



Planning for the Future Consultation
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Four Marks Parish Council consultation response

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Pillar One – Planning for development

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

- Complex
- Cumbersome
- Crisis

2(a). Do you get involved with planning decisions in your local area?

- Yes, as a Parish Council in the East Hampshire District Council local planning authority area, both for applications inside and outside the South Downs National Park
- as a Statutory Consultee for applications and any subsequent appeals
- representing the views and opinions of our community, in relation to material planning considerations
- having a professional and productive engagement with our District Councillors, and both Planning Development and Planning Management Officers in both Plan Making and specific applications for single, small, and major sites.
- In the last decade the Parish Council has assisted with 2 x Local Plans, 14 x large sites, and 38 x small cul-de-sac sites and over 100 x single dwelling housing applications. Also having been involved as active participants in 12 x inquiry/hearing appeals, 6 x written reps appeals and 1 x High Court Judicial Review (developer led and dismissed).

2(b). If no, why not?

- N/A



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?

- As a Parish Council we support a digitised national standard system, based around planning maps with appropriate narrative and reference links. However, have doubts from our extensive planning experience that such a system will be easily delivered.
- For the residents and Neighbourhood Plan group, in our semi-rural area with an ageing population, and the poor level of broadband delivery, a digital delivery has to have a more traditional back-up facility or current levels of community engagement, let alone the government's intent of increased involvement will not be achieved. Digital planning tools could increase the engagement at both plan-making and applications stages, which are already high due to high levels of speculative development applications in our Parish area.

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

- Delivery of equitable decision making in Plan making site allocations, and individual applications for bricks and mortar and Gypsy & Traveller sites, where developer presumptions to development has over-ridden common sense.
- Providing sustainable development, with infrastructure not delivered in recent years, and building an affordable mix homes for purchase and rental in our area where average house price is x11 the average salary thus meeting all our residents' housing needs, not just those incoming to larger executive style housing estates.
- Ensuring that any new developments are in the right locations, with the appropriate levels of actual infrastructure, access, and appropriate local design, meeting national and local climate change policies.

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.

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

- Yes simplified, but not in line with your proposals to date, which at this stage do not have enough detail or consideration of what actually happens currently, or should happen in the future, in Parish Council and community contributions to plan making.
- Three area categories are easy to understand and could help to simplify the plan-making process, but in the Growth and Renewal areas could leave potentially far too many loopholes for developers to exploit.



- Lines on a digital map do not reflect the underlying sense of place or community, how different locations interact together, or the real-world transitions.
- An assumptive outline permission in principle for growth areas is not practical, as each and every site needs an iterative process for a meaningful engagement with the Parish Council, the Neighbourhood Plan Group and local residents at the outline application stage. A single plan-making time of just 6 weeks consultation is too rushed and impractical for those who are not professional planners.
- For the Renewal area (what effectively was inside the SPB or abutting greenfield sites) an assumptive presumption to develop cannot be sustained unless more incentives are given to use brownfield sites. Too often in our experience garden grabbing infill cul-de-sacs have been permitted due to the current NPPF presumption, and permanently changed the whole character and sense of place through subsequent parallel 'domino' developments with no integrated overall master-plan or strategy for the community needs. Only individual developers and landowners maximising their site's commercial value.
- The local LPA and the Parish Council as consultees need flexibility across the three designated areas to deliver the best development scenarios, not have them dictated to us by developers. A national standard framework is supported but there are many nuances and variances to be accommodated at regional, county, district and local levels.
- Protected areas must cover heritage and biodiversity, places of natural beauty and community recreation, but also where settlement divisions / buffers have been established through past Local Plans.
- Our parish has been particularly affected by a high number of recent applications under PPTS (2015) for Gypsy & Traveller sites with multiple pitches. These have been outside the SPB and though bricks & mortar locations are not allowed, unless rural exception sites, the PPTS actively supports these applications. There is no mention in the White Paper for this situation. The national framework and local plan designated areas must have flexibility locally to enable the right planning decisions to be made

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

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 in general. The Council sees so much Officer (and our time) spent preparing specific development management policies within our local plan. Also at application, and especially appeals, the debates about highly localised plans take up a disproportionate time for all parties in preparation and debate, and in decision-making.



- These complex and time-consuming debates and their role in the decision process through ‘planning judgement’ are perhaps the greatest single area of frustration for Parish Councillors and residents.
- The preparation of a local plan being limited to 30 months, with community engagement for 6 weeks at ‘stage 3’ means that the Council is likely to have less involvement than previously had with EHDC currently as Councillors, Neighbourhood Plan group and a community.
- The greatest concern the Council has is that such a streamlining of local plan development is likely to give even greater strategic influence and master-plans creation to land owners and developers, thus bypassing the local community and their representatives.

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

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, the Council would welcome a first national definition of sustainability. A word heard all the time but to date has never been defined, or it seems applied by developers.
- Environmental impact assessment in a semi-rural area like ours is a crucial element in any application. National clarity is needed but local variances need to be accounted for, and decisions made on evidence examination not interpretations Consistency and predictable outcomes are needed by all parties involved.

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

- As a District and Parish cut in two by the South Downs National Park, the Council is very aware of the current Duty to Co-operate. Four Marks is a semi-rural area with larger higher density settlements to all sides in neighbouring Districts/Boroughs where available land has been used up. Half of the EHDC area is taken up by the SDNP, which without mitigation and constraints allowances, means the other 50% of EHDC has to deliver a nationally derived housing number in 50% of the land area. The Parish has already suffered with this ‘constraint’ for 10 years now at the current standard numbers calculation, let alone the 50% annual target increase from the mathematically incorrect new standard calculation formula - as referenced by local MP Damian Hinds in Parliament recently
<https://www.facebook.com/920411391325701/posts/3686744431359036/>
- A dialogue forum to discuss cross boundary issues should be proportionate and available – as stated earlier planning is not about lines on a map or administrative areas, but about places, communities and people. The emergence of the previous



EHDC/SDNP Joint Core Strategy Local Plan demonstrated just how important and useful that is.

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.

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

- Yes, but only with a properly thought out set of outcomes, a mathematically correct calculation, and the correct variables.
- Housing projections are done bi-annually, and past experience has shown the most advantageous year is chosen not always the latest.
- An assumption that artificially increasing land supply in areas of high unaffordability through binding housing targets is misguided. House pricing elasticity is not so sensitive to supply increases, with developers deliberately building and releasing housing at 50-60 per site per annum to maintain pricing. Other factors, such as economic performance, average salaries, unemployment levels, and social drivers such as a wish to leave urban density housing (all COVID-19 related) are far more important house price drivers.
- The Council has no confidence that a national body will have the information, local knowledge, or sensitivity to apply any (as yet undefined) constraints on the binding national standard calculation housing numbers for an LPA. And no doubt every LPA will be asking for special treatment
- The new proposed standard method, whether constraints are applied, will create a transition period when EHDC will need to plan against a totally unrealistic number, and speculative applications on greenfield sites brought forward, as happened in 2011 when the unilateral removal of the SE Plan numbers left EHDC without an adopted plan, site allocations, or a five year land supply. Only in May 2014 with the adoption of the Local Plan and finally in April 2016 with sites allocations adopted was the situation resolved and numerous subsequent speculative applications, and dismissed at appeal.
- As noted above, there is no mention of PPTS (2015) in the whitepaper. Will the GTAA need requirement continue, or will a national standard method be used to provide binding numbers to the LPA for the provision of Gypsy & Traveller and Showpeople accommodation?

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 not an appropriate metric or indicator for the quantum of housing in an LPA. How in the case of EHDC how can affordability be balanced with any constraints applied – our local MP asked just this question in Parliament where the SDNP housing prices are at a premium of 15-20% higher than in the non-SDNP areas and so inflate the calculated standard number
- <https://www.facebook.com/920411391325701/posts/3686744431359036/>

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.

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 current Local Plan Allocations and outline permissions process allows for essential checks and balances to be applied that may have been missed at plan making stages. Especially in the case of Parish Councils and residents' awareness and interest in plan-making is limited, although in Four Marks' case we have an early Neighbourhood Plan made in May 2016. Community engagement in the current Local Plan has been relatively high, but still limited. It is only at application stages that more people in the community become involved, and even then the majority still remain unaware until the site starts building out.
- This current may delay the whole process by a year or so in some cases, but it ensures a thorough scrutiny with checks possible for the community – who have to live with the permanent outcomes and impacts. The developers often delay their build rate to maintain prices, and with over 1,000,000 permissions extant in England currently, the government's three year target would be met if they are built out.

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

- Yes, noting our above comments of a potential conflict of PPTS (2015) in Protected countryside areas.
- The Council assumes Renewal areas will primarily be current inside SPB and brownfield sites.

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

- N/A

Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology.

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

- Yes.



- The use of digital technology (if it works) will assist this.
- Lack of information, delays in required reports, pre-decision amendments are some developers' delays, it is not often the LPA to blame in our experiences.
- Parish Councils and residents have a tight restricted period already in which to submit their comments, and these opportunities should not be shortened even further.
- Penalties for delays should be equally applied to developers and their agents as to LPAs, depending at which stage of the process they occur.

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

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

- Yes, the Council encourages all additional communication, transparency, and information.
- Using technology can significantly improve the planning system through efficiencies, accessibility and transparency, but it should not deprive non-planning professionals or those without digital access from the process.
- There must be time to transition to digital planning in a sensible time scale.

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.

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

- No, it is too short at 30 months and may deprive the community, Neighbourhood Plan group and Parish Council from a full engagement in the plan-making process.
- As has been seen in our current Local Plan process, the public and Parish Council engagement in consultations has resulted in much higher than usual responses in thousands which the EHDC Development team struggled to deal with – and through the use of inappropriate antiquated public sector software.

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.

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

- Yes, Four Marks has a Neighbourhood Plan made in May 2016, produced with our neighbouring Parish Medstead.
- Experience to date is that of over-expectations and some misconceptions with what they can be used for.



- The resources and commitment required from unqualified volunteer residents and Parish Cllrs is enormous to prepare a NP. It is not repeatable on a five year cycle, even for just review with the original expectation that it would last for the 15 years of the plan period. The constant lack of continuity in the planning framework has eroded a lot of public goodwill. The PWP proposes the third or fourth planning framework in the last decade.

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?

- Neighbourhood Plans will need to be a clearly defined part within the proposed new system, under the LPA's Local Plan. Far more clarity is needed with guidance on what a NP can and cannot do. If NPs are to become just a part of the local design codes definition, much of the community is unlikely to participate.

Proposal 10: A stronger emphasis on build out through planning.

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
- After permission is granted it is the developers' responsibility to build out, and theirs alone. Any sanctions must be directed to the developers, not the LPA.
- Provision of utilities, delivery of Conditions, and relevant infrastructure should be the lead developer's direct responsibility.
- The timelines should be based on completion and move-in, not build start.

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?

- The Council's formal consultations for the 6 major sites over 10 years (600+ dwellings) have had clear comments regarding poor design, layout, and place-making in response to the submitted plans. Design has been for rows of suburban boxes, imposed on a semi-rural village with the reality very different to the illustrative drawings.
- The majority of the numerous garden grabbing cul-de-sacs follow the same poor 'off-the-shelf' houses, inappropriate to their locations. A few are well designed and deliver character and positive place-making environments.

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



- As a Parish Council we have a Climate Change policy and are deeply disappointed with the slow adoption of energy-saving power, walk/ride not drive, and overall use of the private car in the Parish.
- Development of more local jobs and economic enterprises is crucial to reduce the number of commuters, with more affordable reliable public transport critical.
- As quickly as we plant new trees and TPO mature trees, land owners and developers cut mature trees down pre-application to create new potential housing sites .

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.

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

- Design guidance involving the local community and Parish Council is essential. Appropriate national guidance as a foundation would enable local input for local sites.
- Guidance is needed for how views can be integrated, in creating design codes. First stage engagement of residents, Neighbourhood Plan groups and the Parish Council is essential, not as an after-thought for the LPA and landowners / promoters / developers.

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.

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, guidance is needed and professional support in this design code development process.

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.

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

- No comment



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.

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

- No comment

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?

- Actual delivery not lip service, delayed delivery, or empty promises.
- LPA delivery of affordable housing at 40% has been delivered by the LPA, even with somewhat creative viability reports submitted. However affordable housing at 20% off market prices is still well beyond the reach of many in an area where the average house price is x11 the average salary.
- Lack of purpose built units for medical, dental, and commercial retail units is critical.
- The County are slow to expand schools and deliver agreed S106 highways upgrades.
- Utility companies operate at full capacity and minimal acceptable standards until something breaks, or the next 100 dwellings site triggers an upgrade, often sometime after the site has been completed.

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.

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, this would give a simpler, predictable and deliverable funding for the County, LPA, and Parish Council to deliver relevant and appropriate community benefits.

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

- A national rate, with a specific uprate to reflect local needs and conditions.



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?

- More value, as communities see too little ‘planning gain’ and the developers have no incentive to go beyond the minimum statutory amounts and a full set of infrastructure and community facilities provided.

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

- No, why should LPAs take on this risk and commitment. It should be a cost of doing business for the developers, who stands to make significant profits from every site.

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

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

- Yes, all changes of use and use of permitted development rights must contribute to infrastructure provision.

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

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, current levels of affordable housing provision, and exception sites, need to continue to be funded, and delivered on-site. In a semi-rural LPA like EHDC there are not available sites for such provision.

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?

- No comment

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

- No comment



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?

- No comment

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

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

- Yes, but answerable to their local communities.

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

- No comment

What happens next

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?

- As previously stated, attention must be given to provision of adequate Gypsy & Traveller and Travelling Showpeople accommodation, and the relationship of the proposed framework with PPTS (2015).

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