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Clive Betts MP  
Chair, Housing, Communities and Local Government Committee  
House of Commons, London, SW1A 0AA

30<sup>th</sup> October 2020

Dear Clive,

## **Civic Voice response to the HCLG Select Committee inquiry into the future of the planning system in England**

### **About Civic Voice**

Civic Voice is the national charity for the civic movement. We are campaigning for a more accessible, balanced, collaborative, and democratic system, as set out in our [Manifesto](#). Since we set up in 2010, we have been joined by hundreds of volunteer-led, community based civic societies with over 76,000 individual members. 71% of our members agree that the country needs to build more homes and we submitted this as part of our evidence to the Building Better Building Beautiful Commission (BBBBC) in April 2019.

Civic Voice welcomes the opportunity to make representations to the Housing, Communities and Local Government (HCLG) Select Committee inquiry into the future of the planning system in England.

### **How we developed our response**

In developing our response to the Planning White Paper, Civic Voice undertook an extensive consultation exercise, holding **17 online events** and engaging with **1519 people** in total. **768 individuals** responded to at least one of our online surveys and in addition, **82 civic societies** also submitted detailed written comments to Civic Voice, shaping our final response. Overall, **83% of Civic Voice member societies** participated in our consultation.

In drafting our response, we were supported by a working group consisting of 2 former MPs, a former Chair of a local authority Planning Committee, a former Senior Planning Inspector, 2 former senior managers in the Civil Service, a former lecturer in planning law, and a national expert on neighbourhood planning – all of whom are active members of local civic societies. We discussed our response with the Chair of the All-Party Parliamentary Group (APPG) for Civic Societies.

Collectively, this consultation feedback and input from Civic Voice members, together with our manifesto calls and [evidence submitted to the BBBBC](#) last year, has informed our response to the Government's consultation and this Select Committee inquiry.

We trust this response is useful and we look forward to continuing our discussions with the Select Committee, Ministers and Government officials on proposals for planning reform.

Yours sincerely,

Ian Harvey, **Executive Director**

## 1. Is the current planning system working as it should do? What changes might need to be made?

- a) Civic Voice accepts that the current planning system is not perfect, has become over complex and is not providing enough high-quality places. This frustrates local communities and has led to a breakdown of trust in the system, with just 2% of the public trusting developers and only 7% trusting local authorities, when it comes to planning for large-scale development, according to research by [Grosvenor](#).
- b) Responding to a survey in 2019, 75% of Civic Voice members stated that they strongly disagreed or disagreed with the statement, 'It is easy for residents and community groups to influence the planning process'.
- c) Nevertheless, we believe that planning matters. The system puts important safeguards in place to prevent poor development outcomes, that can have a lasting detrimental impact on people's lives and our built, historic, and natural environment. It has a critical role in balancing social, economic, and environmental goals.
- d) A survey of Civic Voice members in 2019 found that 80% of people feel that developers do not effectively engage with the community and 72% said the same about local authorities. 50 years after the Skeffington Review into public participation in planning, we must be asking why so many communities feel disenfranchised from the planning system and local decisions?

## 2. Are the Government's proposals the right approach?

- a. A common concern from our workshop discussions, is that the proposals in the White Paper are vague and generalised and it is difficult to envisage exactly how they may work in practice. The fear is that there is not enough detail to be able to make an accurate judgement on some of the proposals.
- b. Our members fear that an underlying theme of the White Paper is that the planning system should be speeded up by either reducing the level of information required in the decision-making process and/or by reducing public participation. We reject both options. Other factors that we could support to help to speed up the process include having well-resourced planning departments, better trained staff, and more investment in IT etc.
- c. In a survey of our members, conducted towards the end of the consultation period on the White Paper, **79% of Civic Voice members thought that community groups will have less influence** in the system; **77% thought it will be a less accessible** planning system to engage with and **86% thought the system will be less democratic** with proposals to introduce zoning and reduce the role of planning committees.
- d. We are concerned that the proposal to categorise land into three distinct types would over-simplify the complex issues with which Local Plans have to deal. The danger with moving to a system which is simplified and with 'fixed' rules to create certainty is that it is impossible to fully envisage all the potential impacts and unintended consequences that may result. To overcome the inevitable unintended consequences of simplified plans, inevitably, the land allocations will have to go into fine-grained detail and the 'rules' attached to Local Plans will become more complex and prescriptive, which is counter to the Government's aims for a streamlined system.

- e. Civic Voice welcomes the opportunity for earlier and more meaningful engagement, but not at the expense of reducing the right of communities to make representations at a later stage. The Local Plan stage should not be the sole place for meaningful engagement and should not lead to reduced opportunities for engagement later in the process, when further detailed information becomes available. 77% of our members say that the statutory consultation period for individual planning applications is the main stage in which they engage with the planning system. As the proposals currently stand, we are concerned that participation at this stage will disappear.
- f. We do not think the 30-month statutory timescale for Local Plans is long enough, given the level of complexity that will be involved in producing new style plans and their increased importance. It is unreasonable to set an arbitrary statutory timetable before the exact nature of the new system and the detail and practicalities of its workings are known. We doubt whether stage 1 consultation of 6 months is sufficient and recommend a pilot is put in place to see if this is realistic. Additionally, the proposed stage 3 consultation at 6 weeks is far too short and we recommend that this stage is increased to 12 weeks.
- g. We feel it essential to ensure that *all* local authorities are provided with the necessary funding to implement any new system fairly and to allow for the additional consultation processes that the new system will introduce at the local plan stage.
- h. We welcome the Government's ambition for a '*new civic engagement process for local plans*' and to support this, we believe local authorities will need increased resources to achieve this. We would like to see local authorities appoint Community Planners to help facilitate this, as called for in our [Civic Voice Manifesto](#) (December 2019).
- i. Before the Duty to Co-operate is removed, we must have a certainty over its replacement. Civic Voice believes that we need a national spatial strategy which sets national priorities and within that framework we could have regional or sub-regional planning, and then a network of Local Plans.

### **3. In seeking to build 300,000 homes a year, is the greatest obstacle the planning system or the subsequent build-out of properties with permission?**

- a. Responding to our surveys during the consultation process, our members made it clear that they support growth, with 71% accepting the need for more housing. Furthermore, 48% were broadly supportive of the White Paper's housing target of 300,000 homes, with 26% saying that they were unsure if this was the right number, but acknowledged that this seemed to be the number which had the most common consensus.
- b. 300,000 homes a year has not been achieved on a sustained basis, and has not been seen since 1968, when there was a large council house building programme.
- c. There are complex reasons for this. It is not just the limitations of the planning system but rather to do with economic issues and the capacity and willingness of the housebuilding industry to build at that level.
- d. There are already several years' supply of approved land that remains undeveloped so just adding to this will not deliver the step-change required. If housing supply remains under solely the control of commercial housebuilders whose activities are determined entirely by market forces, we will never meet the 300,000 target set down in the White Paper.

- e. We support the principle of having a clear, simplified and standardised methodology to calculate the level of housing that local authorities should plan for, to remove lengthy debates over housing figures and to provide certainty in delivering the homes the nation needs.
- f. Civic Voice believes that housing provision cannot be tackled in isolation, it must be considered and planned together with employment opportunities and the infrastructure requirements to help support and build communities.

#### **4. How can the planning system ensure that buildings are beautiful and fit for purpose?**

- a. The emphasis on design codes and good design is clearly welcomed by Civic Voice members. Based on 164 responses to a Civic Voice survey (undertaken in Sept 2020), 79.6% respondents supported the idea for design guides and codes to have a more central role in the system. However, the clear concerns from our members are focused on (1) how the codes are created and (2) how they work in practice to ensure that the quality of development is delivered
- b. We welcome the commitment in the White Paper that *'It will be essential that they are prepared with effective inputs from the local community'*, but the challenge will be to ensure that 'effective input' is followed through. It is critical that local communities can positively engage in the preparation of local design codes to make sure developments truly reflect local character and environmental sensitivities.
- c. Civic Voice was a contributor to a recent leaflet considering a national Design Quality Unit in partnership with Place Alliance, Design Council, and others. Within the leaflet, we set out 4 aims for a new national body. We agree with the idea that a new body should be established and *'tasked with driving up design standards and supporting local communities to produce design codes defining beautiful design in each community'* and it should offer practical solutions to aid local delivery.
- d. We agree that Homes England should be leading the way. It is difficult to require local planning authorities, and commercial developers to raise the standard of design quality if the Government's own housing accelerator is not putting design quality at the heart of its strategy.
- e. We cannot support the mechanism proposed to 'legislate to widen and change the nature of permitted development, so that it enables popular and replicable forms of development to be approved easily and quickly'. We have witnessed the problems of widening permitted development rights in recent years, recently evidenced in [MHCLG commissioned independent report](#) into the matter. We are concerned that implementing a 'fast track for beauty' would prioritise speed over quality decision making.
- f. There should not be an over reliance on digital technology to help decide whether a planning proposal meets the requirements of a design code. This is likely to result in a uniformity of development which would not meet the aims of building beautifully.

#### **5. What approach should be used to determine the housing need and requirement of a local authority?**

- a. We support the principle of having a clear, simplified and standardised methodology to calculate the level of housing that local authorities should plan for, to remove lengthy debates over housing figures and to provide certainty in delivering the homes the nation needs.

- b. However, a standard method must have the sensitivity and flexibility to be able to accommodate local constraints and circumstances. With this in mind, we welcome the proposal in the White Paper to take account of local constraints in the standard method to ensure local housing targets are appropriate and realistic.
- c. Regardless of the method that is agreed upon, the process by which binding local housing targets are agreed must be developed in an open and transparent manner. Community groups across the country need to have faith and trust in the system and need to understand the rationale underpinning the figures being set for their local area.
- d. It is essential that we have 'larger than local planning' to ensure that we plan to meet needs and tackle the bigger issues that cross boundaries such as addressing climate change, providing strategic infrastructure to support economic and housing growth and tackling regional inequalities through the 'levelling up' agenda.
- e. We believe that sub-regional or regional planning as part of a national spatial plan should play a role in determining local housing targets. Government guidance at a national level should enable its aspiration for 'levelling up' the economies of the English regions. It should be the job of a regional or sub-regional Plan to interpret this 'higher level guidance' to provide a context for Local Plans.

**6. What is the best approach to ensure public engagement in the planning system? What role should modern technology and data play in this?**

- a) To demonstrate its commitment to 'best in class' engagement, we call on the Government to adopt the proposal in the [Government's Communities Framework](#) published in July 2019 to '*strengthen community involvement in local placemaking... through a planning system centred on community involvement with statutory rights to become involved at every stage from plan-making to planning application.*'
- b) Wholesale changes to introduce digital engagement into the system are long overdue so we welcome the emphasis on using data and digital methods of communication with 66% of our members supporting the introduction of digital technology into the system, with 11% opposed and 22% unsure.
- c) However, we must question what Government sees as 'meaningful consultation' with digital tools and how this will genuinely influence Local Plan preparation.
- d) We would like to further explore how civic societies could have a more formal role in the new system to help deepen meaningful engagement with the wider community in helping to shape their local area.
- e) There is a risk that moving away from 'notices on lampposts', to a solely interactive and accessible map-based online system could reduce accessibility and transparency particularly for those members of the community who are not digitally connected.
- f) We believe that Statements of Community Involvement could be the bedrock of community involvement but, unfortunately, far too many have become too long, out of date and out of touch documents. We recommend that the Government implements a 'National Statement of Community Involvement', that showcases 'best in class' engagement at the different stages of the planning process.
- g) Government must also strengthen Statements of Community Involvement so that they set out how the local authority and developers will be expected to meaningfully engage with local communities on planning.

- h) The Government needs to clarify the role and status of existing and new Neighbourhood Plans in the revised system. One idea Government might want to explore is to broaden the role of neighbourhood planning into wider community plans which set out the community's vision and ambitions for the area. Regardless of the direction, the plans must remain community led.

**7. How can the planning system ensure adequate and reasonable protection for areas and buildings of environmental, historical, and architectural importance?**

- a) We are pleased that the Government is calling for an Expression of Interests from local authorities to create further local heritage lists to identify and give additional protection to non-designated heritage assets.
- b) As for Protected areas, 91% of our members welcome the inclusion of Conservation Areas in this category and agree that the standard planning application route is the most appropriate way to assess development proposals in these areas.
- c) With regard to the proposal to set all development management policies nationally, we prefer the suggestion in Para 2.16 of the White Paper which would allow local authorities flexibility to set their own policies as under the current Local Plan system, with the exception that policies which duplicate the National Planning Policy Framework would not be allowed. This would enable local authorities to set policies to reflect local circumstances where necessary, such as special local architectural character and heritage.

**8. What changes, if any, are needed to the green belt?**

- a. There is no mention of the need for any review of the Green Belt by local authorities within the White Paper and no indication that there will be any form of national review by central Government. In many ways, you must ask how radical the White Paper is, if it does not consider this?
- b. Civic Voice is a supporter of Green Belt policy, but we do think it is a missed opportunity to omit this completely from the White Paper, particularly given the Government's ambitions for housing delivery. We recognise this may not be a popular for the Government, but the reality is that Green belt release can also be politically toxic to be dealt with at a local level. Someone must make the difficult decisions somewhere.

**9. What progress has been made since the Committee's 2018 report on capturing land value and how might the proposals improve outcomes? What further steps might also be needed?**

- a) This did not come up in discussions with our members.