



## Oliver's Battery Parish Council responses to the "Planning for the future" consultation

### **Pillar One – Planning for development**

**Q1: What three words do you associate most with the planning system in England?**

**Response:**

(lack of) Enforcement.

Underfunded.

Inconsistent.

**Q2: Do you get involved with planning decisions in your local area?**

**Response:**

Yes.

**Q2(a). If no, why not?**

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

**Response:**

N/A.

**Q3: 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]*

**Response:**

Careful consideration would need to be given to the response to this question and who has responded. If the majority of respondents are developers and Local Planning Authorities, the target audience for this question will have been missed.



**Although social media has a very important role in today's life, it is not appropriate for formal information about planning applications and furthermore a significant demographic do not use this as a means of communication. Consequently, each Local Planning Authority needs to use local knowledge to ensure that the communities to whom a proposal is relevant, are made reasonably aware.**

**Q4: 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]*

**Response:**

**Real protection of green spaces, including new South Winchester Green Belt (which would include the south west quadrant of land around the city of Winchester, namely, Oliver's Battery, parts of Compton and Shawford west of the M3 motorway, South Winchester Golf Club and land further south to the east of A3090 (Romsey Road) to the village of Hursley).**

**Effective action on climate change.**

**Increasing the affordability of housing (this will not be achieved by simply granting planning approval for more housing in least affordable areas).**

**Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.**

**Q5: Do you agree that Local Plans should be simplified in line with our proposals?**

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

**Response:**

**Do not in principle object to a zoning system but labelling all land as one of three types is too simplistic to reflect the mix of land uses that exist in most areas. For example, the White Paper suggests that existing urban areas will most likely be in the Renewal areas but the proposals are not explicit about the ability of the Local Plan to resist permission in principle in locations where this might not be appropriate.**



**As Growth areas are those in which the majority of the additional housing and other types of development will be delivered, it would be sensible to streamline planning processes in this area. However, these areas will require high quality master planning, design and environmental impact assessment. The relationship between granting full planning permission and the planning for required infrastructure – power, water supply and sewage removal, and major roads and other transport links is not clear in the White Paper. Consequently, automatic permission in principle should be limited to land identified for Growth areas and for which infrastructure (both physical and community) is scheduled.**

**For Renewal areas, a better solution would be to have a mandatory pre-application process. This would provide communities a better opportunity to shape development as it comes forward.**

**Also, a clear definition is required for the terms “infill of residential areas” and “gentle densification”, as this is likely to lead to wide differences in interpretation.**

**Clearly, Protected areas must be subject to more stringent development controls with a requirement to demonstrate that the other two areas cannot satisfy the development need. Any proposals that pass this test would by their very nature require a detailed and bespoke approach to ensure development reflects the special character and needs of an area.**

**It would be detrimental if reforms effectively diminish Local Planning Authorities’ ability to design and deliver a locally based strategy beyond the location of new development. It curtails the ability of authorities to integrate plans and positively impact locally to improve their areas and to deliver change that is driven by local needs.**

**Proposal 2: Development management policies established at national scale and an altered role for Local Plans.**

**Q6: 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]*

**Response:**

**Yes, in principle.**

**The setting of some national development management policies is appropriate in situations where there is a clear requirement for efficiency, consistency and to avoid unnecessary duplication.**



However, Local Planning Authorities need to be able to shape their policies to reflect local needs. Local development management policies can provide the detailed criteria against which proposed developments can be assessed, offering certainty to developers as to what will be acceptable.

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

**Q7(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]*

**Response:**

Yes, in principle.

A simplification of process of establishing a plan’s acceptability is welcomed. However, sustainability appraisals are important in establishing not just environmental but social and economic acceptability of a Local Plan’s proposed approach.

The Government’s planning policies and national design code must explicitly recognise the essential role of the natural environment and the importance of biodiversity enhancement.

There is still a need to ensure that cross boundary issues are addressed.

**Q7(b): How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

**Response:**

Disagree with the proposed removal of the formal Duty to Cooperate, unless a simple but effective alternative is implemented.

There needs to be a requirement for proper consideration of more than local issues. Local Planning Authorities working closely with neighbouring authorities and infrastructure providers to deliver sustainable growth over a wider area is the preferred option.

It is essential to ensure that cross boundary issues can be addressed, as there is a risk that unless mechanisms are put in place to secure a coordinated response to plan making, the outcome will be a series of disconnected local plans.

Removing the duty to cooperate will not remove the problem.

Clearer guidance with exemplars would demonstrate how cross border cooperation can be achieved, to everyone’s benefit.



**Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.**

**Q8(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]*

**Response:**

**No.**

**Of course, any standard method for establishing housing requirements must take into account all appropriate constraints.**

**The proposed methodology creates an excessive requirement for numbers in Winchester District due to the fact that 40% of the District is in the South Downs National Park.**

**Furthermore, land supply is not the key barrier to how many homes are built. A standard methodology that ensures areas with the worst affordability release the most land will not solve the problem. It is not simply about supply and demand.**

**Any assessment of housing need should take into account both projected demand and the ability and desirability for an area to accommodate new development. The proposed standard methodology, which simply dials up housing figures, will not ensure that they are actually deliverable because developers will continue with their normal practices, for example avoiding market saturation to maximise prices.**

**There are already a million homes that have planning permission but have not been delivered. This approach will not ensure the delivery of additional houses, just additional housing expectation. Conversely, there is a risk that deliverable sites elsewhere are ignored. So, some mechanism should be introduced to monitor that the required homes which have received this new permission are actually delivered and if not, the permission should be awarded to someone else.**



**Q8(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]*

**Response:**

**No.**

**As set out in 8(a) the inclusion of some constraints within the calculation is not adequate to appropriately indicate that the quantity of development that can be accommodated.**

**Affordability alone is not a reliable indicator of housing need, which is influenced by many other factors and should not be the overriding factor in increasing housing targets.**

**Proposal 5: Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.**

**Q9(a): Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?**

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

**Response:**

**Not sure.**

**There is very limited information as to how this process is to work in practice. For example, it is not clear how matters such as phasing of development, mitigation and infrastructure provision will be dealt with. And the relationship between infrastructure planning and delivery to housing developments and CIL-funded elements is not clear. A close integration of these permissions and plans is necessary to avoid developments that are not adequately supported by infrastructure.**

**Furthermore, the proposals will distance local people and other local stakeholders from the decision-making process. Whilst local communities are encouraged to be involved in the plan making process it is unlikely, irrespective of the consultation methods, that they will get involved at this early stage.**



**Q9(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]*

**Response:**

**Not sure, without a greater level of detail.**

**The ability to define those areas which should be protected is important but Protected areas need to be clearly and effectively protected from development unless there is a local need that cannot be satisfied by development in the two other areas.**

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

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

**Response:**

**No.**

**New settlements are not well suited to this route and, although they would be complex and controversial, it would be very rare if they were 'nationally significant'.**

**Although new settlements are likely to lead to a need for significant infrastructure, all housing proposals should be subject to normal planning requirements.**

**Q10: Do you agree with our proposals to make decision-making faster and more certain?**

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

**Response:**

**No.**

**Although fast and certain decision making is in everyone's interest, there are several issues with the proposals.**

**Engagement is key and Local Planning Authorities must be allowed to use whatever combination of communication that is effective locally.**

**An arbitrary 50 page limit of the amount of information supplied for major developments, may lead to key information not being supplied, leading to unintended consequences of refusals on the basis of lack of key information.**



**Automatic approval of applications if not determined within certain timescales will likely lead to a greater number of refusals if negotiation is required in order to make the development acceptable. Fault is laid with the planning authorities, but very often delays to decisions are due to lack of quality or missing information and the developer not responding in a timely manner, or does not apply for pre-application advice in order to support the submission of the application. This proposal is likely to encourage bad behaviour by developers.**

**An automatic rebate on planning application fees if decisions are allowed on appeal is not appropriate. If an appeal is allowed it does not mean the local authority decision was wrong as a matter of fact. The existing system allows developers to apply for costs to cover the appeal process where they consider the local authority to have acted unreasonably.**

**Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.**

**Q11: Do you agree with our proposals for accessible, web-based Local Plans?**

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

**Response:**

**Yes, in principle.**

**However, there is a concern that any proposals do not exclude those that do not have access to digital services, for example people who do not have the necessary IT or are in areas with inadequate broadband.**

**There is also a question of the level of financial investment that will be needed at a time when Council budgets are under substantial pressure as a result of COVID-19.**

**Furthermore, there are numerous examples of large public sector IT projects going badly wrong.**

**Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.**

**Q12: 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]*



**Response:**

**No.**

**The time-limited stages have insufficient opportunities for public engagement and consultation. This runs counter to the stated aims of the reforms, which are to enable greater and more extensive public involvement in the process.**

**Plan making is a complex process and it might not be possible to produce a credible plan with meaningful public consultation in this time scale, especially the first time new-style plans are produced.**

**Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools**

**Q13(a): Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**

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

**Response:**

**Yes, in principle.**

**However, it's hard to see how Neighbourhood Plans fit into the proposed new Local Plan system. The way the new system is designed attempts to nationalise and standardise as many elements as possible and its reliance on technology will be a barrier to many otherwise competent and valuable submissions taking place.**

**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?**

**Response:**

**Not sure.**

**The Neighbourhood Planning process largely relies on local volunteers giving up their own time to develop community specific plans. They rely on the grant scheme and Local Planning Authorities to assist them with technical aspects of the work. Developing design codes could be a costly exercise for local communities.**



### **Proposal 10: A stronger emphasis on build out through planning**

**Q14: 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]*

#### **Response:**

**Yes.**

**This question again implies that planning authorities are solely responsible for delaying development and, as the Letwin Review has demonstrated, this is clearly not the case.**

**If the Government are serious about quicker build out of developments, there need to be clear incentives and sanctions imposed on developers to implement and deliver development in a timely way, including where automatic outline consent is granted in Growth areas.**

**The sanctions need to be financial and should be automatic and formula based for transparency and to avoid disputes. Sanctions should be levied by Local Planning Authorities on developers who, for example, land-bank sites or do not proceed and complete developments in a regular and diligent way (that mirrors the Government's proposals for providing more dwellings).**

**Also, Councils could be given the ability to start charging Council tax on sites that have been granted planning permission after a defined period of time, which would act as an incentive for developers to build and sell more dwellings at a faster rate.**

### **Pillar Two – Planning for beautiful and sustainable places**

**Q15: 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]*

#### **Response:**

**New development is generally well designed as it is covered by High Quality Places, which is a Supplementary Planning Document.**

**The key issue is that infrastructure delivery can lag behind leading to development taking place without sufficient supporting infrastructure. There should be a requirement that key elements of infrastructure are implemented at appropriately early stages in the overall development.**



**Q16: 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]

**Response:**

**Retaining green and open spaces, energy efficient public transport and safer cycle routes.**

**There needs to be greater emphasis on tackling climate change and reducing our carbon footprint.**

**Local Plans should be allowed to pursue more ambitious targets than those set nationally.**

**Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.**

**Q17: 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]*

**Response:**

**Yes, in principle.**

**However, such design codes must respond to the place in order to avoid the same types of developments everywhere, as each town/village has a different identity and indeed within a settlement (character zones). However, local popularity does not necessarily equate to good design.**

**It is essential to avoid national standardisation, if it is simply a book of designs that must be replicated across the country.**

**Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.**

**Q18: 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]*

**Response:**

**Yes, in principle to a new body to support design coding and building better places as long as it is only to guide and support and not dictate or oblige compliance with a national design code.**

**Yes, in principle to each authority having a chief officer for design and place-making, subject to minimum qualifications and experience, as this is a positive move that will support Local Planning Authorities to deliver good design.**

**Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places.**

**Q19: 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]*

**Response:**

**Yes.**

**Homes England are already committed, in their Strategic Plan, to work with house builders to promote better design and higher quality homes. Clearly, it would be desirable for the strategic objectives of everyone involved in house building to give greater emphasis to delivering beautiful places. Of course, beauty is in the eye of the beholder and cannot be dictated nationally.**

**It is also noted in the Homes England Strategic Plan confirms that there are "26,000 hectares of brownfield land available, with capacity for one million homes". Planning for the future should ensure that all brownfield sites are developed before greenfield sites can be considered for development.**

**However, Homes England should ensure that infrastructure is considered within the overall quality assessment.**

**Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.**

**Q20: Do you agree with our proposals for implementing a fast-track for beauty?**

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



### **Response:**

**No, unless the Local Planning Authority determines whether a proposal is of sufficiently high quality and reflects local character and needs.**

**The principle of master plans for growth areas appears sensible but the cost of preparing such plans will be significant for a Local Planning Authority.**

**Beauty is subjective and extends beyond the physical environment of the site into the areas around and infrastructure.**

**Regrettably, many of the homes that have been created as a result of the widening of permitted development rights are not beautiful places. Progressing and expanding these rights will run counter to the 'beautiful' aim.**

**Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.**

**Proposal 16: We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.**

**Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century**

**Proposal 18: To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.**

**Note proposals 15 to 18 have no consultation questions – Is this is an oversight? These are important issues.**

### **Pillar Three – Planning for infrastructure and connected places**

**Q21: 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]*

**Response:**

**It is difficult to give a single response, as different locations, types and scales of development will require different priorities.**

**It is essential that appropriate infrastructure and truly affordable housing, especially low cost homes for rent, are always provided as part of the development. Simply building more housing in least affordable areas will not make it more affordable, the locations, types and sizes of affordable housing must demonstrably meet local need.**

**Proposal 19: The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.**

**Q22(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]*

**Response:**

**No.**

**Although a national Levy could be more straightforward, its success or otherwise will depend on how the Levy was set and the level of the 'de minimis' threshold.**

**However, infrastructure which forms an essential part of the development must continue to be provided alongside development, not funded separately. Otherwise there could be a disconnect between the development being built**

**Q22(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]*

**Response:**

**Locally.**



**Rate setting will require a detailed consideration of local viability. A nationally set rate would not be able to adequately reflect this.**

**Q22(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]*

**Response:**

**More value. It should aim to capture more value as the amount of contributions currently are often inadequate to support the necessary investment in infrastructure, affordable housing and local communities.**

**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]*

**Response:**

**Yes.**

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

**Q23: 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]*

**Response:**

**Yes.**

**The Infrastructure Levy should capture changes of use through permitted development rights.**

**This will be even more important if the scope of permitted development rights is extended.**

**However, without the requirement for seeking consent how will this be identified by Local Planning Authorities?**



**Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision**

**Q24(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]*

**Response:**

**No.**

**The Infrastructure Levy should seek to secure more truly affordable housing, including low cost homes for rent (this will not be achieved by simply granting planning approval for more housing in least affordable areas).**

**Furthermore, the on-site provision must be provided in all but very, very exceptional circumstances.**

**It is also important that the tenure of the affordable housing provided is agreed locally to reflect local housing need.**

**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]*

**Response:**

**Yes and No.**

**The Local Planning Authority should be able to determine which approach is required to reflect local needs.**

**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]*

**Response:**

**Yes.**

**It should be required that if the value secured through in-kind units is greater than the final levy liability, then the developer has no right to reclaim overpayments.**



**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]*

**Response:**

**Yes.**

**Require that the scheme meets national standards, the National Design Guide and any locally agreed standards required for affordable homes.**

**The affordable housing must reflect local housing need.**

**Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy**

**Q25: Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?**

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

**Response:**

**No.**

**Infrastructure Levy must just fund infrastructure and affordable housing, it should not be used to for other purposes. Local Authorities should be properly funded for the provision of public services.**

**An increase in the levels of funding passed to Town and Parish Councils of the proposed Infrastructure Levy is supported.**

**Q25(a): If yes, should an affordable housing 'ring-fence' be developed?**

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

**Response:**

**See response to Q25 above.**

## **Delivering change**

**Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms. In doing so, we propose this strategy will be developed including the following key elements:**



**Proposal 24: We will seek to strengthen enforcement powers and sanctions**

**What happens next**

**Equalities Impacts**

**Q26: 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?**

**Response:**

**No.**