

The Rt Hon Robert Jenrick MP

Secretary of State for Housing, Communities & Local Government

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Sent by email

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Dear Mr Jenrick

Planning White Paper Consultation

We understand the desire to reform the planning system to improve quality and efficiency. However, we have significant concerns regarding some of the proposals set out in the Planning White Paper. Some of the stated problems are not evidence based, and proposed solutions are not the right ones to achieve the stated desired outcomes; we do not think that an entirely new planning system is needed.

We are concerned that the fundamental basis of the Town and Country Planning Act 1947 is being broken apart. Planning has always been about striking the right balance between different competing needs, demands and interests, and overall, we consider that this is working. The current system also allows for some flexibility and for local circumstances and issues to be considered. The system has been subject to much piecemeal alteration and modification in recent years and we agree that there is now scope for some consolidation and simplification. However, we are deeply concerned that many of the proposals such as the proposed zoning in Local Plans are damaging and involve a movement of decision making to national level.

We would expect a 'White Paper' to be a policy document that sets out proposals for future legislation. However, due to the lack of detail and the fact that there are so many unanswered questions and no real understanding of consequences, this Paper couldn't be used as a basis for future legislation without further consultation in advance.

We are concerned that some of the proposals would achieve the opposite effect of the stated intentions. An example is the stated intention of achieving 'more democracy', yet the proposals as presented in the White Paper taking an opposing direction, particularly around public involvement in the plan-making process and the questions around the future role of Planning Committees. Whilst we appreciate that there will be scope for MHCLG to make amendments and add further clarification to the proposals, we cannot see how the removal of a consultation stage and a reduced function of the Planning Committee would lead to increased engagement and a more democratic process. On a similar token, it seems to be proposed that 'substantial development' will be defined nationally; this will have implications on what 'growth areas' authorities will be defining and due to the national definition we do not consider that this will lead to 'more democracy'.

Coupled with the unrelenting wave of changes to the planning system, most notably the significant changes to the Permitted Development Rights, we are concerned that the government views the planning system as a restrictor of growth. It should be viewed as an enabler of placemaking and high quality and sustainable development that allows for genuine community involvement to help shape their local areas.

1. Climate change and natural environment

1.1 As it stands, the White Paper has not grasped the opportunity to propose a reformed planning system that will help tackle the climate emergency and achieve the UK net zero carbon 2050 target.

1.2 The proposals in the White Paper are overly focused on the provision of homes as well as streamlining and simplifying the system, rather than advocating better and more sustainable planning. Whilst Richmond borough is a strong advocate for high quality design, we are concerned that the overall vision for ‘beautiful and sustainable’ places has too much emphasis on design and little or none on the natural environment. The overly simplistic approach of three zones or categories fails to demonstrate an understanding of the complexity of planning and placemaking, for example the potential impact of development off-site or the biodiversity value of brownfield sites. There is uncertainty as to how green spaces and biodiversity would be safeguarded and enhanced.

1.3 Despite references to the 25-Year Environment Plan and Biodiversity Net Gain, we are genuinely concerned that the government hasn’t taken the opportunity to use the ‘once in a lifetime’ planning reform as a tool to deliver on biodiversity commitments and the UK’s zero carbon target. Healthy communities need access to nature and green spaces at their doorstep. The pandemic has very starkly emphasised the contrast between those living in flats with limited access to outside space and those living in more roomy accommodation with gardens and the ability to adapt to home working. Economic recovery is understandably to the fore, but profits and speed must not be the only imperative. Government has committed itself to reversing wildlife declines, for which a successful planning system is crucial. We therefore urge the government to put both the climate and wildlife crisis at the heart of the new planning system.

2. Housing Delivery

2.1 The White Paper suggests that ‘newt counting’ is causing significant delays to the planning system, and that with this White Paper we will ‘build better, greener and faster’. However, no evidence has been provided that the system is broken. In the last decade, Local Planning Authorities have granted permission for over 2.5 million homes, and over 1.5 million have been built. In the last year alone, 371,000 permissions for homes have been granted, and 241,000 delivered. In London alone, there are approximately 300,000 unimplemented units at present.

2.2 The White Paper fails to acknowledge that the planning system and Local Planning Authorities themselves do not deliver and build houses. As already mentioned in our response on the ‘Changes to the current planning system’, submitted on 1 October 2020, neither of the consultations proposes any measures to get housebuilders to build out their permissions. There is a wide range of factors why dwellings with permission remain unbuilt that have nothing to do with the planning system. We therefore strongly recommend that government explores ways to speed up delivery. One approach would be to further consider the report on the “Independent Review of Build Out” (2018) by Rt Hon Sir Oliver Letwin.

2.3 The quest to speed up delivery and the radical changes proposed to the plan-making process do not appear to be evidence based. The government [consultation](#) published on 1 August 2020 clearly states that 91% of local authorities have now plans in place; yet the Housing White Paper states that only 50% of local authorities (as of June 2020) do. The figure of 50% has not been backed up with evidence, neither has the statement that it takes an average of 7 years to produce a Plan. Whilst we appreciate that some authorities take a significant amount of time to produce Plans, Richmond has a track record of producing and successfully adopting Development Plan Documents, most recently the 2018 Local Plan, which was produced in a total of 2.5 years (from issues to adoption by Council); we are now in the early stages of producing a new Local Plan and are intending to consult on the first draft next summer.

3. Health and wellbeing

3.1 There are only two references to 'health' in the introduction of the White Paper, we are very concerned that this is not at the heart of a revised future planning system, especially as there is an ongoing proliferation of obesity issues in the whole country. In stark contrast, the word 'beauty' is mentioned abundantly throughout, yet is in the eye of the beholder and unquantifiable. The opportunity should not be missed to make sure that a revised planning system, at all levels, plays a crucial role in creating environments that enhance people's health and wellbeing, promoting and supporting healthy and active lifestyles and introducing measures to reduce health inequalities.

3.2 Councils have tried to embrace the opportunities that planning provides to support and promote the health and wellbeing agenda, particularly in Local Plans, such as requiring Health Impact Assessment for major schemes etc. With the constant tinkering of the planning system, this has become difficult to achieve. A prime example is the expansion of Permitted Development Rights, with Councils and communities not able to have their say on a range of developments that shape the environment they live in. The recently published report commissioned by MHCLG [Research into the quality standard of homes delivered through change of use permitted development rights](#) (July 2020) highlighted the poor health outcomes of those living in homes created through Permitted Development experienced, and yet such rights were subsequently expanded further (although we acknowledge and welcome the recent proposed change on requiring such conversions to meet space standards).

4. Planning for Infrastructure and Affordable Homes

4.1 This appears to be by far the least developed and thought through pillar in the White Paper. In fact, the proposed new Infrastructure Levy is ill-thought-out, and could have a whole raft of unintended consequences. We really do not think the proposals are fit for purpose because there would be fundamental issues that would impact on the delivery of infrastructure. Government is assuming that local authorities would take the risk and borrow against future Infrastructure Levy income, which is unlikely. This is not the time to change the way we secure infrastructure and affordable housing.

4.2 The proposals in relation to securing affordable housing are deeply concerning, given that s106 agreements will no longer have a role to play, but are currently the primary mechanism in legal terms to guarantee the delivery of affordable housing. Coupled with the proposal consulted on in the 'Changes to the current planning system', i.e. the raising of the threshold to 40-50 units, this would mean that our ability to secure affordable housing units or in-kind contributions would be entirely lost from these sites. As stated in our response of 1 October 2020 to the parallel consultation, if the threshold had been raised to 50 units for the last 3 years, only 26% or 30 out of

the 116 affordable units permitted would have been secured. This has very significant consequences for a borough like Richmond. We do not think that government has fully considered and taken account of such consequences. Moreover, we will be losing out further with the introduction of the requirement for “first homes”. Fewer affordable and social homes will likely lead to more homelessness issues and acute affordability issues for many families and local people. In addition, it will affect our ability to move homeless households out of temporary accommodation arrangements.

4.3 We therefore strongly encourage the government to continue giving local authority the flexibility to seek affordable housing contributions from all sites, where the need for this can be locally justified and demonstrated as part of a Local Plan examination. Furthermore, if s106 agreements will be scrapped, then there needs to be a proper legal mechanism to secure and guarantee delivery of, or financial contributions towards, affordable housing – that will ensure above all that those homes are delivered and are genuinely affordable. Therefore, rather than ploughing ahead with the proposal of a single Infrastructure Levy, we recommend that the proposals are revisited.

4.4 We also urgently need a change to the system to ensure all those developments created through permitted development contribute adequately to infrastructure needs. Our inability to secure affordable housing contributions amongst other things from prior approval applications means that we are unable to address the cumulative impacts and strains put on our existing infrastructure.

Conclusion

To conclude, we need to ensure that we have a planning system in place that allows us to respond to the unique qualities, needs, opportunities as well as challenges of different local places. Richmond upon Thames is a constrained borough with its high-quality environment, extensive protected parks and open spaces, its world-renowned heritage assets and sites of international and national importance, and with the River Thames running through. We have a successful local economy but very high land values and a general shortage of land suitable for development, with a severe shortage of affordable housing. The right outcomes can only be achieved through a system that allows us to respond flexibly to local issues.

Yours sincerely

J. Neden-Watts

Cllr Julia Neden-Watts
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cc

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