

Dear Sir/Madam

**PUBLIC CONSULTATION RESPONSE ON  
THE FUTURE OF THE NPPF AND THE PROJECTED HOUSING TARGETS**

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The opportunity to contribute to the discussion on the government's proposed major housing Programme and the changes to the NPPF is welcomed.

However, with Ministers saying that the planning system is not working as it should, and as the President of the RIBA and others are saying the same, we believe our contribution should be more wide-ranging than a simple response to the questionnaire.

Unfortunately, we feel that the proposed changes to the NPPF, taken with the Ministerial letters and intentions as they stand, are **not likely to achieve either the housing targets, nor address the need to update the planning system**, and much more needs to be done.

Our suggestions in the time available are as follows:

- The identifying of land for development should essentially be '**planning-led**', not developer-led. This should be a fundamental. Leaving housing developers to pick random sites is high risk, and their selection would be driven by short-term financial interests. The planning system by contrast would screen out land that was for example prone to flooding (we do not want to solve one problem by creating another), or which is good for food production; identify special nature zones, or where community facilities & transport are viable etc. This independent and evidence-based process allows suitable sites to be rationally identified.
- We really need to have a **designated Planning Minister** to drive this housing programme, with responsibility and teeth, not (with respect) "housing ministers". The planning system should be driving this housing programme, insisting on good standards, not being treated as some kind of following-along rubber-stamping body, mollified by kind Ministerial words.
- **Land value capture** needs to be brought in, to ensure that the enormous windfall values are harnessed for community benefit. These would then help with the provision of the infrastructure that much new housing needs.
- **Planning Offices** are currently not equipped to drive this housing programme and lack many resources and skills. Parachuting in some 300 planners from the private sector is nowhere near enough. The figure may need to be around a thousand, for at least 3 years, extending up to 5, and with their costs fully covered by HMG, as local Councils will not be able to allocate adequate funding. (Even a large London Borough last summer had no RTPI-qualified planners, no planning department, no designated Chief Planning Officer).
- Should it not be mandatory that all Councils should have a **designated Chief Planner**, whose **statutory duty** should be to give independent planning advice to Councils?

Non-planning 'Directors' can apply pressure from above not to rock the boat, and poor planning decisions result.

- There seems to be a move in the draft NPPF to **semi-politicise senior planning posts**, by allowing them to take decisions, something that surely should be seen as intolerable.  
The principle that all Councillors are themselves fully responsible for all planning decisions (irrespective of whether they decide to operate delegation) must remain.
- There is a reference to planning officers "**negotiating**" with developers: this should never be condoned. Planning officers must give advice and information, but never 'negotiate' as this compromises the independent position of the Council.
- **Viability Statements should be scrapped.** No-one believes them (which is being polite), they are not independently verified 5 years down the line, and they take an enormous amount of time to deal with. They are valuable, but should stay inside developers' offices.  
They are currently only used as crude bargaining chips, usually to diminish the requirement for social housing.
- **Design and Access Statements** are largely unhelpful and are treated as adverts for the promoters. They **should be entirely optional.**
- **Planning fees:** rather than set a national level, HMG should instead consider setting a range, and allow each Council to set its own level within that range.
- There should be no '**first class and second class**' **planning applications**, where developers pay additional fees to get special treatment, and push through their schemes.  
This is seen (despite protestations) by the public as preferential treatment and predisposes the planning authority to approve the scheme.  
They should be scrapped, and all planning applications dealt with on a level playing field.
- **CIL funds** are being mis-used in that Councils are approving cruder and bulkier developments in order to get bigger CIL payments.  
This needs to be stopped, perhaps by ensuring that all CIL payments are passed, not to the individual LPA, but to the 'higher authority' (County or GLA etc) who can then disburse the funds on the basis of need.  
Effectively selling planning permissions should not be encouraged.
- The current NPPF lacks an essential clarity, that **the planning system must design and plan the town, the architect must design and plan the building: not the other way round.**
- **Neighbourliness Standards** are being eroded, with developments only being crudely assessed on loss of light to neighbouring windows but failing to protect daylight to rear garden land (and solar panels), and also privacy. There is a need to return to the clarity of basic planning standards by specifically spelling out their importance in the NPPF.  
Currently, neighbour objections to loss of privacy and daylight result in much extra work, cause ill-feeling between neighbours, and delay applications.  
A simple rule of thumb national guide would lessen the need for the so-called daylighting 'consultants' to be involved. The Society would be happy to provide a template if required.
- The **Presumption in favour of Sustainable development** was no doubt well-meaning, but **should be scrapped.** The basic and fundamental planning mantra is that all development should be approved, unless it is against the public interest etc.  
Some sustainable development is in other ways so poor that it should be refused, but this presumption makes it more difficult to refuse.

- Instead, should not **all development be required to be 'sustainable' in the NPPF?**
- The Planning system rightly wants to play a significant lead role in moving towards a net zero environment, and sustainability scores and energy performance are being covered in both Local Plans and in casework. But the dividing line between what should be considered by Planning, and what dealt with under the Building Regulations, is still very unclear. Having a clear demarcation would help applicants as well as ensuring that the planning system continues to take the initiative, in driving sustainability, and concentrates on what it can do best.
- The planning system should be **kept as simple as possible**, and must not cover everything, otherwise it will become oppressive and expensive. Matters of land ownership have recently been an example, and the original HMG line on this should be firmly re-established.
- **Urban Design** is highly important, yet is not properly covered in the NPPF. Urban Design criteria – building height, building line, relationship to neighbours, standards of neighbourliness, street gaps, tree protection, nature, energy self sufficiency, % of site coverage, access and pedestrian/cycle ways, views etc etc. Emphasising the importance of these basic building blocks of good urban design needs to be embedded in the NPPF. Spelling this information out to the scheme architect at the start of the project, not after the drawings have been done, should be one of the standard tasks for the local planning office.
- The NPPF also needs to have much more on **retrofitting**, and the re-use of existing redundant buildings for sustainability reasons, also the promotion of solar panels and energy upgrading.
- **Tree replacement** should not be, as now, one sapling for every tree lost – instead we should have a simple national policy for replacement based on **equivalent tree trunk girths**. And in conservation areas, perhaps twice that figure, and in the case of loss of a TPO tree, then three times? If the development site cannot accommodate the full complement, then the unused trees (or finance for them) should be passed to the Council for planting locally.
- **700 page long Local Plans** come close to bringing the planning system into disrepute. Such long-windedness obscures the clarity of what the LPA actually wants. That many Local Plans have been “cobbled together” by a range of separate writers from different Departments without seemingly any central ‘planning’ editing/exclusion does not help. Is there not a strong case for having the basics in a short document?
- **Local Design Guides** are far too long and seem to achieve almost nothing. The local Council’s Shopfront Design Guide runs to 101 pages: the Society’s own is just one side of A4. Which one would shopfitters actually bother to read? The NPPF should encourage brevity. And when Councils actually approve extensions etc that are shown as unacceptable in their design guides, we have a situation where the Council seen as saying one thing, but doing another.
- There has been discussion around whether ‘beauty’ should figure in planning, with ‘style’ and ‘urban design’. All are very different. **Beauty** is subjective and transient, - think taste and style. Good urban design on the other hand is easier to understand, and it does not matter whether it is neo Georgian, post modern, classical etc. (cf: Camillo Sitte 1889). Parts of the planning system in the past have tried to be involved in controlling ‘beauty’ (and taste and style) with disastrous results. All it succeeded in doing was alienating the architect, who then lost heart, and once a bodge, no matter how much one tries to fiddle with it, always a bodge. Beauty we always hope for, but getting it via the planning system is totally unworkable.

**Good urban design yes, but “beauty” no.**

The best the planning system can do is to encourage the architects, give them a clear urban design steer, be open to their creative ideas, and help protect them from the philistines.

- Small scale **Conservation Grants** for householders (in Conservation areas particularly) can generate typically 12 times more private sector investment for every public pound, and improve the local environment.  
If conservation funding (at no more than £50k per Council or c £20m annually?) were to be made available by HMG to local Councils to operate such simple schemes, then the increased taxation receipts from the suppliers and small local builders carrying out these works would find their way back to HMG, defraying some of the initial costs.  
The Society can provide a working template for this kind of scheme if required.
- Without land, one cannot build. In a dense land-locked London Borough, with no room to expand, additional space can only be gained by intensification, by building on protected open space, or on industrial/commercial/social space needed to service the life of the area.  
**The NPPF should firmly ensure that open space land is protected from development** – we need these green areas to provide for the new residents.  
It is too easy for land (often owned by the Council) to be sold off to bolster their finances, as now, despite Local Plan Policies giving apparent protection.
- As to the allocated **housing targets** locally, the Society is simply not able to understand what effect this will have on each part of our area.  
One local study in a fully built up urban area showed that, based on past planning permissions, over several years, normal market conditions would be expected to deliver between 80 and 130 new homes in the next 15 years in the selected square kilometre.  
But the Borough ‘target’ per square kilometre was close to 500.  
If the public is to be meaningfully involved in this new housing programme, it should be an essential requirement that Councils should have to show the predicted physical effects of the increased housing numbers at local levels, say for each square kilometre in urban areas.  
  
In such a situation, to achieve the 500 home target would require very significant Government/Council involvement and intervention, as well as public finance.  
Additionally, the amount of physical change, and the social disruption caused by achieving such a radical programme requires full open-ness with the public, if there is to be buy-in.  
  
We currently do not see in the published material any recognition that this has been fully understood. To expect the private sector to achieve this alone does not seem credible.

**Conclusion:** The intention to upgrade the NPPF, and to attempt to address the housing shortage is very much to be welcomed, as is the opportunity to contribute at this early stage.

However, the Society’s view is that much still needs to be done to put in place a credible plan. The Society hopes that Government will be able to utilise these suggestions for the way forward.

Yours Faithfully

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Cc: Civic Voice

TCPA

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