

Report to	Planning Committee
Date	08 October 2020
By	Director of Planning
Title of Report	SDNPA response to the White Paper: Planning for the Future
Purpose of Report	To explain and summarise the SDNPA response to the White Paper

Recommendation: The Committee is recommended to consider the proposed SDNPA response to the White Paper: Planning for the Future as, set out at Appendix I, and provide comments for consideration by the NPA.

1. Summary

- 1.1 The Government issued the White Paper: Planning for the Future on 06 August 2020, and it is open for consultation until 29 October 2020. The foreword by the Prime Minister states that it is 'radical reform unlike anything we have seen since the Second World War. Building, from the ground up, a whole new planning system for England.'
- 1.2 Members discussed the White Paper at a Member Workshop on 15 September 2020 and several Members and officers contributed to an intranet forum. We have also worked with several partner organisations such as the South East Nature Partnership, who have shared their expert knowledge on the consultation. Officers have prepared this response to the White Paper based on the strategic steer provided by Members.
- 1.3 We have worked closely with the other national park authorities and are contributing to a separate National Parks England response on the White Paper. This is referenced in the opening paragraph of our letter and will be signed off separately under delegated powers by the Authority.
- 1.4 The main response is set out in a letter, which forms **appendix I** to this report. Detailed answers to the 27 questions set in the White Paper form an appendix to the letter.

2. The White Paper

- 2.1 The Prime Minister's Foreword in the White Paper indicates the gravity with which Government is approaching these sweeping reforms. The language within it is highly critical of the current planning system and takes aim at planning for a number of national failures including the rate of house building, the time taken to prepare local plans and the quality of the built environment.
- 2.2 Through the reform to the system, the key aspects of the White Paper are:
 - Streamlining the planning process 'with more democracy taking place more effectively at the plan making stage'

- Taking a radical, digital-first approach ‘to modernise the planning process, moving from a process based on documents to a process driven by data’
 - Bringing a new focus on design and sustainability
 - Improving infrastructure delivery and ensuring developers play their part, through reform of developer contributions
 - Ensuring more land is available ‘for homes and development that people and communities need’
- 2.3 The White Paper identifies three Pillars of reform:
- Planning for development
 - Planning for beautiful and sustainable places
 - Planning for infrastructure and connected places
3. **The Authority’s response to the White Paper**
- 3.1 The letter that forms Appendix I to this report sets out detailed comments on the following nine key matters:
- 3.2 **Clarification on the status of National Parks:** We ask that national parks are explicitly added to the list of protected areas in the same way that they are listed in footnote 6 of the National Planning Policy Framework (NPPF) and seek clarification that a limited amount of development will still be possible within protected areas without the need to designate renewal or growth areas.
- 3.3 **Local plans and zoning:** We agree that it takes too long to adopt a local plan, but consider that the five stages of local plan preparation set out in the White Paper do need further thought. We are concerned that the proposed timeline is too rigid and does not provide sufficient time to consider constraints particularly in stage 2 of the process. We are also concerned by the loss of meaningful consultation in the proposed local plan process. A rigid and rushed local plan process runs the risk of losing fine judgement and thus making poorly informed decisions on the development of land.
- 3.4 **Neighbourhood Development Plans (NDP):** We highlight that the Authority promotes and supports the preparation of NDPs in the South Downs and explain that over a third of our new homes will be provided through NDPs over the plan period. We think that NDPs should be allowed to allocate and indeed zone within the parameters set by the local plan and not simply become design codes.
- 3.5 **Environmental Protection:** We are deeply concerned that the White Paper has been written without reference to the biodiversity emergency and does not align with either existing or emerging environmental legislation particularly the Environment Bill. We recognise the problems with the existing sustainability appraisal process, which is process rather than outcome driven and seek clarification on the future of Habitat Regulation Assessment (HRA), which is not mentioned in the White Paper.
- 3.6 **Climate Change:** We are also deeply concerned that the White Paper has been written without reference to the climate change emergency. Although the importance of addressing climate change is stated at a high level within the document, it does not include any tangible measures to address the issue.
- 3.7 **Design and Beauty:** We welcome the emphasis that the White Paper places on good design and the creation of beautiful places. We acknowledge that design guides and codes can increase the quality of places delivered, but do question whether their use allows truly innovative design to come forward that speaks to the landscape in which it is located. We challenge the statement in the White Paper that ‘there is not enough focus on design and little incentive for high quality new homes and places’ and set out three examples of schemes where the design has been significantly improved through the development management process in the National Park. We welcome the introduction of chief officers for design and place making. We presume that the post will be similar to that of a chief town planning officer and would recommend that title.

- 3.8 Development Management (DM):** We agree that decision making should be faster, but highlight recent improvements of Local Planning Authorities (LPA) in this respect. We stress the positive role of DM in complex applications and consider it inherently problematic to both digitise DM and create beautiful places. We welcome the proposal to reduce the amount of supporting information required to accompany a planning application. However, we are concerned that a standardised 50-page planning statement will be unable to provide all the necessary information to prove biodiversity net gain, all the viability evidence to support the level of affordable housing provision or a heritage statement on a proposal involving heritage assets. We do not support the proposals to refund the planning application fee if an application is not determined or if an appeal is won. We welcome the introduction of standard national policies, but are concerned by the loss of our more innovative and locally specific policies. We stress that planning in a national park is different to other LPAs as we follow our purposes and duty that are set in national legislation and offer to work with the Government on formulating specific DM policies relating solely to national parks and / or other designated landscapes. We welcome the proposal in the White Paper to strengthen the role of enforcement in the planning system.
- 3.9 Infrastructure Levy:** We recognise the issues with CIL, but are concerned by the loss of Section 106, which will still be needed to secure on-site measures and other mitigation measures that cannot be secured via planning conditions. Our main concern with the new Infrastructure Levy is that payment would be moved from commencement to occupation, which will prevent infrastructure being in place on occupation or shortly afterwards, and the loosening of the levy's ties with the development and its impact in the locality.
- 3.10 Public engagement:** We welcome the aspiration to move democracy forward in the planning system and introduce modern digital planning services. Our experience at the South Downs is that using a variety of methods maximises the number of people engaging in a consultation. We flag up that internet coverage is very poor in some rural areas such as parts of the South Downs.
- 4. NPA Considerations**
- 4.1** Planning Committee will debate the SDNPA response to the White Paper and instruct changes as appropriate. The Committee will be making a recommendation to the NPA due to be held on 15 October 2020 on whether to approve the SDNPA response.

5. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	Yes, NPA on 15-10-20
Does the proposal raise any Resource implications?	The response itself does not have any resource implications other than officer time spent preparing it.
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	<p>Yes, due regard has been taken.</p> <p>Questions 26 of the White Paper asks for our 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.</p> <p>We have answered as follows:</p> <p>The proposal to greatly increase digitisation in planning could have an adverse impact on the older members of society who would like to engage with the planning system but may not fully computer literate. Notwithstanding the fact that place of residence is not a protected characteristic, the drive towards</p>

	digitisation of planning could also have an adverse impact on people living in rural areas because of poor internet coverage.
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	None
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	Yes, there are many sustainability implications relating to the White Paper that we have raised in our response. For example, the White Paper has been written blind of the biodiversity and climate change emergencies.

6. Risks Associated with the Proposed Decision

- 6.1 The only risk is that the Authority fails to reach agreement on its response and does not submit a response to the consultation.

Risk	Likelihood	Impact	Mitigation
The Authority does not agree the response to the White Paper	Low	Low	Officers follow the strategic steer from Members on the White Paper

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Appendices I. Draft SDNPA response to the White Paper: Planning for the Future

SDNPA Consultees Legal Services; Chief Finance Officer; Monitoring Officer; Director of Planning

External Consultees None

Background Documents Planning For the Future White Paper:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907956/Planning_for_the_Future_web_accessible_version.pdf