**SEAFORD TOWN COUNCIL**

**CONSULTATION ON PLANNING WHITE PAPER – ‘PLANNING FOR THE FUTURE’**

The Council’s Planning and Highways Committee at the meeting on Thursday 8th October 2020 considered a report of the recently published Government White Paper ‘Planning for the Future’. The following response was agreed for forwarding to the Ministry for Communities Housing and Local Government

**LOCAL PLANS and NEW ‘ZONING’ PROCEDURES**

The requirement for Local Plans to zone land into areas for Growth, Renewal and Protection will remove local public input to major planning decisions and dimmish the ‘stake’ of the public in the planning system. Greater involvement in issues such as design will be no consolation.

Local Plans procedures may need to be speeded up but simply imposing a 30-month procedural cycle will not restore the public’s faith in the system. There is also a major flaw in the proposed stages of the new plan cycle. For example, how can people engage meaningfully in stage 1 of the process before there is anything tangible to comment on, and how will comments submitted in stage 3 of the process help shape the plan when it has already been submitted for examination?

There is also serious concern that the actual housing allocations, being imposed centrally through an Algorhythm, will penalise Districts in the South-East and impose totally unrealistic targets for new house building taking into account the amount of ‘protected’ land in the area.

**NEIGHBOURHOOD PLANS**

The Town Council is particularly interested in the role to be played by Towns and Parishes in the new system. The only reference to this subject in the White Paper is in relation to the current rule allowing towns and parishes with approved and adopted plans to receive 25% of CIL payments to spend on local facilities etc. The principal strengths of Neighbourhood Plans are however, the scope for public input at the key stages and consequently the influence it gives local communities over specific land allocations for housing and other development. These allocations when adopted become ‘material considerations’ on the same level as local plan policies.

In the White Paper this is overlooked in favour of the centralised zoning decisions allocations on which the new proposals are based.

Although there is some reference to occupants of individual streets having a say in their preferred form of development it is difficult to see how the current neighbourhood plan system can be accommodated within the proposed new system. The lack of detail in the White Paper does not help.

**DIGITALISATION**

The White Paper has multiple references to the need for standard digitalisation of the current planning system in order to bring it into the 21st Century. It proposes that everyone with a smartphone will be able to log in to all the information required on local plans and applications and criticises the current methods of publicity in planning, in particular, ‘notices on lamp posts’.

The truth is that in towns such as Seaford, restricting publicity to digital systems would marginalise a significant percentage of the population who do not have access to a smartphone or PC and would be unable to operate them if they did. With the decline in readership of the local papers that are still in business, local notices of applications are often the only effective way of notification.

Standard templates for the layout of Local Plans will be of benefit to practitioners who have dealing in several different local planning authorities but will be of little assistance to residents who are not ‘tech-savvy’.

**DEVELOPMENT MANAGEMENT PROCEDURES**

Staff and resources in Local Authority Development Control sections have been cut for the last few years and this, along with the Covid -19 restrictions have, admittedly, led to delays in notification of applications to the towns and parishes and in the determination of applications. Penalising these authorities by effectively fining them for late decisions and successful appeals is not the answer. This would only diminish existing resources, put already beleaguered officers under unnecessary pressure and subsequently lead to a drop in the quality of decision-making. The penalty of a ‘deemed approval’ would fall on the blameless local communities who would have to suffer the impact of the inappropriate development. This is the wrong way of restoring the credibility of the public in the planning system.

**INFRASTRUCTURE PAYMENTS and AFFORDABLE HOUSING**

The provision of local infrastructure to match the growth in local housing is probably the principal concern of residents who take an interest in local planning issues. The major objection to a recent application for a 184- dwelling scheme on a prominent site in Seaford was that the influx of new residents and associated traffic would overwhelm existing school, health services and highway networks. In the current circumstances this concern is entirely understandable. The scheme is currently under construction. Essential highway works required under a s.106 Agreement will be in place before the dwellings are occupied. This is a basic but crucial requirement.

The White Paper proposes the abolition of s.106 Agreements and putting back the trigger for infrastructure payments to the completion rather than commencement or first occupation of the development. This is intended by the Government as a means of assisting the cash flow of developers but is it suggested that the need for the necessary infrastructure to be put in place at the earliest possible stage in the process should be the priority.

There is little detail as to exactly what payment system will replace the current Community Infrastructure Levy and S.106s. The CIL has been a great benefit to Local Councils such as Seaford and has ‘sweetened the pill’ of having to accommodate the kind of residential scheme already referred to. With District Councils no longer in a position to subsidise capital spending in the Parishes, CIL is a lifeline. There is no assurance that the same or an increased level of payment will be available especially if, as suggested in the White Paper, developers will be allowed to offset payments against the provision of affordable housing.

There should be no overlap between the infrastructure payments and affordable housing. Affordable housing is not mere ‘infrastructure’. In order to provide clarity and maintain a sufficient level of infrastructure the onus on the provision of affordable housing should be placed on the developer through the Local Plan as it is now.

There is an acute shortage of affordable housing in the local area. The current local plan requires 40% provision but invariably the government’s viability test as laid down in the National Policy Guidance enables developers to reduce this percentage to zero or single figures. In the recent process locally for the 184 dwelling scheme already referred to, the local plan requirement for a 40% provision in the outline consent was reduced to 8% in the reserved matters application and it took some flexibility on both sides for the approved scheme to be revised to release sufficient resources to provide a more worthwhile 25% provision. The provision should not rely however on ‘trade-offs’.

The recent exemption for smaller development sites of less than 40 dwellings from the requirement to provide affordable housing has been introduced to ease the Covid burden on small and medium sized developers but it will exacerbate the current housing problems.

In these circumstances, It is extremely difficult to see how the Government can achieve its commitment to the same level /increase in affordable housing provision at least in the short term. This vital area needs to be given more thought and not left to the goodwill of developers.

**ENFORCEMENT**

The important issue of effective enforcement of planning powers has often been described as the ‘cinderella’ issue in planning. It is described in this way in the White Paper where, ironically, it is covered by the final three short paragraphs of the 84-page document.

It is admittedly a difficult issue but is vitally important for maintaining public credibility in the planning system. Residents suffering adverse impact, noise and disturbance from a development which they know is unauthorised have a right to expect prompt and effective action from the local authority especially when they have themselves complied with all the rules. Town Councils being in the front line are often closely involved with these time-consuming problems.

Residents who have seen an unscrupulous landowner profiting from flouting the normal rules will be unlikely to bother engaging with the planning system in the future. If more rather than less public engagement is the aim of the proposals in the White Paper the Government must therefore ensure that local authorities are properly resourced and have the right legislative tools to deal with enforcement.

12th October 2020