

Droitwich Spa *Neighbourhood Plan*



White Paper: Planning for the Future

Response by Droitwich Spa Neighbourhood Plan Working Group

The Droitwich Spa Neighbourhood Plan Working Group is composed of town residents and councillors

Mike Lambden - Chair
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Planning for the Future Consultation
Ministry of Housing, Communities and Local Government
3rd Floor, Fry Building
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London
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Droitwich Spa
Neighbourhood Plan



30 October 2020

Dear Sir / Madam

Planning for the Future Consultation Response

Attached is the response to the Planning for the Future Consultation on behalf of the Droitwich Spa Neighbourhood Planning Working Group.

We are a group of residents and councillors from the town of Droitwich Spa in Worcestershire. We are in the process of producing a Neighbourhood Plan for the town.

Droitwich Spa is a town of some 25,000 residents and within our town boundary there is now very limited space left available for future housing and workplaces. Therefore, it is vital to the town that future housing allocations make best use of the remaining space and meet local needs together with being conveniently sited to avoid social isolation, loneliness and unnecessary use of motorised transport.

This consultation is being submitted by me as the Chair of the group and the content has been agreed by the group.

My details are –

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Your faithfully

Mike Lambden

Mike Lambden – Chair of the Droitwich Spa Neighbourhood Plan Working Group



White Paper: Planning for the Future Response by Droitwich Spa Neighbourhood Plan Working Group

Pillar One—Planning for development

OVERVIEW

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

“Misunderstood, slow, opaque”.

In particular local people don't engage with the Local Plan and only become involved at a stage where it is too late and only then if affects them personally.

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

Yes.

However, this is only recently since the Neighbourhood Plan team has been established and to date has only been at Local Plan level

3. **Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?**

By targeted email and backed up by a range of social media announcements

4. **What are your top three priorities for planning in your local area?**

- Protection of green spaces
- Protection of existing heritage buildings or areas
- Building affordable / social housing in the right locations within the town for amenities

A NEW APPROACH TO PLAN-MAKING

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

Not sure

We are a town where there is now very little land available within the town boundaries which is not in use hence Growth Area is inappropriate in our case. Renewal area sounds fine for what space there is subject to meeting local needs.

We welcome the concept of Protected Areas.

Our Group consider that the concepts, and the use of zones, outlined in the Consultation will not be understood by the majority of the population and will be seen as central Government taking away decision making which is geared to the local community and needs.

We agree that houses need to be built to match the requirements of the community but the proposals appear too 'top down' driven rather than the bottom up approach encouraged by the Locality Act 2011.

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

Not sure.

Whilst we support the need for streamlining the development management process, we are opposed to the policies being set out nationally unless they can be modified locally. However, we would prefer the second alternative given in paragraph 2.16 of the White Paper which allows local authorities flexibility to set their own policies as under the current Local Plan system, to reflect local circumstances such as industrial legacy of contamination, or special local architectural character and heritage.

7. (a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact?

Not sure.

We agree that the achievement of sustainable development is a well understood basis for the planning system and support its retention. Although the existing tests of soundness have never been well understood, the White Paper does not contain sufficient detail of the new "sustainable development" test for us to make a judgement.

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

We oppose the abolition of the current duty to co-operate.

Its removal will also undermine any attempt at strategic planning across council boundaries particularly for those urban areas where restraint of housing development in some areas will help facilitate urban regeneration in others. This is already the case in Worcestershire where development in one area impacts heavily on another.

Good planning is about much more than just meeting housing requirements and good design. Building better places requires the strategic co-ordination of infrastructure investment with high quality development that can unlock its benefits. Something that the White Paper proposals completely ignore. So, if the duty to co-operate is removed it would need, at the very least, to be replaced by voluntary arrangements but we fear that these could have little impact.

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

No.

The proposal to establish a single method of distributing housing requirements, based on a range of supply-side factors, including land constraints, is significant. Judgements over the distribution of development and balancing need against constraints have always been a matter of planning judgement (whether carried out at regional or local level). Doing this at a national level with a standard method is very worrying. We have just seen the public reaction to deciding A-level results by nationally determined computer algorithms. Is this going provide similar problems? How this squares with the promise in the 2019 Conservative Party manifesto that “the days of Whitehall knows best are over” is unclear.

If this method is to work, it should be done through a national plan for growth and regeneration. Making housing figures binding on local authorities fundamentally undermines local democracy. A national top down system for housing allocation is a crude attempt to fill the gap left by the removal of strategic regional and county planning.

If housing figures are calculated to ensure that enough land is released where affordability is worst this will accelerate development in areas where demand is highest - some of which are already suffering from over-stretched infrastructure (especially road congestion and overloaded transport systems, health facilities and education provision). It is a policy guaranteed to create local opposition to such developments yet one where there would no real local say.

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

Not sure.

If affordability is the only criterion then this will force housing development on areas which are already booming and neglect areas in need of regeneration.

Housing need also has to be satisfied with a range of dwellings suitable for all types of households in appropriate locations. This cannot be left solely to the private markets as it is a core function of planning. Part of this is to ensure that the right type of housing is provided in the right locations in order to reduce reliance of private motor transport and to avoid social isolation and loneliness.

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

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

No.

The proposal to automatically grant planning permission without careful consideration of the pros and cons will allow poor quality, unsuitable development to be built and will be seen as undermining local democracy.

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

No.

In both Renewal and Protected areas all development proposals should come forward as now through planning applications to the local authority with the opportunity for public comment.

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

Not sure.

Whilst we agree that the proposal is worthy of exploration, we believe that it is essential to incorporate the views of both the local authority and the local community.

Although the new settlement may be nationally significant its primary impact will be local and again this is an issue which may be seen by local people as an affront to local democracy.

In conclusion on this question we do not disagree with speeding up the process provided the comments which have made earlier are addressed.

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

No.

It is important to get the right decision, not the fastest. Once a development is built it lasts for many years. Local authorities will be tempted to refuse such development before the time limit expires rather than allowing for a more satisfactory negotiated solution if there was more time. Automatic rebate of a planning application fee, if appeals are successful, is unjust and reduces the resources available to councils to fund their planning functions. This will produce an unwillingness to refuse poor quality applications.

We are concerned that there will be no role for Neighbourhood Plans in commenting on individual planning applications.

Pillar Two—Planning for beautiful and sustainable places

A NEW INTERACTIVE, WEB-BASED MAP STANDARD FOR PLANNING DOCUMENTS

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

Yes.

However, this must be in addition to other methods of engagement as a range of approaches are required to engage the widest cross-section of the local community. Digital technologies are good at supporting quick communication between citizens, planners and decision makers (such as through social networking and smart phones), but more involved technologies (for example, those that engage with people's creativity) can support more meaningful engagement between citizens and create opportunities for them to shape proposals. The more involved the community are, the more likely they are to accept change in their neighbourhood, and the more effective and efficient the planning system will be. Possibly the biggest issue currently is that local people do not engage enough at the early stages and then only react at a later stage, and probably too late, when the detail is created.

A STREAMLINED, MORE ENGAGING PLAN-MAKING PROCESS

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

No.

Local authorities are going to need more powers and resources to create and deliver the new style plans for their areas as well as the masterplan and design guides required for all the growth areas. Even then we doubt whether the whole local plan process (including two periods of public participation) could be completed in 30 months, and then repeated five years later. Given that it is proposed to make the local plan legally the be-all-and-end-all, examinations will be bitterly fought by objectors due to the lack of consultation chances later. We also have doubts whether the Planning Inspectorate's resources would be able to cope with so many plans so quickly.

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

Yes

However, we are concerned that the White Paper proposals would result in communities having less influence than now, partly as a consequence of overall housing numbers being imposed nationally, partly through development management policies being standardised nationally through the National Planning Policy Framework, and partly as a consequence of various types of development approval being removed from the traditional planning application process.

The enthusiasm and commitment from local communities necessary to prepare neighbourhood plans will be severely diminished if the planning tools to implement them are weakened. Incidental changes to national policy have already diluted the value and importance of Neighbourhood Planning since its introduction almost 10 years ago, for example, through the introduction of the requirement for Local Plans to be reviewed every five years which means that Neighbourhood Plans can become out-of-date soon after being made.

It is considered that the changes to the planning system proposed by the Planning for the Future White Paper will further limit the impact Neighbourhood Plans can have on the local planning policy landscape.

If Neighbourhood Planning is to be retained, and we believe that it is vital that it is, it should either be made explicitly clear the limited scope Neighbourhood Plans will have in the new planning system in order to avoid disappointment amongst qualifying bodies who engage with Neighbourhood Planning, or the role of Neighbourhood Planning should be strengthened to ensure local people can have a real say in the development of their areas. The latter could be achieved by allowing Neighbourhood Plans to amend the extent of defined Growth, Renewal and Protected zones and be able to write locally specific Development Management policies, otherwise Neighbourhood Plans will simply be Design Guides which many local people will not see value in producing. Whilst we welcome good design, it is a very subjective area and residents will have many differing views on what is and what is not, good.

Much is made of the need for a sense of place and placemaking. One definition of how

placemaking works, which we have found, describes it thus - *An important aspect of placemaking is taking into account inputs of the people who will be using the public space most. That is, to say, the community for which the public space is intended. This is important because members of the community are likely to have useful insights into how the space does - or should - function, as well as a historical perspective of the area, and an understanding of what does and does not matter to other members of the community.* Surely this is the perfect reason why neighbourhood involvement is so vital.

(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

It is clear that the Neighbourhood Planning process will need to be revised in line with the proposals outlined in the Planning for the Future White Paper, particularly in relation to the length of time Neighbourhood Plans take from commencement to being made which will need to be aligned with proposals for Local Plan production.

The proposed “sustainable development test” which Local Plans will be required to meet could also be incorporated into the Neighbourhood Planning process, with the related removal of currently required documents including the Basic Conditions Statement and Strategic Environmental Assessment.

If the current Neighbourhood Planning process is to largely remain as is, it is considered that changes should be made to streamline and speed up the process, as it can be off-putting to local people interested in engaging with Neighbourhood Planning. It is suggested that the two draft Neighbourhood Plan consultations, known as Regulation 14 and Regulation 16, could be combined, and that the Examination and Referendum elements of the process could be revised or streamlined.

With regard to digital tools, it is agreed that these have potential to assist in the process of Neighbourhood Plan production and this may help engage younger / tech savvy people in Neighbourhood Planning but they should be an additional tool rather than just replace what is already available.

SPEEDING UP THE DELIVERY OF DEVELOPMENT

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?

Not sure.

The White Paper simply promises to “explore further options to support faster build out” as proposals are developed.

CREATING FRAMEWORKS FOR QUALITY

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

Droitwich Spa, which dates back to Roman times, and other similar towns, with a rich heritage of architectural styles through the ages should be at the forefront of high-quality design. Sadly, many recent developments, particularly of new private housing areas have fallen well short. Weak planning powers, lack of local authorities' resources and time for negotiations added to a developer friendly appeals process undermine the power of local authorities to influence good design.

Design guides with statutory backing will be more helpful so long as they are not a 'one size fits all' solution. However, the reduction in need for full planning applications and reduced scope for negotiations will be detrimental to good design. The local input from neighbourhood plans with their detailed local knowledge will unfortunately be reduced by the White Paper proposals.

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

- More green and open spaces
- All new buildings to be built to the highest possible environmental standards with minimised ongoing running costs

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

Not sure.

The emphasis on design codes and good design is clearly welcome, but how this is established and works in practice will be crucial to ensuring that quality is improved, especially if the quantity of developments increases. Any design code needs to recognise the importance of encouraging local distinctiveness – one size does not fit all, and good design for a particular place will not necessarily be so for another.

It is unclear what is to be the statutory status of local design and development codes. Is this to be the equivalent to the existing 'supplementary planning guidance' or is it to have the same statutory status as a development plan? These will have to have strong legal status if they are to have the confidence of the public and not be undermined by developers wishing to save costs. What a developer and their architect think of as good design may be totally different to what local residents regard as good design compatible to the area.

We do not think it is realistic to expect a local authority as big as ours (Wychavon, Malvern and the City of Worcester) to be able to code all land within its boundary.

We recommend that Neighbourhood Plans are classed as a Statutory Consultee on all design codes in their area.

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 placemaking?

Yes.

We welcome the fact that design and place-making is still high up on the Government's agenda. The Royal Town Planning Institute has always seen design quality and place making as being at

the heart of planning, so we support the proposal that each local authority should have a chief officer for design and place-making (a chartered town planner) on their management board.

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

Yes.

We support the proposal that Homes England's strategic objectives should give greater emphasis to delivering Beautiful Places.

We welcome the appointment of Charles O'Brien, a commissioner at Historic England, as the Government's listing heritage adviser to work with Councils to help conserve more of England's historic buildings.

A FAST-TRACK FOR BEAUTY

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

Not sure.

Whilst we support the proposal to develop a pilot programme to test the concept, we are concerned that implementing a fast track for beauty might result in a speedy rather than a correct decision being taken. We also have concerns that the use of "pattern books" and "a limited set of form-based development types" might limit the opportunity for innovative design that respects local distinctiveness.

It also needs to be remembered that beauty lies in the eye of the beholder.

EFFECTIVE STEWARDSHIP AND ENHANCEMENT OF OUR NATURAL AND HISTORIC ENVIRONMENT - No questions.

However, proposal 17 acknowledges that the statutory protections of listed building consent and conservation area status have worked well. Despite this, the White Paper proposes to 'review and update' their planning framework. Little detail is provided, but the focus appears to be on making it quicker and easier to adapt historic buildings for new uses and ensure they have the right energy efficiency measures to support the government's zero planning objectives. Once again, we believe that it is important to get the right decision not the fastest.

Pillar Three—Planning for infrastructure and connected places

A CONSOLIDATED INFRASTRUCTURE LEVY

21. When new development happens in your area, what is your priority for what comes with it?

More affordable housing / Design of new buildings / Greenspace / the right property in the right location.

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

Not sure.

The removal of the blunt and inflexible Community Infrastructure Levy, that no-one appears to like, is welcome. The proposed infrastructure levy contains interesting possibilities but again the White Paper is too light on detail for us to properly assess how it will function. Section 106 agreements between developers and councils are one of the few ways we get social housing built these days. So, it makes no sense to remove this route to genuinely affordable homes without a guaranteed alternative which we have a real need for in our town.

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

Locally.

In regeneration areas with low demand and low economic viability for private development, a national rate may deter investment. A local rate will be more sensitive to local economic circumstances and encourage regeneration.

- (c) Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?**

More value.

The betterment value of land resulting from planning permission granted by the local authority must be captured for the benefit of the local community directly affected by it.

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

Yes.

As payment will not be due until occupation, it is important to give local authorities the ability to borrow against the revenue which the tax raises to enable forward funding of infrastructure. A big issue is that infrastructure is only provided after occupation rather than in advance.

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

Yes.

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

Yes.

25. **Should Local authorities have fewer restrictions over how they spend the infrastructure levy?**

Yes

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

Yes.

What happens next

Equalities impacts

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?

We support the requirement that local authorities should consider all individuals when carrying out their planning functions, including the desire to involve a wide cross-section of the community when undertaking public participation. However, this often requires more resources.