



## Background Paper: Civic Society participation in Local Plans (September 2021)

### Introduction and Context

1. This research has been undertaken to inform a wider conversation about civic society participation in planning, with a specific focus on understanding the current level of civic society participation in the development of Local Plans. This is a background paper to inform the civic movement's consideration of a formal role for civic societies in the planning system.
2. The context for this discussion is the Government's White Paper *Planning for the Future*, which was published in August 2020, and the anticipated Planning Bill, which was announced in the Queen's Speech in May 2021. Whilst we are currently uncertain as to how the new Secretary of State intends to progress the Planning Bill (the Government has yet to publish its response to the White Paper consultation) there was a clear direction of travel set out in the Government's White Paper. This was for a completely reformed planning system with a new role for Local Plans setting zones or 'areas' and design codes, and with reduced opportunities for communities to comment on and influence proposals once the Local Plan was adopted.
3. With greater emphasis on Local Plans and proposals for community engagement to be focused on that stage rather than at the individual planning application stage, it is important that we understand the baseline level of civic society participation in Local Plans now. This will help Civic Voice to explore what a future role for civic societies might look like and what support might be needed for civic societies to fully participate in a reformed planning system.

### Our Approach - What did we do?

4. A desktop review of all Local Plans submitted to the Planning Inspectorate<sup>1</sup> between 1<sup>st</sup> March 2019 and 1<sup>st</sup> September 2021 has been undertaken. A total of 45 Local Plans have been reviewed.
5. Each Local Authority's Local Plan examination website was reviewed to collect information on the number of civic societies that had responded to the final public consultation<sup>2</sup> on the plan before it was submitted to the Planning Inspectorate for examination. Where available online, the civic society consultation response was analysed to collect information on the scope of the response such as the broad topics covered and whether it was generally supportive or objected to the plan and/or policies. The research has been supplemented with quotes from the responses to give a flavour of the tone and content of civic society consultation responses. All data has been anonymised to ensure an objective assessment of responses.

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<sup>1</sup> Local Plan monitoring data available from: <https://www.gov.uk/guidance/local-plans#monitoring-local-plan-progress>

<sup>2</sup> Consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

6. The decision was taken to analyse Local Plans submitted within the last 2 and a half years, so that the data was up-to-date but also covered plans that had been submitted before the Covid-19 pandemic. The cut-off date of 1<sup>st</sup> March 2019 was chosen because it became increasingly difficult to source data for Local Plans the older they were, as many of the plans had since been adopted, and some had been withdrawn, so some Local Plan examination websites/libraries had been removed. It was felt that the dates selected provided a broad sample of Local Plans to gather baseline data. If useful, this report could also act as a starting point for Civic Voice to add to and continue monitoring civic society participation in new Local Plans as they come forward.
7. From the 45 Local Plans that were reviewed, 31 civic society consultation responses were analysed. The data covers Local Authorities within all 9 regions of England and includes both Civic Voice members and non-member societies.

## Key Findings

8. An assessment of the 45 Local Plans, revealed the following key findings:
  - 31 of the 45 Local Plans had at least one civic society within their area. This equates to **69% of Local Planning Authorities with a civic society within their area** (broadly consistent with previous research on the location of civic societies).
  - 22 Local Plans received a consultation response from at least one civic society. This equates to **71% of Local Plans, where civic societies exist, receive a consultation response from a civic society.** (Fig.1)
  - In total, 35 civic societies provided consultation responses on Local Plans within the study. Knowing that some of the 45 local authority areas surveyed had more than one civic society<sup>3</sup>, extrapolating the data across all civic societies in the study, 59% of societies provided a consultation response on their Local Plan. This equates to **approximately 3 in every 5 civic societies commenting on their Local Plan.**
  - Civic societies consultation responses covered an extremely wide breadth of issues, falling into 20 broad topics. (Fig. 2)
  - The **most common issues/topics covered within civic society responses were 'Heritage' matters and 'Site Allocations'**, both referred to in 52% of responses.
  - In discussing 'Heritage' matters, **56% of responses specifically mentioned conservation areas and 44% of responses referred to a Local List (or lack of).**

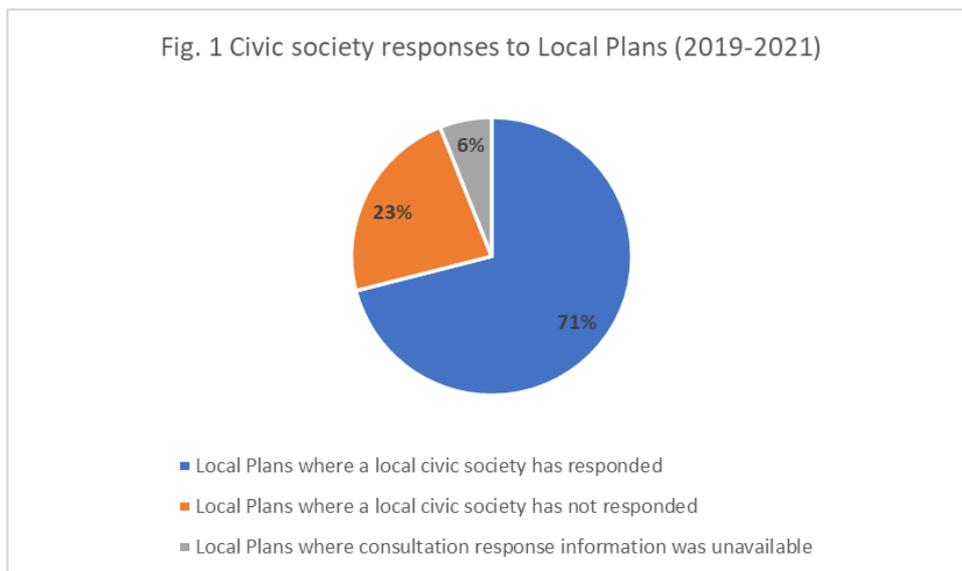
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<sup>3</sup> (29% of the 45 Local Planning Authorities surveyed had more than 1 civic society in their area)

## Analysis of the civic society consultation responses

### General observations

9. Across the 45 Local Plans analysed, a total of 35 civic societies provided consultation responses on their Local Plan. However, it was not possible to find all consultation responses online, particularly for older Local Plans. For this study, a total of 31 civic society consultation responses have been analysed.
10. We know that civic societies do not operate in all Local Authority areas, and this was reiterated in the study data which found that 69% of Local Planning Authorities (31 areas) had at least one civic society located within their area. This is broadly consistent with previous research on the location of civic societies. 31% of areas had no local civic societies, but it is important to note that the study areas included 4 National Parks, which are not traditionally areas with civic societies.
11. Equally, civic participation is high in some areas with almost a third (29%) of the Local Planning Authorities in the study having a consultation response from more than one civic society. In total, 22 Local Plans received a consultation response from a civic society. Where a civic society exists, therefore, this equates to 71% of Local Plans receiving a consultation response from a civic society (Fig.1).



12. Extrapolating the data across all civic societies located within the study areas, 59% of societies provided a consultation response on their Local Plan. This equates to approximately 3 in every 5 civic societies commenting on their Local Plan.
13. It is important to note that the following analysis civic society responses only provides a snapshot of civic participation towards the end of the Local Plan process, prior to formal examination by the Planning Inspectorate. This report does not capture information on longstanding civic engagement throughout the development of the Local Plan process to get to this final stage.
14. Nevertheless, it was clear from several consultation responses that the Local Plan had been developed over many years and civic societies had engaged and responded to various consultations on the plan, with some referring to previous comments they had

made or welcoming the latest iteration of the plan taking on board their previous feedback.

### Professional expertise

15. Whilst the content of civic society responses showed that some had a degree of professional built environment expertise e.g. planning, architecture, historic environment, and an understanding of the Local Plan process, it was clear that all 31 consultation responses reviewed were written by local volunteers with an active interest in their local area and the built, historic, and natural environment. Most responses drew upon that local expertise and knowledge of the area to inform their consultation response to the Local Plan, supplementing their response with local examples. None had commissioned planning consultants to write their consultation responses (nor should they have to, to participate in a Local Plan consultation).
16. However, it was clear in the study that this latter stage of consultation on the Local Plan (often referred to as the Regulation 19 consultation), uses a huge amount of technical planning language to explain consultation procedures. In many cases, responses were encouraged or, if submitting comments through the Local Authority's consultation portal, made to express their views on the Local Plan in terms of its 'legal compliance' and 'soundness' (a term defined in the National Planning Policy Framework)<sup>4</sup>. It could be argued, therefore, that it is no surprise that not every civic society responds to a Local Plan consultation, particularly in the latter stages of the plan.
17. The following quote from a civic society that had submitted detailed comments to earlier consultation stages but a more limited response to final consultation illustrates this point:

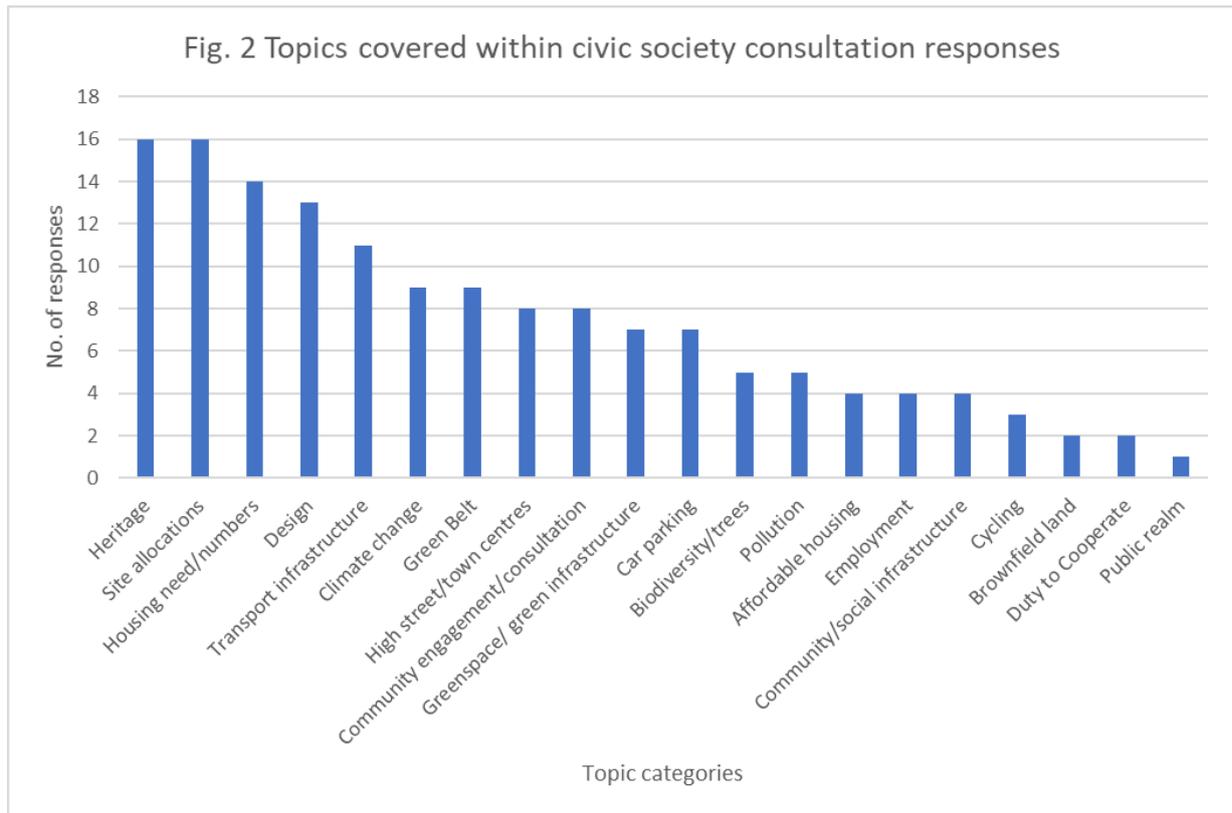
*'During the later stages, as the plan approached review by the inspectorate, the consultations were dealing with a level of technical detail that was important to planning professionals who were directly involved but they were addressing a level of detail where we felt we had little to add.'* [Society in the North East]

### Content

18. Civic society responses to Local Plans cover a huge breadth of issues. The responses in this study were broadly categorised into 20 topic areas ranging from heritage to housing to climate change to community infrastructure and everything in between. Fig. 2 shows the range of topic areas covered in responses, sorted from the highest number of responses to lowest.
19. As evident in Fig. 2, the most common topic areas referenced in civic society consultation responses were 'Heritage' matters and 'Site Allocations'. These were equally referenced in 16 responses, 52% of the sample. The 2nd most common issue covered in civic society responses was 'Housing need/numbers', which was found in 45% of responses. This was closely followed by 'Design' in 3rd place, which was referred to in 42% of responses.

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<sup>4</sup> Para. 35 of the NPPF defines the 'tests of soundness' as whether the plan is a) Positively prepared, b) Justified, c) Effective, d) Consistent with national policy: <https://www.gov.uk/guidance/national-planning-policy-framework/3-plan-making>



20. Looking at the content of the responses of the top three issues, these are our observations:

### Heritage

21. Most civic society consultation responses on 'Heritage' matters generally welcomed the aims of Local Plans to conserve the historic environment but expressed concern as to whether this would be achieved in practice. This reflects an overall concern in many responses that Local Plan heritage policies may not be strong enough to protect against harm or loss of heritage assets when push comes to shove. In some cases civic societies drew upon past experience, citing examples where heritage had been lost to development:

*'It is disappointing when parts of [the area's] heritage are damaged or lost for example... there needs to be serious commitment to this policy and not just empty statements.'* [Society in the East of England]

22. A minority of responses expressed concern over harm to designated heritage assets/listed buildings, however, most civic society responses were concerned about the impact on or loss of more 'local heritage' such as conservation areas or locally listed heritage assets. 56% of responses specifically mentioned conservation areas and this was closely followed by 44% of responses which mentioned a Local List (or lack of).

23. Several civic societies advocated for the Local Plan to commit to preparing or updating a Local List as a way of conserving local character. In some cases the Local Planning Authority had taken civic society feedback on board and strengthened heritage policy wording through the development of the plan. Examples included committing to the

preparation of a Local List, accepting suggestions for additional historic views to be protected in the policy, and strengthening the protection for traditional shopfronts on locally listed buildings and buildings within conservation areas.

### Site allocations

24. It is no surprise that 'site allocations' came as the joint top issue referenced in over half of civic society responses, given that most Local Plans allocate sites for different types of development. Sites and the proposed quantum of development and uses are also more tangible matters for community groups to understand and comment upon as opposed to more wordy and abstract policies.

25. Analysing the consultation responses provided a mixed picture of views from civic societies with 44% of responses generally objecting to some (not all) proposed site allocations, and equally a further 44% providing a balanced view on sites i.e. supporting some, objecting to others and/or suggest amendments to the proposed development or supporting infrastructure. 13% of responses gave broad support for the proposed site allocations.

26. It was also clear that civic society responses in the study commented on a range of site allocations, not just those for housing development. Responses covered allocations for employment uses, town centres, mineral safeguarding areas and green spaces.

27. Reading through the responses, it was clear that civic societies develop bespoke consultation responses, they do not comment on every site allocation with their comments focused on those sites that they feel strongly about or within their area of interest/benefit (most generally commenting on between 1-5 sites):

*'We object to the [site allocation] and removal of land... from the Green Belt as we do not think the proposal meets the tests laid out in section 13 of the NPPF on the protection of the Green Belt. We can understand the strategic goal of creating space for an [employment site] within the district but are not convinced that the site earmarked is the right place for it.'* [A society in Yorkshire & Humber]

28. In the main, responses tended to be pragmatic, balanced and considered, accepting that some compromises may need to be made in the Local Plan. This was highlighted in the following quotes from two different societies' consultation responses:

*'Overall we considered the selection of proposed development sites was carefully considered given the geographical constraints [the area] faces and limited land space available. There are however, two sites where the Society wishes to highlight and record concerns... We would ask that the Inspector closely examines [these sites] when assessing the plan.'* [A South East society]

*'This is the only development site identified in [the] town centre. Indeed it is probably the only available site in the town centre. The society supports its development. However, we feel strongly that such development should have the sole use of providing residential apartment units specifically for the elderly. This statement is supported by the fact that the average age of residents continues to rise and its popularity as a town which attracts retired people.'* [A West Midlands society]

29. It was evident from the content of responses, that societies called upon the expertise within their networks to develop their responses but, in the main, were non-planners and

local volunteers, drawing upon their own experiences and local knowledge living (and working) in the area, particularly in relation to site allocations.

### Housing numbers/need

30. This 2<sup>nd</sup> most common issue covered in civic society Local Plan responses was discussion of the housing numbers proposed and whether local housing need would be addressed by the Local Plan. This was referred to in 45% of responses. This topic appears to be one of the more contentious issues discussed by civic societies with 71% of the responses generally objecting to the proposed plan/policies on this matter and 29% generally supporting the plan/policies.
31. However, going through the detail of responses, it is clear that a wide range of issues and comments within the broad category of 'housing numbers/need' were covered in responses ranging from; some who queried the justification and evidence for the proposed housing figure for the local authority or area within it, to those who pointed out inconsistencies between housing figures in tables or supporting text in the Local Plan, to those who were concerned that the plan/policies would not meet local housing needs.
32. It was clear across responses that there were some difficulties in understanding overall housing figures proposed in the plan. This is perhaps not surprising given the complexity of information presented in the Local Plan and the technical planning terms used in the justification, often with cross referencing to supplementary evidence and studies.
33. Although atypical of most responses, one society in the South East provided a detailed analysis of the housing figures presented in the plan but considered the policy to be unsound as there was a shortfall between the Local Planning Authority's 'objectively assessed need' and the amount of housing provided by the Local Plan, with neighbouring councils only making a small contribution to the shortfall.
34. In discussing local housing need, civic society responses were extremely varied (probably reflecting the wide variety of areas within the sample), with some stressing a need for genuinely affordable housing; some supporting policies which restrict short term letting to encourage more long term rentable properties; some wanting to see more policy support to encourage downsizing for older people; and others concerned that policies would result in *'an oversupply of small (1-bed and studio) units and an undersupply of larger family units'*.

### Design

35. The 3<sup>rd</sup> most common issue covered in 42% of civic society responses was 'design'.
36. The most common design issue referred to in responses (69% of all responses) was concern expressed over tall buildings policies within their area. This was mentioned in almost all the London society responses. Whilst some of these societies simply objected to or disagreed with proposed tall buildings policies, others tried to improve policies by suggesting strengthened or alternative wording. Suggestions included restricting tall buildings to particular roads within a borough or *'in designated areas where they form clusters'*. Whilst a couple of responses welcomed the proposed policies, with one describing it as *'a step in the right direction'* the vast majority were concerned about the

impact of a proliferation of tall buildings on the character of the local area and setting of heritage assets.

37. In terms of other design issues mentioned in responses, the picture was quite varied. Most responses welcomed aspirations/principles for high quality design and architectural quality set out in policies and some suggested additions to criteria such as including references to ensuring natural light, and 'designing in' fire safety.
38. Overall, civic societies seem to value design guidance with several societies referring to supplementary design guidance in their responses.

*'We hope that all design criteria adopted in the new Local Plan will actually be applied in future and that steps will be taken to ensure that development schemes being proposed will be rigorously scrutinised to ensure they comply with Council strategies laid out in other documentation such as the Residential Design Guide and the Urban Design Framework.'* [A society in Yorkshire & Humber]

39. One society was concerned that the Local Plan would be withdrawing useful, accessible supplementary guidance promoting well designed household extensions. Another society praised its Conservation Area design guidelines, urging the Local Planning Authority to update them:

*'We appreciate that different Conservation Areas have different local characteristics which is why the Council's Conservation Area Design Guidelines dated 2002 are so useful. We urge the Conservation department to update these local guides to be read in conjunction with the more general but comprehensive SPD Urban Design Guide issued in 2016.'* [A London Society]

40. Some societies welcomed the preparation of masterplans to guide the design of development sites. Only one society referred to a draft design code, commenting:

*'We will also comment more fully on the draft Design Code SPD, but the priority is to get the core policies right at the outset. These will carry more weight in the event of planning appeals.'* [A London Society]

### Community consultation

41. Whilst not in the top three issues, a significant number of civic societies also made comments on the Local Authority's Local Plan consultation process. As the White Paper had ambitions for 'best in class public engagement' it is worth reflecting on some civic society's experience of the current process.
42. In the main, comments were positive, with societies welcoming the opportunity to put forward their views and showing there had been a constructive dialogue between the civic society and the Local Planning Authority over several years as the plan had developed. This is evidenced through comments such as:

*'We welcome the formal publication of this draft Plan and believe it to be a major step forward from the current development plan. All of the policies from 1-46 in the plan are generally supported save as to the comments, objections, and proposed insertions set out below.'* [A London society]

43. One society in the South East praised the Local Planning Authority's efforts to engage the civic society and other local community groups in the development of the plan. It

could be argued that this quote highlights some of the principles that communities value in a good or best practice consultation process:

*'Representatives of the Society... and other local groups have been invited to contribute to the plan... Furthermore the information for preparing the plan has been presented online in a comprehensive but visually contemporary manner which has no doubt encouraged both community involvement and public confidence... Community responses have also been acknowledged and referred to at each stage of the consultation process as the plan evolved.'* [A South East society]

44. However, not all experiences were positive, with a society in London particularly critical of the complexity and accessibility of information relating to the plan, to be able to make informed comments, and the difficulties in engaging the wider public in Local Plans:

*'It is only through the work of other residents like myself that we have enabled some local people to be able to engage with the process. The information on the web was inadequate and unclear and not timely. We also know from previous stages as well as this one that only a tiny proportion of the local population has any idea that there is this consultation going till we bring it to their attention, and it is not surprising when they do realise it that it is difficult to encourage people to engage [as] it is so inaccessible in terms of getting at the information, its accuracy and meaning when it is accessed.'* [A London society]

45. This response could highlight the potential for civic societies to have a role in disseminating information about the Local Plan and acting as a 'trusted communicator' between the Local Planning Authority and the wider public, potentially encouraging greater civic participation.

## Conclusion

46. This study provides an insight into the baseline level of civic society participation in Local Plans over the last two and half years. The extent of current participation is encouraging with 71% of Local Plans, where societies exist, receiving a consultation response from a civic society. However, it is clear that not all civic societies do participate in Local Plans with the research demonstrating that approximately 3 in every 5 societies comment on their Local Plan.

47. Civic society consultation responses are broad in scope, covering many issues. This could be a strength of the movement in that responses are bespoke and draw upon the varied expertise within civic society networks and local knowledge of the area. However, it could equally be a weakness of the movement, with responses being too broad and less focused and targeted.

48. Reviewing the content of responses revealed that most societies, although not exclusively, tended to be 'heritage champions' championing the value of local heritage to the character of the area through conservation area designation and local listing. It was also clear that responses also cared about 'site allocations', 'housing need/numbers' and 'design' issues. However, a key theme common to the vast majority of responses was a desire to be balanced and pragmatic in tone. This can be summed up in the following response from a society in the East of England which said:

*'Through the consultation, the Society offers its views and concerns in a genuinely positive and constructive manner in its attempt to improve the Local Plan.'*