning system?	Yes. This will give them greater importance so as to guide new development and ensure that it reflects local character.
13b	How can the neighbourhood planning process be developed to meet our objectives, such as the use of digital tools and reflecting community preferences about design?	Trust the community. Time and resources need to be invested to ensure that local communities fully understand the competing demands placed on plans and how they can advise on solutions to the conflicts. The community needs to “own” the resolution of these.
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, so why not implement the recommendations of the Barker and Letwin reviews? These asked this question, and recommended changes in the building industry and a stronger role for the LPAs in land assembly, preparing master plans etc. One obvious action would be to remove consent if permissions are not built within a defined time frame.
15	What do you think about the design of new development that has happened recently in your area?	In our area, the worst examples of new residential developments have been by the volume house builders (Redrow); the best are small scale, architect designed improvements to existing properties and modest infill. There are some good commercial developments in Cheltenham - others are poor. Where developers care, good schemes will follow. The LPA has generally been effective at stopping awful stuff; less so at promoting good design. Mediocrity is too often the result. Just one example of poor design we have seen: new south-facing housing with full length windows requiring curtains for privacy and solar shading.
16	Sustainability is at the heart of our proposals. What is the priority for sustainability in your area?	We do <i>not</i> agree that sustainability is at the heart of the WP proposals. The 2050 date for carbon neutrality in new buildings is pathetically inadequate; there is no indication that the WP takes green infrastructure or ecological networks seriously; references to biodiversity are far too weak; and there is none to ‘landscape’; it has nothing to say about the importance of the countryside; issues around water are poorly addressed; the relationship between good health and good planning are barely referred to. There is no recognition that using non-traditional building materials, e.g. plastics, reduces sustainability. The benefits of using of natural and local materials should be highlighted in design guides. Moreover, design guides should require that houses be built with a view to their having at least a 100-years lifespan.

		Areas for new development need to be planned with large park-like green areas for informal use and planted with forest-sized trees: small green areas limit the size of trees that can be planted.
17	Do you agree with our proposals for improving the production and use of design guides and codes?	Yes, providing LPAs have the staff to prepare these guides. Responsibility for good design is the remit of the architect. The use of national guides is to be encouraged, but transferring the ideals of guides into practical and meaningful adoption at local level is the key to success. The aim should be to design <i>up</i> to a standard rather than <i>down</i> to a budget or to minimum mandatory requirements. Design should always reflect the character of the individual site, otherwise we end up with the same design being repeated everywhere.
18	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?	Yes. We support in principle the measures to raise the profile of good design. The poor quality of much new development is a major concern and one reason why new housing schemes are often resisted by local communities. Codes should be drawn up in advance of the local plan establishing minimum building heights, density and volume and setting out requirements for parking and street design.
19	Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?	Yes, this is the best part of the WP. Good design should include minimum space standards, akin to Parker Morris, for all housing – but especially affordable housing.
20	Do you agree with our proposals for implementing a fast-track for beauty?	No, we think this will be very hard to establish and be the cause of much dissent. The planning process should not be side stepped. If a proposal is well prepared it will achieve assent quickly. Beauty must be interpreted to include considerations of sustainability.
21	When new development happens in your area, what is your priority for what comes with it? (more affordable housing/more or better infrastructure: transport, schools, health/design of new buildings/more shops and or employment space/green space /other – please specify)	The priority for our area, as everywhere, is all these things* – it's a silly question that patronises the reader. But a key message is that new development should not compromise the viability of existing development and that the necessary infrastructure should come with it. Note that this question refers back to a suggestion to reduce the role of environmental assessments. The result will be development that pays less attention to these considerations. Frankly experience with government and local government in dealing with environmental impacts gives no grounds for optimism. The relish with which some people look forward to tearing up the "red tape" of EU environmental protection and assessment is reason to fear what is proposed. <i>* except shops, as there is now a surplus of retail space in Cheltenham</i>
22a	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	Yes, the proposals are generally acceptable in principle as a formula for assessing developer contributions.

	proportion of development value above a set threshold?	
22b	Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?	Nationally with a proportion to reflect local land values
23	Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?	Yes
24a	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 at the present? Why not allow flexibility for developers and LPAs to agree this locally?	More. Set a percentage of the completed property value. Even small developments should provide a financial contribution to off-site affordable houses if they cannot be provided on site.
24b	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?	Why not allow flexibility for developers and LPAs to agree this locally?
24c	If an in-kind delivery approach is taken, are there additional steps that would be needed to be taken to support affordable housing quality?	Yes, let LPAs borrow to invest in social housing, give LPAs the expanded role suggested for them in the Letwin Report. The main aspects of quality such as minimum space standards and sustainability ratings should be mandated
25	Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?	Yes
25a	If yes, should an affordable 'ring-fence' be developed?	... but the obligation to provide affordable housing should be with the developers, so that it is integrated with new development. There should be a clear definition of what local infrastructure should be paid for from the levy (and therefore what should come from other public funds), but within the definition there should be wide discretion for local authorities.

26	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?	As a general observation, because the development industry responds to market demands, there is a danger that health inequalities and the interest of minorities might carry little weight in the planning system unless local authorities are required to take appropriate equality objectives into account in plan making and development management. While we fully support the emphasis on cycling, it can alienate or marginalise people with disabilities, and / or mothers with young children.
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Sources

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