

West Lindsey District Council  
White Paper Questions & Responses

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

Managing sustainable development

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

Yes. As a Local Planning Authority we are at the heart of and are responsible and accountable for the democratic planning process of:

- promoting and adopting the local plan,
- representing communities through consultation and Member involvement
- making transparent, robust and defensible planning decisions, and
- supporting the delivery of Neighbourhood Plans.

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?

Improved online access and digitisation of planning is wholeheartedly welcome, however as an LPA we have serious concerns over how this data can be made machine readable in a nationally standardised format, and how this and any new digital platform and IT system will be funded. Smaller District Authorities do not have the finance in place to commission new IT systems and as such there is a concern that those smaller Authorities and their communities will be disadvantaged if a standardised system for all LPAs isn't rolled out nationally to ensure equitable access.

Equally as a rural district there are currently significant challenges for rural communities to fully engage in the digital world of consultation, where broadband coverage remains sparse. It is acknowledged and supported that access to 3D and digital imaging is a significant benefit for those affected by development as much those who are making the decisions. With this in mind how will the aspect of download speeds and equitable access to broadband to enable this be levelled up?

It is also important to understand that different people access information in different ways and they also have differing levels of interest in development and land use planning.

As such any over-reliance on a single method of communication or reliance on members of the public to actively seek out information without it being brought to their attention risks marginalising parts of society.

The proposals lack any meaningful detail of the expectations of the new system and the costs and barriers to delivery are simply unknown. There are also reservations how a nationally accessible data system will operate in terms of by whom, the funding and the accuracy and responsibility for the data accuracy, particularly in relation to flood mapping.

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

It is impossible to pick just three priorities from this list. As a Local Planning Authority all of the issues are priorities. Ensuring balance between all of these requirements and reflecting the needs of the community, economy and environment is essentially what the planning system is for.

Undue focus on one particular area or issue or omission of a single area can result in severe negative consequences that could take many years to rectify at great cost and leads to mistrust of the wider planning system.

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

No. Whilst the principle of speeding up the plan preparation process is supported, there is concern as to how the expectations for developing a robust evidence base and the meaningful engagement with communities within a 30 month timeframe could be achieved.

It is considered that the proposals put forward could significantly dilute the role of the Local Planning Authority, specifically in relation to the role of members and meaningful public participation.

The importance of establishing appropriate locally led design codes and detailed matters determined for specific areas and sites being identified for Growth or Renewal could be overlooked in the rush to adopt a Local Plan in such tight timescales. It is also considered that the three basic zones are too limiting, particularly in relation to rural areas and countryside.

The additional emphasis on design codes and implication of consent for certain allocations means that more detailed work will be required as part of the local plan process which will take more time and cost more money to achieve. Equally, the White Paper does not adequately explain at what scale such codes and allocations should apply and how Local Planning Authorities should resource this costly work. Much of this work is usually dealt with by planning consultancies working on behalf of an applicant and using a range of specialist consultants (Highway specialists, archaeologists, flood risk experts, ecologists, urban designers etc.) the majority of whom are not part of LPA teams partly due to the continual reduction to Local Authority resources in recent memory, and partly because this has rightly always been the responsibility of applicants and not a cost to the tax payer.

That said if community engagement is properly addressed at the start of the process and greater capacity and expertise is established at a Neighbourhood Plan level, essentially providing that Master Plan for the zoned areas there are elements of the proposal which could work well. It could provide less ambiguity and potential for appeal. Substantial thought would need to be given to how in a zonal planning system, strategic and local infrastructure would be delivered, particularly where policy at a local level would be more 'piecemeal'.

If it is considered that key minimum standards set at a national level in relation to design, green spaces and quality, this would provide a positive framework to develop the proposal as well as a the wholesale raising of Building Regulations across the board to support the broader environmental aspirations at a National and Local level.

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. Whilst the standardisation of such generic policies is generally supported for some defined constraints such as flooding and heritage, to prevent duplication, it is essential that they have adequate coverage for the entire country and that it provides enough flexibility for Local Planning Authorities to take a local approach to locations where specific circumstances dictate such. Acknowledgement of green wedges or Areas of Landscape Value for example in the rural context of West Lindsey have value to the setting of settlements and their communities.

Establishing far reaching policy at a National level increases the risk of Government subsequently amending these generic policies which fundamentally changes the protection that they offer and effectively undermine location-specific policies, leaving areas without adequate protection. Conversely this could also lead to a level of inflexibility, stifling local areas and leading to a greater number of application seeking a departure from policy, which is not a positive approach to planning.

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. In principle, the idea of streamlining Local Plan procedures including tests of soundness and Sustainability Appraisals are welcomed and these could ease the resource burden for Local Planning Authorities. However the importance and thoroughness in particular of Sustainability Assessments must not be effectively ‘watered down’ through any streamlining as these assessments sit at the heart of good plan and decision making. It is essential to understand that sustainability is not solely about environment; social, health, economic factors to be considered independently.

Impacts are intertwined and therefore assessments must be at an appropriate level of detail to ensure that development is sustainable and associated impacts are understood. Equally how would factors proposed by the Environment Bill be captured and assessed?

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

It is difficult to see a method for achieving this in the absence of a duty to co-operate. The Duty to Cooperate works well in many areas. Areas where it works less well tends to be where there is the greatest pressure for development and an inability or lack of desire to meet needs within an administrative area. If these areas can be identified they could be addressed through joint working, with housing and other strategic, cross-boundary requirements and challenges being amalgamated to a wider geography and planned for at a different scale.

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

No. The principle of setting housing requirements nationally is supported as it will remove the lengthy and time consuming debate locally, but there has to be a reality check on the outcomes of this otherwise the national targets will not be achieved.

There are also questions about whether the 300,000 dwellings per year target is still fit for purpose with key national and international events such as Brexit taking place

in recent years. This target should not be followed blindly, but should be checked for relevance in terms of environmental impacts and for whether it is deliverable in terms of market saturation. Many parts of the UK, particularly in areas characterised by deep rurality and small market towns have a more fragile economic basis leading to marginal viability and slower pace of sales. Flooding an area with permissions will not necessarily mean the Market will deliver them. This is already demonstrated with the Government's own research demonstrating over 800,000 homes with permission which currently remain undelivered.

Whilst it is agreed that assisting affordability is a valid reason for delivering additional growth and should be used to help determine where development should be located, this is often due to the constraints present that limit development occurring – this should not result in pressure to develop homes where it would cause unwanted implications.

Any nationally-set targets must also bear in mind some degree of market saturation. Given that delivery of homes is so reliant on delivery by the market in recent years and the market will not want to deflate the values realised on the sites being delivered it is essential that any local figure is deliverable. Ensuring a variety of housing products is a step towards extending delivery beyond normal market saturation, but the limitations of any system which relies on the market to deliver is making land available – this is something that has been achieved up and down the country in the current system.

A proposal that removes the five year land supply as a barrier to proper planning is supported. But it has to be recognised that the Five Year Land Supply and HDT are not based on making land available but homes being delivered and this is often out of a LPAs hands to a large degree. The ability to deallocate sites that are not progressing in favour of alternative sustainable sites that are deliverable in a regular plan review (or partial plan review) would be more favourable. Having more sites in the supply can reduce certainty and can act as a barrier.

In short, any standard national method has to be based on evidence that it will be deliverable, taking into account market capacity and constraints, and will lead to sustainable development, otherwise it will risk failing in achieving national targets.

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. It shouldn't be the only factor. Whilst the principle of taking into account local affordability and the size of existing urban areas is a sensible component of any calculation, perhaps wider factors need to be considered such as investment in infrastructure or job creation for example. In areas where joint plans are produced this needs to be carefully considered to ensure sufficient levels of sustainable development take place to support communities and to support growth and regeneration especially in areas of deprivation. It is also unclear how the creation of sustainable new settlements and garden villages and towns would be factored into such an approach. Continually extending urban areas is not always the best approach for delivering growth sustainably and managing unaffordability. However, provided that the numbers required of an area are deliverable in a sustainable manner and the Local Planning Authorities have the ability to plan for this growth then this approach is acceptable.

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. In theory this is a good idea but there is serious concern that there is an absence of understanding around the amount, complexity and cost of work required at the local plan stage to accommodate this goal. There are even now many technical constraints could prevent allocation even in principle, without layering on automatic outline permission in Growth areas. This coupled with the 30 month timescale to produce Local Plans leaves communities vulnerable to unsustainable and poorly considered development which has very few checks and balances further down the line. This is particularly pertinent as this approach also erodes the role of Members in the decision making process, removing an opportunity for Members to act in the interests of the Community in which they represent. In many Local Authorities, including West Lindsey a high proportion of decisions are already delegated. It is acknowledged however that the theory of this approach appears to remove some of the potential double counting, where sites are assessed for similar constraints at different stages, however the current system allows flexibility and for development sites to respond to the economic, social and environmental circumstance in which they come forward.

At present, allocation in a local plan effectively agrees the principle of development on the site, paving the way for a developer or land owner to produce an acceptable concept plan as part of an outline application or a deliverable permission in a full application – often in conversation with the Local Planning Authority. It is not considered that this proposal will speed up the delivery of sites but will merely shift the responsibility of concept design to the Local Planning Authority which the developers may not wish to deliver anyway. A version of this approach is often seen with landowner led outline applications, which are prevalent in rural areas. Very often the land owner will agree a level of detail at outline, then sell the site only for the developer to come in and vary the permission to make the permission deliverable and viable. This only adds more mistrust into the process for communities as very often they feel the permission delivered is not that which was originally permitted. Equally as market conditions and societies needs change previously worked up Growth zones and associated design codes may become outdated and not fit for purpose again leading to either non-delivery or an application to depart from established policy.

It is considered that the blunt zonal planning approach offered in the White Paper does not fully take account of the nuances or needs of a rural area and three categories alone could easily serve to see an area overrun with development and fundamentally change or stifled, without scope to grasp opportunities as they arise, particularly in relation to farming and other rural economic needs, including the ability to efficiently embrace diversification and modernisation or respond appropriately to climate change.

Furthermore even with state of the art consultation tools, the timescales covered by a Local Plan and the technical nature of evidence can make engagement challenging for the public. There is a sense of detachment in the process, up until the development becomes a real proposition. As such the public typically do not engage in early stages of plan making process and there is a real concern that Communities would miss out on meaningful engagement opportunities.

If this approach is to be implemented it will be essential for clear guidance on what will be covered in the permission issued by a local plan and for local plan teams to be properly resourced for such a service, both in delivering the technical information and also for engaging appropriately with communities and Members.

Overall it is considered that if this was a future option, then again Neighbourhood Planning would have a huge role to play and therefore greater technical support and capacity would be needed to enable this approach.

It is also important to note that this proposed change in permission statuses would require the scope of a Reserved Matters application to be expanded to cover site specific matters for instance, surface water drainage / SUDS, archaeological investigation (on sites within areas with archaeological potential only?), and ecology/ biodiversity net gain. It is not considered feasible to front load this level of site detail at a Local Plan stage, even within the new system as suggested by the White Paper.

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

No. Not in its simplest form as presented in the White Paper. The current local plan process effectively approves the principle of development and permission is usually granted fairly swiftly provided a suitable scheme is put forward. Likewise a Local Plan policy can set out some of the site-specific requirements or parameters, and a LDO can be used to obtain a permission. It is not considered that a fast-track planning application process in this way is necessary. Further nuanced approaches to obtaining planning permission only adds more confusion for the general public. Many find the process of 'prior approval' difficult to navigate. Equally we don't feel that introducing a system which will require applications for departure from the established zones, where a scheme does not exactly fit with is a positive method of managing growth and development.

A renewal zone could be used more effectively to support the reuse of brownfield land, like a subzone and the refurbishment and repurposing of existing buildings, be it a heritage asset or a piece of land that has not been redeveloped through the usual market channels, for example where there has been market failure or other significant constraints which make reuse challenging. Where areas, buildings or pieces of land have been identified as 'renewal areas' through evidence a fast track option of alternative finance options or other enabling tools would be very useful. Both in terms of reusing existing built on land and or preserving and protecting existing heritage assets. This approach would also encourage a more sustainable approach to the built environment.

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. Not that alone. The delivery of a new settlement is a challenge and often will require land assembly, close relationships with infrastructure providers and delivery partners. The Local Planning Authority in which the new settlement proposed would have to be, at the very least, included as a key stakeholder throughout the process. A Local Development Corporation or similar vehicle could be beneficial to ensuring the delivery of these settlements in a more timely, efficient and coordinated way, ensuring characteristics, issues and opportunities within the local area are given appropriate weight and consideration.

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

No. Applications are already dealt with as quickly as Local Authority resources allow, (up to 95% of all applications determined in England) and the use of extensions of time are invariably at the request of the applicants and so they are happy to follow this route. By eliminating Extensions of time it will result in more applications being refused and/or due to the proposed sanctions around refunds at appeal could see poor development

approved due to the consequent financial risk to the authority, in direct conflict with the Government's other objective to build beautiful with a clear focus on quality development through design.

By delegating decision making down to planning officers it also runs a risk of lack of consistency in decision making. Planning is a complex process and cannot be over-simplified to attempt to increase certainty in the same way that the law is complex and needs detailed bespoke interpretation, nuanced decisions and therefore also cannot be over-simplified to increase certainty.

Equally the continued dilution and erosion of local Member involvement in the planning making and decision process only creates further concern around transparency and takes away the opportunity for an elected member to properly represent and support a community in relation to, often, very emotive areas of work.

Often the requirements for information supporting a planning application, of any size, is a result of the location of the site. Furthermore, some complex sites need more evidence to justify how these complexities have been dealt with satisfactorily and so arbitrarily limiting statements to 50 pages could undermine developer's ability to make their case. Whilst it may be possible to create a standardised list, and we support the principle of reducing unnecessary paperwork and information, great care is needed to help ensure that Local Planning Authority get the right information of a suitable standard to ensure decisions made are sustainable and do not result in undue harm.

More information is needed about the new systems being proposed to be able to provide detailed response to how these could operate in practice, but greater standardisation of systems across Local Planning Authority, would be beneficial if correctly delivered and funded.

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

In theory we support the principle of a web-based local plan with a heavy reliance on the map. At present, in legal terms, the map carries little weight when compared to the wording in a local plan and so greater integration of the two in legislation may be needed. The reduction in use of paper is also supported but this needs to be balanced with ensuring that interested parties without access to the internet can gain access, to ensure that certain demographics of the population are not effectively 'cut out' of the process. It must also be acknowledged that many rural areas do not have broadband capability and as such access to system such as these may be impossible or impractical due to download speeds. How will the Government ensure that rural communities will not be significantly disadvantaged through the planning system without a wholesale and timely improvement of internet access across the Country?

There is no detail in terms of how this will work in practice, specifically how long it will take to put in place, will it be retrospective and how is it funded? Local Planning Authorities will need to be provided with substantial additional resources including staff, IT support, training and IT equipment in order for this to be delivered successfully. Equally there is a concern in relation to some of the smaller and more remote districts being able to secure the appropriate level of skills from the market place to implement such a significant GIS project. Will there be enough specialist capacity nationally in order to ensure that the project is deliverable within the timescales across the country.

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

No. Notwithstanding our objections to the proposed changes to the system, whilst the ambition of shortening the process as far as is practicable is welcomed, the required work to enable allocations to effectively benefit from outline permission, the creation of design codes etc. is likely to take longer than the current process unless significant resourcing is given to each authority. The proposal for 30 months is unrealistic.

Furthermore, the timetable suggested allows for no time to take account of feedback on proposals as under the current system (the regulation 18 consultation) – this is an important stage to consider comments received and make changes needed prior to submitting. If the public's ability to comment on applications is to be limited then it is essential that they can help shape the plan.

The proposal for a statutory duty for LPAs to adopt a new plan within 30 months is absolutely not supported. Detailed challenges (including the time and resource requirements listed above) such as a lack of land suitable to meet housing need being put forward, identifying land for gypsy and traveller sites, developing evidence to ensure decisions on zones are sound, etc. mean that this timescale is unrealistic and councils should not be unnecessarily penalised for failing to achieve it for reasons outside of their control. It is more important to get things correct in a timely manner, than rushing to come to an incomplete or inappropriate conclusion very quickly – this could undermine the system and ultimately slow delivery.

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

Yes, however the proposals are not clear what role neighbourhood planning would have in the new system. They can be an important tool to allow communities to deliver sustainable growth that is right for their locale at a finer grain than the Local Planning Authority, particularly under a joint strategic local plan. It is recommended that neighbourhood plans become more focussed and specific as currently there can be a lot of duplication with national and strategic policy which often they introduce confusion or some conflict with local plan policies where they repeat or slightly alter the higher order policy. Perhaps the introduction of design codes, alongside greater ability to allocate sites would be the best route for focusing these plans for the greatest output.

If this were to be the case however, it is considered that more resource should be provided in this area. It must be remembered that very often Neighbourhood Plans are developed and led by lay people and volunteers, where greater emphasis is placed on these documents to protect, enhance or grow any area there must be adequate support to enable communities to achieve this effectively.

Equally communities must not be disadvantaged where there is not a group of individuals wanting to develop a Neighbourhood Plan or not having the skills to do so. Very often it is an engaged and motivated village community with an already active Parish Council who develop these documents. There are opportunities for the Member to act as an advocate in the area of work, however extensive training and support would be required to ensure this is effective.

Fundamentally the Local Planning Authority does not want to see areas disadvantaged where community engagement and cohesion is not so prevalent. What protections and



equally opportunities will be given to these communities through an arbitrary zonal system and nothing else?

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?

Similar to the response to Q11, in order for Neighbourhood Plans to move towards a more digital basis, significant levels of training, support and IT knowledge will be required especially supporting local groups, Town & Parish Councils undertaking Neighbourhood Plans. Greater access to free and easy to use map services and map data would be beneficial. The Public Sector Mapping Agreement does not cover neighbourhood forums meaning that these groups can find it difficult to obtain such OS based data. Is there or will there be a national body set up to manage this process and ensure parity across the Country?

Again the question is also raised around ensuring all communities have good quality access to broadband and that download speeds are appropriate to ensure fair and equitable access to information.

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. It is clear through the existing evidence that across the country planning authorities have already played, and continue to play, their part by issuing timely planning permissions so there is little more that can be done to ensure the delivery of permission granted.

Instead of seeking to impose sanctions on a sector that already delivers, measures that apply to land agents and major house builders should be implemented if we are to see increased delivery. Measures such as charging council tax per property if not constructed after a prescribed period beyond the consent and based on standardised delivery rates for the area should seriously be considered as they are more likely to be effective.

The proposal to seek a variety of developers on large sites may take time to implement, but potentially through a master-planned approach on large sites, if a variety of builders show an interest there need not be any reason that this cannot be achieved. However consideration on this approach must be given to how liabilities for the provision of infrastructure and obligations are apportioned to ensure that it is fair and equitable and not a barrier to delivery. Equally understanding the capacity of a site to deliver with multiple developers on the site must also be understood. It is already acknowledged that more than 3 developers on a site at one time becomes inefficient due to basic logistics around deliveries, space for welfare and material storage.

The same issue would apply with multiple SME builders all taking on a large site. Also the time taken for multiple SMEs to build out a large site would be significant, meaning households could be left living on a building site for years, with the risk of other builders on the site not completing their development or not even starting.

Issues like these are always influenced by the market and SME builders are often more vulnerable to cash flow issues and, where a small downturn in the market occurs, are much more likely to 'mothball' a site until the market picks up. This could create particularly unpleasant living conditions for those already on the site, without access to key facilities and infrastructure due to be delivered in later phases. Likewise, seeking to vary the products coming to market will help with delivery, but fundamentally it is all

about the bottom line for developers to make money and this is not within the control of Local Planning Authorities. To ensure a continued and secure pipeline of housing alternative delivery options should be considered which don't wholly rely on private enterprise and market forces.

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

We are very supportive of good design and feel it is necessary to see a significant step change and improvement in this area, considering, not just aesthetics but also what as a society are we likely to need in the future, can the design work for scaling up and down, how does design influence the environment, ecology and climate change?

It must be noted that design should not be the same across the country and 'off the peg' house boxes are not appropriate on every large development up and down the country. It is considered imperative that Climate change should be a key aspect of design and function. This does not have to be entirely led by the planning system. A positive lifting of standards within the Building Regulations nationally could significantly support this area of work, particularly the need for all new builds to meet a specific thermal efficiency, utilise renewal technologies and embed rain water harvesting opportunities as the norm.

From a local perspective in West Lindsey and supported through the Central Lincolnshire Local Plan, great care is taken to strive for the best design outcome possible for each site, taking into account all planning constraints. There are a number of examples where this has been achieved to a high standard, however there are also occasions where design may have fallen short of these expectations. Very often when dealing with developers who have fixed house types and predetermined layouts designed to achieve land efficiencies and maximise returns, irrespective of the area in which the development is situated. This issue usually driven by the price paid for the land and then a fixed developer return.

Equally design is very subjective so it is not possible to achieve collective unity of opinion on the built environment. It is important that we consider context, separate taste preferences from good design and use both creativity and pragmatism in securing a solution. There is a key role for local communities through Neighbourhood Planning with design codes, where properly supported, resourced and funded.

There has been a noticeable difference in design quality between developers who work well with local authorities through pre-application advice and applications to get the best outcome and other developers who take little note of the context and submit homogenous housing types with a preference for taking an application to appeal when the LPA rightly refuses the application. Too often design has not been defensible at appeal.

Another issue experienced is from land agents whose sole business is securing an outline permission to sell a site on. Often the outline permission is acceptable based on the information provided, but when a developer buys the site the scheme is implementable and a change to the scheme is needed often resulting in compromised design or reduced contribution to much needed infrastructure.

16. 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]

All of the above and more as we cannot achieve sustainable growth without each area. Sustainability also is not only about the environment and so this list is far too limited to allow full consideration of what is sustainable in an area as it balances the competing challenges.

It must be recognised that a 'one size, fits all' approach to planning and development does not work. England is characterised by its diversity in character, density and landscapes and that variety can be encapsulated within a single District, therefore a short list of sustainability measures, comes nowhere close to ensuring that future policy maintains sustainable development across that breadth of diversity in need and function. In rural districts the approach to ensure ensuring sustainable development and encouraging economic stability and growth is very different to that of a market town and then conversely to a city. There is an argument that since the introduction of the NPPF in 2012 there has been a gap in policy to support rural communities, specifically when grappling with the issue of sustainability, where very limited infrastructure exists and other ecological factors are also a priority.

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

No. The principle of embedding good design at the heart of decisions is supported, but it is not without its challenges.

Whilst the use of design codes in certain circumstances, such as part of urban extension planning or for rural communities can be a useful tool, considering the built environment in this way is far too simplistic in urban areas. Codes won't work for huge parts of the country. Areas which are rightly characterised by their significant variety in terms of design, materials and street-scape would be impossible to deal with in this manner. It also creates undue uniformity and lack of variety as well as stifling innovative and clever bespoke design solutions. Design codes can also have an impact on the viability of a scheme, the imposition of a fixed design code on a low viability area could seek to stifle development opportunities.

The answer is to upskill planning authorities specifically in relation to urban design and then increase the weight given to design in decision making within the policy framework nationally and locally, that way design can be considered with more confidence and in the context of each scheme. In addition as design is subjective it will be impossible to secure a consensus with the local community and whilst increased input should be welcomed at local plan stage we express a note of caution about allowing the local community to direct the design approach of an area – particularly when as suggested we use local popularity as any form of measure. In the context of a national housing crisis where demand is far outstripping supply how can 'what is popular locally' be relied upon as a measure of design quality that should be replicated? Furthermore who arbitrates on a solution where the community either disagree with each other or disagree with the trained, experienced professionals?

Given the overall size, number and variety of settlements and landscapes and characters of West Lindsey in the context of Central Lincolnshire, producing design codes needed to provide satisfactory guidance would require significant resource and time. This has the potential to delay growth. Considerable investment would be essential to ensure such a service is established in advance of it coming into place. Clarity is needed about where funding for this additional burden on Local Planning Authorities will be found. Finally how will design in terms of promoting ecological improvements and net gain be dealt with? As part of the 'catch all' design term of in some other context?

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. Having a Chief Officer responsible for design and place-making is a positive step and a new body to support this approach is also welcomed. If this new approach is to be introduced then it is essential that this body is in place and the necessary resource and technical capability is made available before it is introduced into the Planning System. The concept of provably locally-popular should also not be the cornerstone of what is good design.

However, our view is that the focus should be about upskilling local authorities to secure good design on a site by site basis as opposed to guidance on creating design codes. As well as ensuring that design principles enshrined in policy are given much more weight in the decision making process. This should include not only the aesthetics of a scheme, but also space and use and also environmental and ecological credentials. Equally any design guidance needs to cater for not only an urban setting but also rural areas, responding to the challenges and opportunities rural developments provide. 19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Yes. Good design should be central to homes being built by all developers and Homes England funding should be structured in a way support this, particularly in low viability areas where design suffers where values are difficult to achieve. Very often schemes which come forward in low viability areas are put forward as uninspiring and low quality developments, which instead of drawing up and area, quickly deteriorate and compound issues.

In order to build markets in 'forgotten areas' of the Country and instigate regeneration, Homes England should be set up to actively promote and support good design through funding and capacity and not be wholly focussed on land value up lift which in these forgotten areas is virtually impossible to achieve, continuing the downward spiral of left behind areas!

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

No. What is beauty? How is it defined? How would this be decided? What is considered beautiful in one context may be considered decidedly ugly in another. The concept of 'beauty is far too simplistic and superficial in a process which is required to balance numerous conflicting and complex issues.

Equally, good design should be an absolute pre-requisite on all sites and focus should be about equipping local authorities to confidently refuse poor or even mediocre design every time. The legislation needs to be couched to support 'is it good enough to approve' instead of 'is it bad enough to refuse'. Beauty is but one element of good design, layout, space, function, longevity and environmental credentials are other factors and these inputs are inseparable. Just because a proposal is beautiful does not mean it is well designed, practical to live in or good for the environment, in terms of climate change and ecological impacts.

21. 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]

Other. All of these elements are important for achieving sustainable development. Planning is about delivering all of the above in a balanced way. Focusing on one area to the detriment of others and is poor place-making. The proposals in the White Paper whilst seeking to simplify the planning system, which in some parts is welcome, does not recognise the nuances and interdependences of balancing conflicting priorities and promoting positive place making. Nor does it recognise the wider context of place and the relationship and connectivity through physical infrastructure as well as social and economic dependency of an area, which may stretch beyond a Local Authority or Neighbourhood Plan boundary. How in a zonal based system will this be established, promoted and delivered?

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?

No. Whilst having a single tariff appears to be a simple approach in theory, the idea falls apart for huge parts of the country which will be caught in the consequent viability gap. In these locations there may be little if any infrastructure levy secured and so the ability to secure any infrastructure would be lost. Furthermore there is no mention as to how non-financial contributions needed to make a scheme acceptable would be secured as they are currently under S.106. Community Infrastructure Levy itself was introduced to simplify and speed up developer contributions, however it has become an industry in itself and is not at all straightforward in its processing, particularly with the number of exemptions and relief. The concept of simplification for this process appears to work well on paper but not in practice.

It is considered that this section of the White Paper is so underdeveloped that it is impossible to make proper and full comment on the proposals drafted. It is also considered that a standard nationally set tariff is another step towards centralisation of the planning function, which removes Member and community involvement. This is not a welcome prospect and calls into question the opportunities for local democracy and decision making to reflect local needs and priorities.

The current Community Infrastructure Levy, whilst badged as a more simplistic and efficient way of collecting contribution for infrastructure does in itself introduce a separate and lengthy examination process, a disproportionate burden of Local Authorities to administer it, especially when rates are low, due to marginal viability. 5% on £15 per sq.m does not provide the revenue needed to administer the process and leads to the Local Authority funding the process. The % based administration fee favours the higher value areas, enabling them to build capacity into the process, implement improved IT systems and consequently obtain further CIL receipts.

The CIL process also creates a huge amount of bureaucracy and paperwork, particularly in connection with Self-Build exemptions and other reliefs, which require the same, if not more, administrative processes for nil return for both the collecting/charging authority and the local community. Any new tariff should be applied across the board without exemptions and relief. If we are serious about funding infrastructure from development then it must be understood and accepted that all development for whatever purpose creates an impact on local infrastructure and should therefore make a contribution.

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

Locally. However the process to set the rate should be reviewed to ensure that it doesn't create additional resource burdens on the Local Authority and become too onerous. A more transparent approach to the calculation of land value and the subsequent uplift in value gained by achieving planning permission should be considered to simplify the approach to establishing local viability. Whilst the Existing Use Value plus, starts to go some way towards this, the method for calculating the multiplier then applied is still not clear or transparent, leading to projected negotiations at examination. A centrally set approach to the multiplier would support this process, as the valuation of existing use is a more established universal practice.

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?

Same amount overall. If authorities have a sound local plan then it shouldn't be possible to secure more, nor less than the current system as this has been calculated locally as part of the local plan process and based on localised evidence. The benefit of planning permission should be fairly, equitably and transparently apportioned between the parties; specifically the landowner, developer and community.

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

Not sure. There is no objection to allowing this flexibility but we would object if this became an expectation or even requirement due to the significant risks around pay back as it is based on presumed delivery. This again is more of an issue in areas of lower slower growth and/or areas with marginal viability.

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

Yes. Although it is difficult to understand how this would be achieved in practice. It would require clear linkages between Development Management, Monitoring and Building Control. Where these services are all provided in house it would be easier to achieve, however information that is required to be provided by approved inspectors is notoriously limited in detail and slow in submission, which would make this process either excessively time consuming in relation to cost v benefit or completely unworkable.

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. The delivery of affordable housing is essential for local communities, especially in large rural districts. However it is important that the type and tenure of that affordable housing be reflective of local need and not nationally imposed tenures, which are not necessarily appropriate in areas where affordability ratios are low and geared to those in the highest of need, specifically affordable rent, rather than low cost market housing or started homes.

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?

Either. However, in the context of an Infrastructure levy that is set at a threshold that allows for viability of the most challenging sites will mean that very little affordable housing is delivered at all. Equally it is not clear how this would work for a Large Scale Voluntary Transfer Authority. When the question says 'right to purchase at a discounted rate for Local Authorities' does this as cover Registered Providers who operate within these districts?

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

Yes. In the context of an Infrastructure levy that is set at a threshold that allows for viability of the most challenging sites will mean that very little affordable housing is delivered at all.

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. If the system is to work as suggested then the quality of the affordable units should be assured in the same way as the market houses

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

Yes. Given that this is the proposed method for securing all infrastructure requirements associated with new development, the more flexibility given to Local Authorities the better

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

This would be a good method for prioritising affordable housing delivery but given the concerns expressed under 24b this is then likely to be to the detriment of all other necessary infrastructure. Which in marginal viability areas is in most cases already at a greater disadvantage and under developed. This becomes even more acute when considered in a rural marginal viability context.

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 principle of wider and greater engagement by local communities from diverse backgrounds in the planning system is inherently a 'good' thing. The reality of delivering it is entirely different. Arguably the Town & Country planning system is already the most publicly consulted on process delivered by Local Authorities.

The general public mainly get involved in planning when it directly effects them e.g. a development taking place where they live as opposed to commenting on a Local Plan which appears somewhat more abstract and remote to them. This consultation is light on the detail on the practicalities and realities around greater and more meaningful public engagement from more marginalised sections of the community at the local plan stage, and why it is deemed to be positive to significantly curtail this engagement at the Development Management stage.