

**MINUTES OF AN EXTRA-ORDINARY MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 12 OCTOBER 2020**

**(THE MEETING WAS HELD VIA VIDEO-LINK IN ACCORDANCE WITH
REGULATIONS INTRODUCED UNDER THE CORONAVIRUS ACT 2020)**

PRESENT:	Councillor M Theobald	Chairman
	Councillor J Davenport	Joined the meeting at 8.15 pm
	Councillor M Docker	
	Councillor S Ford	
	Councillor P Groves	
	Councillor J Hillman	
APOLOGIES:	Councillor K Nord	
ABSENT:	Councillor G Gwinn	

209 DECLARATIONS OF INTEREST

Members were invited to declare any disclosable pecuniary interest or non-pecuniary interest which they had in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests, to leave the meeting prior to the discussion of that item.

No declarations were made.

**210 CONSULTATION DOCUMENT –
WHITE PAPER: PLANNING FOR THE FUTURE**

The Parish Council was invited to comment on the consultation document - White Paper: Planning for the Future. Comments were required for submission to the Ministry of Housing, Communities and Local Government by 15 October 2020.

As the consultation document was likely to generate significant comments, Members had been asked to provide in writing, to the Clerk, at least 24 hours before the meeting, any significant observations they wished to make to ensure that the Clerk would be able to prepare an accurate record.

Councillor Theobald was the only Member who had provided his own observations and that document was used as the basis for discussion.

RESOLVED: That the following comments be submitted to the Ministry of Housing, Communities and Local Government, as the Parish Council's comments on the White Paper: Planning for the Future.

Owing to the lack of detail, worked examples or specific mechanisms which would be utilised to calculate housing requirements, it is not possible to reach a detailed view of what is proposed.

Overall, the White Paper appears to usher in a reduced democratic oversight of the local planning process and planning applications, under cover of vague platitudes about 'more democracy'.

There are significant concerns over the lack of transparency and democratic accountability which is proposed in the White Paper.

Impact on Neighbourhood Planning?

Democratic voice of Parish and Town Councils?

Democratic voice of residents and businesses in an area?

Not clear how the Local Plan process will redress the current imbalance in favour of developers, to provide a 'louder voice' to residents and their Councils

Much is made of 'good design' without referencing any specifics; so the definition of 'good' can be bent to mean whatever the Government of the day decides, which may not align with the understanding held by many people.

Reducing the requirements for environmental impact and sustainability appraisals, risks even greater harm to areas, than is already permitted under the current legislation and National Planning Policy Framework.

The White Paper is surprisingly silent on any detail of how an area's housing numbers will be calculated at a national level, whilst considering the unique and specific nature of each area at a Local Plan level. Consequently, the White Paper provides no assurance that the needs and views of residents and businesses will have any weight at all. Indeed, it can be read as stripping communities of any say in how their area develops. This flies in the face of all efforts since 2011 to increase community engagement and involvement in future development.

Whilst Government appears to desire easier access to plans and decisions, the mechanisms for residents and Councils to influence those plans and decisions are proposed to be largely removed or neutered.

The White Paper swerves the opportunity to revolutionise our housing stock and future developments to play their vital part in fighting Climate Change, through exacting low/net zero carbon buildings, incorporating infrastructure which really promotes alternatives to fossil fuel transportation. The 2020s is the last chance we have to avert the environmental disaster which looms over us, to avoid any semblance of rising to that challenge, it is at best negligent.

The increasing reliance on digital processes risks excluding many of the very people who will be impacted by the proposed changes. Universal access to internet and computing technologies appears assumed by the authors of the White Paper, which is simply not the case. Those without access to these technologies will be excluded, their voices will be silenced, and their needs and aspirations ignored.

The White Paper should be setting out measures to ensure that developers do build out approved developments within a reasonable period, rather than giving them the double bonus of 'developments in the bag' that don't count against 5 year housing supply, and the resulting ability to challenge for increased site allocations.

Pillar One – Planning for Development

'Cherry picks' the approach of zoning from Japan, the Netherlands and Germany; however remains silent on the environmental and sustainability requirements embedded in those planning systems.

This section lacks any information on the 'transparent, clear requirements' and the 'radically and profoundly re-invented engagement with local communities' whilst trumpeting 'more democracy'.

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

Thorough, evolutionary, unbalanced

Question 2: Do you get involved with planning decisions in your local area?

Yes.

Question 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?

Both online and in person, to ensure that those who do not have access to internet or computing technology are not excluded from the planning process, as their voices are equally

important. Social media, an unreliable and partial medium, should not even be 'on the table' as a mechanism for publication of these matters.

Question 4: What are your top three priorities for planning in your local area?

Other:

- An improved local infrastructure which respects the imperative to reverse climate change and ensure sustainability.
- Ensuring that local voices are given significant and long-lasting weight in the formulation of plans, policies, and planning decisions.
- Development proportionate to independently assessed local needs, geography and history, which is sustainable both economically and environmentally

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

No.

The proposed three categories of land appear to make it more difficult for locally important areas to be protected from development. Without clear definition of the many terms bandied about in this section, it is all too easy for the original intent to be perverted over time.

There is no mechanism set out in the White Paper for the categorisation of land, so it is impossible to agree with a proposal with no substance.

The White Paper effectively 'hamstrings' Local Authorities' ability to craft Local Plans which reflect the aspirations, needs and wants of their areas.

Question 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.

As with other parts of this White Paper, there is a complete lack of any detail which could inform a meaningful response to this question.

The proposal reduces the weight of Neighbourhood Plans to 'window dressing' on the external appearance of housing development, the current ability for Neighbourhoods to shape their own future appears to have evaporated. It removes local Councils and residents from the plan making process, centralising decision making that will have long lasting impact on communities.

The White Paper is negligently silent on the future role of Local and Neighbourhood Plans, Plans that are the democratic fruits of many thousands of hours of effort by Councils and residents.

The alternative option described in 2.16 effectively neuters Local Authorities' ability to craft Local Plans that reflect the aspirations, needs and wants of their 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?

No.

As with other parts of the White Paper, there is a complete lack of any detail that could inform a meaningful response to this question. Sustainable development is currently defined in terms that do not reflect true sustainability, a vital component of the actions required of the UK to combat Climate Change and achieve the goals set out in international agreements.

No evidence is presented in this White Paper that suggests a more meaningful approach to sustainability will be taken by this Government.

Any consolidated tests must address the issue of ecological net gain and provide synergies with legislative requirements such as electric vehicle policies.

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

Without any concrete detail of what would replace a Duty to Co-operate, no meaningful answer can be given to this proposal; far better to retain the current Duty to Co-operate until such time as a pragmatic, reasonable and workable alternative has been developed.

There must be a statutory requirement for engagement on cross-boundary issues which incorporates reasonable dispute resolution mechanisms.

The White Paper presupposes that affordability is solely driven by land availability, when this is clearly not the case currently. It is also without robust mechanisms to ensure developments are built out in a timely manner.

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

No.

The approach proposed is an overly simplistic mechanism to address a very complex matter.

Standardising housing needs calculations ignores local geographical, economic, social and population requirements, to the detriment of the planning process and democracy.

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?

No.

Affordability is more an effect of developer pricing than the availability of housing in an area that meets local needs, so it should not be utilised as an indicator, particularly when historically rampant developer 'land banking' has driven up housing sale prices. So called 'affordable' housing is blatantly not affordable by far too many people locally. The White Paper fails to address the mismatch of the term 'affordability' with the real world.

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 White Paper is strangely silent on how the detail of such an 'automatic outline permission' will be determined, such as the number and mix of housing types and other public and amenity areas.

Proposal 5 removes every advance in planning and localism, at a stroke. The community would have no voice, no recourse to challenge decisions.

The White Paper goes on a 'fishing expedition' later on in Proposal 5, where it should instead be putting forward substantive proposals.

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

No.

The proposals undermine the protected status of 'protected' areas. For 'renewal' areas, the White Paper is silent on the nature of development that would be included in a presumption in favour of development, essentially rendering this designation 'toothless'.

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.

There is insufficient detail present in the White Paper to enable an informed response to this question.

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

No.

The proposals do not 'make decision-making faster and more certain'; they disenfranchise those without access to internet and computing technologies. The proposals focus on unspecified, untested (and in some cases, non-existent) technologies to deliver a level of digitisation that does not, in itself make decisions faster or more certain. Indeed, the proposals wilfully ignore the complexity of such projects and the track record of failure in delivery of national IT projects.

The proposals again tip the scales further in favour of developers, from a system that is already demonstrably skewed in their favour.

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

No.

The White Paper appears to deliberately conflate digital access with a more democratic process for local Councils and residents, where no such link has been proven to exist.

There is no mention of the Local Plan creation process being revised to redress the current imbalance in favour of developers, the proposals merely tinker with tools with a pretence of improving transparency.

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

No.

The Local Plan process takes so long as a direct result of the imbalance of power, which is massively in favour of developers, at every stage. Shortening time scales, without redressing this imbalance is simply 'window dressing'. The wide variation in the complexity and geography of areas does not lend itself to a blanket time limit for the production of Local Plans.

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

Yes...But not in the manner set out in this White Paper, which effectively removes the core elements of localism from Neighbourhood Plans. Whilst the current process is not perfect, by affording examiners with the power to remove key elements of Neighbourhood Plans, 'hamstrings' local communities; the alternative proposed represents a massive retrograde step.

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?

Again, the focus on tools and ‘window dressing’ avoids acknowledging the ‘elephant in the room’ of the removal of the core community’s say in their area’s future.

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.

Developers must be forced to build-out in a matter of a few years, a time frame to be quantified in the planning permission. Failure to complete should result in the enforcement of severe financial and other penalties for the developer.

A robust build-out calculation is key to enabling accurate forecasts of future land use.

Pillar Two - Planning for beautiful and sustainable places

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

Poorly integrated, ugly and poorly designed; ‘carbon copy’ designs that ignore the local vernacular and history, inflicted on local populations. There is a marked variation in quality and design.

Housing that is built is unrepresentative of independently assessed local housing needs.

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

All of the options mentioned, as each is rendered irrelevant without the others.

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

No.

The proposals provide no detail about how the inherent skewing in favour of existing, bland developments would be addressed; if it is not, we will simply have more of the same faceless, soulless, nondescript designs churned out by developers.

There is no detail to substantiate what ‘*effective inputs from the local community*’ is and how it would differ from the current situation with Neighbourhood Plans.

There must be extensive, meaningful, community engagement, already a fundamental feature of Neighbourhood Plans.

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?

Not sure.

Design guides are fundamentally a good thing, provided there has been extensive, meaningful, community engagement in their development and implementation.

The White Paper provides no information upon which to form an opinion as to the true value and benefit of such a body, nor does it set out how this body would be funded, resourced and support Local Authorities without giving them an additional, unsustainable burden.

The principles of Proposal 12 could be supported, as long as they are not diluted by subsequent stages of the process, outside the control of communities, as is the case with the Examination of Neighbourhood Plans under the current planning regime.

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

No.

There is no substantive proposal contained in the White Paper, so it is ludicrous to seek agreement at this stage. Words such as 'beautiful' and 'well-designed' are littered throughout the White Paper. Words which mean different things to different audiences and consequently should be defined in specific terms to avoid this being nothing more than a tissue of words which allows deterioration of our landscape, homes provision and quality of life.

What little substance there is in Proposal 12 sits at odds with the flimsy content of other Proposals contained in this White Paper.

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

No.

As previously discussed, the White Paper is liberally sown with fine-sounding, insubstantial words. The proposal also conflates 'popular' with being in keeping with the historical context of an area; the two are not related as home sales do not reflect how well a development fits in with the area, context, history and needs.

The Government's words regarding actions for environmental sustainability and reversing Climate Change seem to have been omitted from the question set; surely an unfortunate oversight rather than reflecting the lack of importance these critical steps have for this Government and housing developers.

Pillar Three – Planning for infrastructure and connected places

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

This question is overly simplistic as the priorities will be site and location specific.

Ending the presumption that more or better transport and other infrastructure equates with roads. We need to move away from the inbuilt reliance upon increased levels of transport and an outdated model of development that cannot hope to support the necessary changes to our lives, working and leisure activities that are essential to combat Climate Change.

Questions 22 and 23 presuppose that an Infrastructure Levy is the only way to ensure that development is a positive contribution to a local area; indeed it is often utilised as a 'sticking plaster', a 'get out of jail free' card for developers to avoid considering the true sustainability and impact of their proposals. The proposal represents gilding on a process that is not working and misses the opportunity to effectively ensure any development has a real benefit to the community, enhancing life and the environment.

Should an Infrastructure Levy become a reality, rates must be set locally and capture more value. Local Authorities should not be allowed to borrow against Infrastructure Levy funds; rather, developers should be required to pay the Levy in advance of development.

Question 24 seeks to place the onus on social and truly affordable housing away from the developer. Developers do not need to be 'incentivised' to deliver good quality, truly affordable homes and social housing. They need to be required to do so by regulation that is effectively

enforced; otherwise, it is hard to see how the White Paper proposals would make any difference to the current paucity of good quality housing that is geared to maximise developer profit.

Far too many of the proposals contained in the White Paper are not followed up with questions. Why is Government not seeking responses to these elements?

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

Not sure without concrete data about how the 'ring-fence' mechanism would operate at a local level.

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

Yes, if it is a locally determined priority, that should apply to both the developer and Local Authority.

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?

Yes. The proposals will further marginalise these groups.

.....Chairman

The meeting commenced at 7.30 pm and concluded at 9.40 pm