

## **Drowning in Development: The Planning White Paper and the full-scale attack on local democracy.**

### **Big on promises.**

What will this new white paper mean for the Chichester District? It promises more houses and reduced prices, it promises opportunities for smaller builders, better designs, better environmental house performances, more community involvement and attractive places to live with more rapid delivery of infrastructure. In short it promises all the things that successive attempts to deregulate planning has failed to achieve over the last two decades or so. In addition, it promises that this further radical step in deregulation will reverse the trend to worse and worse planning, more expensive homes, delays in introducing better environmental standards, inadequate infrastructure, identikit houses, urban sprawl, developer super-profits, squeezed out small builders, huge deficits in affordable homes and lamentable local services. More than anything else it strips the locality of having any real say in the nature, distribution and character of new housing and other development allocated to us by central government. It is the product of an overcentralising government pursuing the interests of property developers at the expense of local communities. It also sweeps aside all the major environmental considerations and postpones for decades the introduction of better environmental housing standards.

### **The supply of new homes.**

Professionals working in the industry severely doubt that the package proposed will achieve any improvements in these respects and a range of professional opinions have been expressed. These in broad terms show far from it being the planning system at fault (although it clearly does have many faults) the basic problems arise from a system that has evolved to allow large volume builders to pick and choose the terms on which they will supply homes. The biggest slice of uplift in value in housebuilding is not in the production of the buildings themselves, but in the change of use (particularly from agriculture to housing). It is not so much the risk of not getting consent for development as the timing of construction to maximise profit opportunity that holds up making a start on house-building and hence housing completions. Around 90% of applications for planning permission are approved in England. Consent has been granted for between 800,000 to 1,000,000 new houses that remain unbuilt (Town & Country Planning Association<sup>1</sup>[TCPA] and Local Government Association<sup>2</sup> [LGA] respectively). Instead they want to build homes in only the most profitable locations whilst avoiding as many obligations to the wider community as they can. These obligations may be contributions to local community and environmental benefit, low-cost housing, building with legacy in mind.

For Chichester District the simplistic algorithm that determines that the least affordable areas should take the greater share of development will not reduce prices, but will produce many more houses at the same high prices, driven as the housing market is by London prices and the to-be-expected continuing and post-Covid accelerated process of exurbanisation.

### **More affordable homes**

Perhaps the biggest issue facing younger people in our District is affordability. Without a very well-paid job and/or the bank of mum and dad, most would be hard put to get a foot on that ladder of home ownership. Renting is costly. Council waiting lists are long. The White Paper promises that a new funding stream (the Community Infrastructure Levy [CIL]) will pay for new affordable housing at least at the same level as the old system of Section 106 agreements, which are dismissed as creating delays. At the same time the White Paper envisages raising the threshold to 50 homes in any new development before the developer is required to make such contributions. Remember a decade or so ago, the threshold was 10! So, there will be less affordable housing in the small attractive developments within our existing settlements that most people prefer. Effectively only large developments will offer opportunities for affordable housing. And all this is justified on the grounds that it would encourage the small and medium-sized builder! If the government really wanted to get affordable housing delivered at any significant scale, it would tax planning gain and

1. <https://www.tcpa.org.uk/the-wrong-answers-to-the-wrong-questions>

2. <https://www.wildlifetrusts.org/news/new-planning-proposals-will-fail-protect-nature>

use the receipts for local authorities to build affordable units where young people needed them. This is smoke and mirrors being passed off as economic thinking. It lets developers off the hook. The proposal comes from the same stable as promised the starter homes, not one of which was ever built.

## **Discretionary vs Zoning decisions.**

But the next headline issue of the White Paper for the Chichester District is, we believe, the new zoning proposals. All land is to be defined in three very broad categories and for Chichester, this potentially sounds disastrous for those areas that have no special protections (e.g. national park, AONB and Conservation Areas). Yes, our District Council must decide which areas (zones) are appropriate for Renewal or Growth or are Protected, but there are some vital questions. Who decides the size of the zones? What consultation will take place and with whom? What process of appeal will there be? Can the decisions be reviewed and amended?

On everything other than Protected Zones (National Park and AONB?), it is open season for the property developers. With 70% of the District covered by such designations, all the new development that is demanded of us by central government must be poured into the rest of the area. This is to be done irrespective of the low-lying nature of the coastal plain, the preciousness of the chalk streams and wildlife corridors that still survive betwixt Downs and Harbours and the consequence for urban ribbon sprawl all along the coastal zone. It is likely to produce a massive tadpole-shaped urban sprawl swallowing up local village identities and placing an intolerable load upon transport, water and sewerage infrastructures. The head of the tadpole will be in the Manhood peninsula and its tail in Hampshire! These will be the consequences of abandoning a discretionary-based planning system and its replacement with a crude zoning one. Zoning systems can be made to work: they do so in other parts of the world. But the one proposed is not subtle and spells disaster for a precious cathedral city district like our own. The justification for such a departure from the system we have had since 1947 is that it will speed up planning permissions and reduce development costs. Yet the evidence for this is meagre. Certainly, in France, where a zoning system is in force, research has shown that processing times do not appear to be markedly quicker than in Britain<sup>3</sup> (

## **The sub-regional level and strategic planning.**

The interdependence that Chichester has with its neighbours (East Hants and its urban councils, the rest of West Sussex, the Surrey area and the London Boroughs for the wider labour market; the significance of water quality in our harbours and the larger Solent and all its adjacent authorities including the Isle of Wight) mean that we should be part of a wider strategic planning system. But even the basic strategic planning provisions that currently exist care of the 'Duty to cooperate' is to be swept aside. For example, just how are we expected to get to grips with Nitrate pollution in the Solent without cross-boundary cooperation? Without it, we can expect our water quality in harbours and the problems arising from eutrophication to worsen.

In fact, a range of separate procedural checks including cross-border impacts are to be swept up in a single one namely one "statutory sustainable development" test which replaces tests on soundness, environment, viability, sustainability appraisal as well as abolishing the Duty to Cooperate over boundaries. Details of this catch-all methodology will prove interesting reading when it emerges.

## **Environmental standards.**

The White Paper represents a very significant lowering of our sights on improved environmental standards. Yet the Chichester District is so incredibly attractive because of its relatively high standards. Not only do people want to raise their kids here, retire here and if possible work here. Businesses want to come here because the environmental experience of open countryside, small distinct villages, historic free-standing cathedral city, rolling Downs, chalk streams, stretching beaches provides the context of quality living. We have so much to lose by any one-size-fits-all approach embodied in the White Paper. The impact of mass housing on the local economy around Chichester will be harmful, relying as it does on green tourism, food production (agriculture and horticulture) and a base for entrepreneurs who choose to live in the area because of its quality of life.

It must surely be envisaged for our District that the South Downs National Park and the Chichester Harbour Area of Outstanding National Beauty would be safeguarded from unwarranted development in the proposed zoning schema. But what of the other areas, what of the numerous wildlife corridors, buffer zones for both our harbours and the other

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<sup>3</sup> Booth, P. (1989) 'How effective is zoning in the control of development?', Environment and Planning B,16, pp.401-415.

stepping stones for wildlife movement between the areas? Is it to be 'open season' for developers on these areas. If the White Paper is turned into legislation we can forget whatever little protections are afforded by the existing system. As Nicki Williams of the Wildlife Trusts says:

"We live in one of the most nature-depleted countries in the world. The White Paper proposes a planning system with three categories of land – earmarked for growth, renewal and protection – but this simplification brings the risk of creating a disconnected landscape, one in which wildlife continues to decline because nature doesn't slot into neat little boxes. Protecting isolated fragments of land is not enough to help wildlife recover, nor will it put nature into people's lives – something that is now recognised as vital for our health and wellbeing."<sup>4</sup>

Chichester's coastal plain is the last stretch of rural hinterland along the central south coast. In the U.K. (and globally), low lying coastal ecology/habitat is massively under threat due to development and sea level rise. Too few of the UK's national parks (e.g. The Norfolk Broads) safeguard our low-lying lands.

Concerned as we mostly are on the coastal strip about the impacts of climate change, global heating and consequent sea level rises, we might be expecting some more robust advances in the environmental performance of the new developments. A previous Code for Sustainable Homes, introduced by the last government in 2006, would have imposed strict climate change and environmental requirements from 2016 onwards, but it was scrapped by the government in 2015 before it came into full effect. The white paper includes a pledge to make only new homes carbon neutral by 2050, when the UK's **entire** economy is already supposed to be carbon neutral, according to the government's own Climate Change Act, which is written into law. Attempts by those attempting to write higher standards into Neighbourhood Plans back in 2014/15 were forced to strike them out. This was at the behest of the volume builders who still refuse to build with photo-voltaic or other renewable energy sources as standard.

## Design standards.

Great play is made of taking up the recommendations of Building Better, Building Beautiful Commission report<sup>5</sup> [Living with Beauty](#) January 2020

But those involved in day-to-day design work know that local planning authorities have been stripped of design-focussed professionals if they ever had them in the first place. Chichester is no exception and has shown a great reluctance to countenance writing design codes, master plans and development frameworks for that very reason. Ben Bolgar who advised the Commission is disappointed that the great emphasis on such devices is without teeth and fully expects developers to drive a coach and horses through the requirements.

The forefronting of the use of "popular and replicable designs" in developments will result in carbon copy boxes being built across the country. It is back to the pattern-book speculative urban sprawl of the 1930s. It may hasten the demise of the local builders offering locally-distinctive styles, unable to compete on such terms.

Mathew Carmona who has led research into design standards in recent British housing construction writes:

"Planning needs to take its share of the blame for this sad state of affairs, but the root cause is a shared and systemic failure of housebuilders, local authorities (highways authorities as well as planning) and successive Governments. Collectively, and for decades, they have failed to prioritise the delivery of well-designed coherent bits of city that maximise '[place value](#)'. To the extent that this is a failure of planning stems, not fundamentally from the type of system (when it works well it works really well), but from the systematic decimation of skills, capacity and the confidence to proactively shape development for the better. We can play around with the tools available to planners, but if we don't address the context within which they operate then the situation will never improve."<sup>6</sup>

Despite the government's insistence that the moves would create tree-lined streets and promote "beautiful" buildings, the Royal Institute of British Architects said there was "every chance they could also lead to the creation of the next generation of slum housing". (Reference?)

<sup>4</sup> <https://www.wildlifetrusts.org/news/new-planning-proposals-will-fail-protect-nature>

<sup>5</sup> <https://www.theplanner.co.uk/features/plannings-new-pattern-book-will-planning-reform-raise-design-quality>

<sup>6</sup> [https://matthew-carmona.com/2020/08/10/74-do-zoning-and-local-design-codes-offer-a-fast-track-route-to-beauty/amp/?\\_twitter\\_impression=true](https://matthew-carmona.com/2020/08/10/74-do-zoning-and-local-design-codes-offer-a-fast-track-route-to-beauty/amp/?_twitter_impression=true)

## Digital technology?

The increasing availability digital technology for the development/property industry, local planning authorities and the British public facilitates the continuing evolution of techniques for better planning. It includes, visualisations of development proposals, use of layers of geographical information systems, data bases for land values, drainage, infrastructure mapping, ecology, flood risk, and many other knowables. It is of course yet another tool in public engagement, consultation, participation and public involvement. The COVID pandemic has given all this new impetus in reducing the reliance upon traditional meetings and exhibitions.

However, quantification of techniques can only go so far. The White Paper with its beguiling if bald utterances such as “data not statements”, “data rather than documents” forgets that as the motto of the Royal Town Planning Institute is that the discipline is both a science and an art. Qualitative evaluation have as much as a role as quantitative ones. An example from Bosham may illustrate the point. Take a field of 16 hectares that could yield between 200 to 300 houses, 750 metres from a railway station, on grade 1 and 2 agricultural land (the best), where over 100 different species of birds have been recorded, occupying a strategic wildlife corridor, on a line-of-sight between a 1,000 year-old yew forest hillside and a coastal plain; then add even more data. Does the data alone produce a decision whether to change the land use? Even as landscape architects try to give weighting to the value of particular aspects. It is still a fine judgement which site should be prioritised and quantification will not solve the problems of value judgements having to be made.

So, there we have it the Planning White Paper is at best, a curate’s egg – good in parts. At worst. It is a full-frontal attack on the last bastions of local democracy we have enjoyed since 1947 and a charter for the volume builders to continue to make super profits whilst avoiding or postponing the construction of affordable homes for local people, improvements to housing environmental performance, protection of our natural environment and local distinctiveness.

We list below some of the general criticism of the government approach made from within the development community - people who actually know how it works and how it has evolved rather than a bunch of free-market ideologues.

## Other references.

1. [https://andrewlainton.wordpress.com/2020/02/12/going-binary-the-new-chief-planning-advisors-manic-proposals-for-the-planning-white-paper/amp/?\\_twitter\\_impression=true](https://andrewlainton.wordpress.com/2020/02/12/going-binary-the-new-chief-planning-advisors-manic-proposals-for-the-planning-white-paper/amp/?_twitter_impression=true)
2. <https://www.theplanner.co.uk/opinion/planning-for-the-future-training-is-essential-for-design-codes-to-bear-fruit>
3. <https://www.insidehousing.co.uk/home/home/zonal-planning-is-undemocratic-planning-67403>
4. [https://amp.theguardian.com/politics/2020/aug/05/englands-planning-reforms-will-create-generation-of-slums?\\_twitter\\_impression=true](https://amp.theguardian.com/politics/2020/aug/05/englands-planning-reforms-will-create-generation-of-slums?_twitter_impression=true)
5. [https://www.independent.co.uk/news/uk/politics/climate-change-uk-government-planning-reforms-robert-jenrick-a9656161.html?\\_twitter\\_impression=true](https://www.independent.co.uk/news/uk/politics/climate-change-uk-government-planning-reforms-robert-jenrick-a9656161.html?_twitter_impression=true)
6. <https://labour.org.uk/press/developers-charter-will-see-communities-side-lined-mike-amesbury/>

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