

Here are Claygate Parish Councils Responses to the MHCLG Planning White Paper:-

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

No Comment

2(a). Do you get involved with planning decisions in your local area? [Yes / No]

Yes. Claygate Parish Council is a consultee on appropriate planning applications in the Parish that are decided by the LPA, Elmbridge Borough Council

2(b). If no, why not?

[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]
Not applicable.

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?

[Social media / Online news / Newspaper / By post / Other – please specify]

No Comment

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

*Protection of green spaces
The design of new homes and places
More or better local infrastructure*

5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / N / Not sure. Please provide supporting statement.]

No

It is unclear what national policy, guidance and legislation will be in 30 months-time let alone being able to adjust for subsequent future changes.

There is a lack of detail about the relationship between the three land types, proposed changes to current planning policy recently consulted on and current national planning policy.

The statutory presumption in favour of development being granted in “Growth and “Renewal” areas should clarify that such development must “reflect local character and preferences about the form and appearance of development” as stated on page 30 within Proposal 2.

The statutory presumption in favour of development being granted in the proposals do not appear to take sufficient account of the need for new dwellings to fit in with their local environment.

References to relevant development restrictions defined in the NPPF and what is permissible by cross reference to the NPPF does not appear to offer the degree of protection intended for “Protected” areas. It also reduces the element of local community democracy in the process which is against the aspirations stated in the forward by The Rt Hon Robert Jenrick on page 8. We wish to see increased not decreased opportunities for local involvement in decision making.

In our area, Claygate, Surrey, it is clear that there are few, if any, sites sufficiently large for consideration within the “Growth” category other than within Green Belt. Our Green Belt should and must be “Protected”. To build on our Green Belt would result in the character of the area being completely and adversely changed and is contrary to the NPPF.

We are opposed to the first “Alternative Option” as this does not afford sufficient protection for the provision of houses that “reflect local character and preferences

about the form and appearance of development” as stated on page 30 within Proposal 2

The second “Alternative Option” is more consistent with the provision of dwellings that “reflect local character and preferences about the form and appearance of development”.

The creation of sub-areas specifically for self-build and custom-build homes etc. may end up being counter-productive if there isn't sufficient appetite amongst relevant parties to build on these sites in growth areas.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

No

Site or area-specific requirements need to take account of local character that can vary widely and is not conducive to a one size fits all development management policy. For example, a large development of high-rise flats within a residential area of larger detached family homes would completely change the character of the area.

The second “Alternative Option” provides more of a framework for local authorities and communities to continue to shape the broad character of areas.

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? [Yes / No / Not sure. Please provide supporting statement.]

No comment

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

There may be a need for a memorandum of co-operation between relevant authorities to cover these matters.

8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes/ No /Not sure. Please provide supporting statement.]

No

We do not believe that elements of determining a housing figure should be undertaken at a national level.

We prefer the “Alternative Option” which allows the local authority to use its local knowledge to determine land to be made available to each category.

8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not Sure. Please provide supporting statement.]

No

We do not believe that elements of determining a housing figure should be undertaken at a national level.

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.

In our area, Claygate, Surrey it is clear that there are few, if any, sites sufficiently large for consideration within the “Growth” category other than within Green Belt. Our Green Belt should and must be ‘Protected’. To build on our Green Belt would result in the character of the area being completely and adversely changed.

There need to be safeguards relating to compliance with locally determined guidelines and enforceable standards surrounding necessary infrastructure requirements.

Moreover, we are seriously concerned about this adversely impacting local democracy and the ability of local residents and councillors to engage with actual development schemes rather than just initial involvement in the preparation of a strategic Local Plan. We want to see increased not decreased opportunities for local communities to be involved in decision making.

9(b). Do you agree with our proposals above for the consent arrangements for *Renewal* and *Protected areas*? [Yes / No /Not sure Please provide supporting statement.]

No

Experience informs that housing specifications for larger developments are frequently amended during the development process. Conditions need to be applied at the outset to ensure that buildings are built exactly to specification such that there is limited scope for disputes and retrospective applications for amended plans. We have concerns about consent being automatically granted. We believe this would have an adverse impact on the local democracy process – it appears that many issues will no longer be open for discussion at the planning application stage.

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

*No comment. But if it is determined to do so this must not be used as a device to overturn *Green Belt* protection.*

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

[Yes /No/Not Sure. Please provide supporting statement.]

Yes in part.

We strongly support the aim to ensure that the facilities and infrastructure that a community values, such as schools, hospitals and GP surgeries, are delivered quickly through the planning system.

We support decisions being made faster and less lengthy documents for major developments. However, we are concerned that some knowledgeable members of the community that are not attuned to technology may become excluded from the process if it were to be entirely digitised.

We do not support the proposal to explore whether some types of applications should be deemed to have been granted planning permission if there has not been a timely determination.

There is firstly no clarity on the type and scale of proposals that the government is referring to.

Secondly, on occasions local information arises after planning applications have been validated that necessitates additional information or amended plans which causes delays outside the local authority's control. For example, land stability issues or the lack of a response from a statutory consultee due to not enough information being provided by an applicant.

Delays in deciding planning applications are not always due to the LPA and we do not believe every applicant should therefore receive an automatic rebate of their planning application fee if their application is not determined on time.

We believe that it is inappropriate for application fees to be refunded if it has been refused by the LPA but overturned on appeal. Councillors may at times feel unable to represent the views of residents and relevant organisations.

We do not support any changes being made such that applicants would be entitled to an automatic rebate of their planning application fee if they are successful at appeal. There is already a system in place of determining if an unreasonable decision has been made through a costs application.

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

[Yes /No/Not Sure. Please provide supporting statement.]

Yes, but provision should be made for individuals who are unable to readily access the internet, for example at public sites perhaps with technical assistants/assistance.

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

[Yes /No/Not Sure. Please provide supporting statement.]

Yes, we support the proposal for the period for developing a Local Plan being reduced. However, we would like clarification of what is meant and envisaged by the reference to 'best in class' ways of achieving public involvement under Stage 1.

We are also concerned that in Stage 3 no opportunities appear to be allowed for LPA's to amend a Local Plan after receiving comments made during the consultation.

We are strongly opposed to any changes which would prevent local communities from being able to express their views and influence the plan process through consultation and at Examination by the Inspector.

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

[Yes /No/ Not sure. Please provide supporting statement.]

Yes, providing that they have substance and carry weight in the planning system as they can provide for greater community involvement. It seems however that the proposed reforms diminish their role.

13(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?

Digital tools need to be available to community groups. Community design preferences could be met with a substantive local design statement that carries weight and is included in the Local Plan.

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 /No/Not Sure. Please provide supporting statement.]

Research by the Local Government Association indicates that there are outstanding permissions for over a million homes that are not being built, in many cases because developers sit on the land waiting for it to rise in value. Action is needed to ensure that developments that have been granted planning permission are built within a reasonable time frame.

For example, a developer might be required to make development contributions on a phased timescale once a development has been granted permission which are only refundable once the development has been completed to the satisfaction of the local authority.

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

[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

No Comment. Beauty is a subjective judgement.

We do suggest that Highway Authorities should be given a broader remit than current to comment on access, highways and footways.

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

[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

We consider all the options as priorities and would add provision of affordable housing and more electric car charging points

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

[Yes /No/Not Sure. Please provide supporting statement.]

Yes.

If through Local Plan reforms, LPA's have their ability to have development management polices specific to their areas removed it is imperative they are given the opportunity to have local design codes in place

- 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 / No /Not Sure. Please provide supporting statement.]

Not Sure about a new central body, unless there is local flexibility allowed and local authorities are provided with the resources to support a chief officer for design and place-making.

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

[Yes /No/Not Sure Please provide supporting statement.]

Yes

Useful to have an agency like this to look to as an exemplar

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

[Yes / No / Not sure. Please provide supporting statement.]

Beauty is a subjective judgement that cannot be adequately defined nationally.

"Gentle intensification" is subject to interpretation.

The changes could lead to adverse impacts on the character of areas.

It is difficult to comment on proposals that are based on something that has yet to be developed.

A lot of work is required to put some guidance

in place and make information available on how this is to be provided.

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

[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

Each site should be assessed on its own need. However, it is imperative that associated infrastructure is provided in tandem with, not after development has been completed.

- 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?**

[Yes /No/Not Sure. Please provide supporting statement.]

Not sure - there is very limited detail provided to fully understand the implications.

We are concerned about how necessary large site specific infrastructure provision and improvements such as highways, new schools and play areas will be provided for without the retention of S106 planning obligations

We would like to see any modelling carried out that supports the supposition that a new national levy will yield more resource than the current arrangement.

- 22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]**
Locally. There is no clarity as to how a rate set nationally or at an area-specific rate will ensure development remains viable while ensuring sufficient funds towards required infrastructure.
- 22(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? [Same amount overall / More value / -Less value / Not sure. Please provide supporting statement.]**
More value give infrastructure costs are particularly high in our area and the significant need to improve both existing infrastructure and to provide new infrastructure.
- 22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]**
Not sure.
We have concerns that if allowed this could be a significant financial risk to a local authority should the development not occur or be delayed.

Clarity is needed over how this proposal would work in two tier authorities and where infrastructure is required across local authority boundaries.
- 23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not-sure. Please provide supporting statement.]**
Yes
Many schemes permitted under PD Rights will invariably place pressure on infrastructure and as with all other developments those undertaken through PD Rights should make a contribution to mitigate their share of the impact.
- 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 / No / Not sure. Please provide supporting statement.]**
Yes
The Government should aim to secure more provision of affordable housing under the Infrastructure Levy and an even greater provision on-site.
- 24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]**
Yes
Both systems do not necessarily take into account local circumstances/needs.
Locally, in-kind delivery on-site is preferred as it is likely to further support continuing delivery on-site. There needs to be transparency about the open market value of homes to be allocated as affordable housing and the price paid by the nominated affordable housing developer to determine how much of the infrastructure levy from a development is attributable to affordable housing delivery.
- 24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]**
Yes
It is necessary to mitigate against the risk to local authorities of overpayment.

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]

Yes

Adequate safeguards need to be in place to ensure the quality of affordable homes. There are some in place currently such as building regulations and any specific requirements within S106 agreements.

Design guides should help but there need to be policies, over and above statutory requirements, to ensure quality related to specifications of matters such as fixtures, fittings and standard of finishes.

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

[Yes / No / Not sure. Please provide supporting statement.]

Yes, but only if a local authority can demonstrate that infrastructure requirements have been met and more monies are still being collected.

Moreover, at the very least there should be guidelines on what other priorities such funds could be used for, how they are monitored and how they should be reported on.

25(a) If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

Each local authority should be given the autonomy to decide based upon its own local circumstances.

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?

No Comment