

ACER

The Whitegates
Residents Association
Founded in 1967 for the benefit of
the northern Earley community



HM Government "Planning For The Future" consultation

Response by ACER, The Whitegates Residents Association

September 2020

ACER, formerly the Association of Central Earley Residents and now The Whitegates Residents Association, is pleased to be able to respond to the White Paper on Planning reform. Our response to the Questions put in the White Paper follows this introduction.

ACER was established in 1967 and its members live in Whitegates, a suburban ward of Earley, just to the east of Reading, Berkshire, but lying within Wokingham Borough.

Whitegates comprises mainly 1930's housing with some older pockets, plus recent infill and a major new residential development in the south. Whitegates extends northward into the attractive Thames Valley floodplain with the River Thames at the northern boundary, plus two business parks hosting Microsoft's European HQ, Sanofi, Oracle Corporation and David Lloyd Leisure. The area is well served with local retail including M&S Food, Aldi, a corner shop, and a thriving shopping centre within easy access. The area adjoins extensive playing fields and open spaces and has good public transport links to Wokingham and Reading plus primary and secondary schools.

Whitegates is a sustainable community with many attractive features and attributes which are valued by its residents and which we wish to preserve and enhance.

The principal pressure on established suburbs is to accommodate more people in a given area. This can be done sympathetically with careful planning, including the effect on local infrastructure.

Green Suburbs

Foliage, gardens with trees and grass verges were key components of Whitegates and many other suburbs. These face four primary threats:

- 1, Accommodating the motor car.
- 2, Pressure to extend houses
- 3, The lack of appreciation of gardens, trees and their environmental and health benefits.
- 4, The complete disinterest in the intrinsic attraction of a property and lack of stewardship by absentee landlords.

Houses in Whitegates were fortunate to have their own driveways, front gardens and grass verges at a time when they were built. Cars were smaller and fewer in the 1930's. There is currently a need to accommodate many more cars per household. This has led to drastic changes including the wholesale loss of front gardens and trees plus the ruination of grass verges.

Gardens and trees are sometimes seen as an encumbrance, as gardens require maintenance, for which the owners have neither the time, the inclination, or the knowledge.

Many absentee landlords procure properties to maximise investment return and therefore have no consideration for neighbours or the neighbourhood when altering properties to maximise rental value. This problem is particularly acute in respect of houses which are converted or change use to a House of Multiple Occupation (HMO). Properties are enlarged with unsightly loft conversions, also, bungalow-style brick outbuildings with eye catching white UPVC windows are erected in back gardens. *This process of attrition has been exacerbated by successive increases to the freedoms to extend, conferred by Permitted Development rights.* As a result, the neighbourhood now suffers from inconsiderate parking, loss of the street-scene gardens, trees and grass verges, plus overbearing rear extensions and outbuildings which do not blend in. Large outbuildings are rapidly dominating and destroying the former oasis of green gardens created by back to back housing plots that benefitted back garden views for all the neighbours.

White Paper Proposals

Against the background we have described, we have carefully considered the White Paper proposals. Those, such as the need to prepare Local Plans more quickly; to focus on design quality within a rules-based system, which is seen to be clear, reasonable and enforceable; and to better train planning officers in design, are worthy of support in principle.

However, we are not persuaded that the strategy of, *“gentle densification”* which forms the centrepiece of the approach to *“renewal areas”*, is based upon a credible model. Rather we fear that it would presage the dumping of excessive numbers of new houses and ad-hoc extensions into the suburbs on the back of unfettered speculative development.

Please see our responses to the Questions in the *“Planning For The Future”* consultation paper.

Tim Marsh

Vice Chair
ACER, The Whitegates Residents Association
chair@acerwhitegates.org.uk

**PLANNING FOR THE FUTURE: RESPONSE TO QUESTIONS BY ACER,
THE WHITEGATES RESIDENTS ASSOCIATION.**

QUESTION 1

1. Sclerotic
2. Tortuous
3. Untrustworthy

QUESTION 2

Yes

QUESTION 3

Online news; Post; Site Notice

QUESTION 4

1. Prevention of over-development of established housing and new sites.
 2. Protection and enhancement of green space.
 - 3 Improve the character and appearance of the locality.
- All leading to improvement in quality of life for residents.

QUESTION 5

No. The classification of land into three typologies for policy purposes is too simplistic. In particular *RENEWAL AREAS* should be recast to distinguish between suburban and inner city/urban areas (other than urban regeneration sites which fall within the Growth Areas category), which are functionally and demographically very different. They have radically different environments, economies and movement issues and therefore require different policy approaches.

Nevertheless, and for the avoidance of doubt, explicit recognition should be given to the fact that both suburban and inner city/urban areas will also subsume areas for PROTECTION e.g. important green space, Conservation Areas and other important constraints.

As regards Growth Areas, which we anticipate would be predominantly large, discrete areas of undeveloped land outside existing urban areas, there would be merit in conferring an automatic permission in principle on designation. This is not the case in established residential areas where there is significantly greater complexity within an established pattern of land uses and interconnections. We therefore conclude that the 'alternative approach' to formulating Local Plans set out at para 2.12 would be better able to respond to the issues.

If this approach was followed, we consider that applications for approval/prior approval of ALL development (including permitted development) in Renewal Areas should take the form of what are now Full Applications. Outline applications would be abolished. This approach would codify and bring together what are different regimes operating within the 'planning application' process; and in our view would provide a necessary and streamlined basis for evaluating schemes against the parameters that would be established under the proposed new system of Design Coding.

As a corollary a streamlined process for identifying and bringing forward Growth Areas (which in our view is the principal cause of delay to the formulation of Local Plans); and subsequent delivery of housing should, together with primacy given to NPPF policy and a limitation to genuinely 'local' policies which address 'local distinctiveness', remove policy duplication resulting in faster, shorter and clearer Local Plans.

However, the desired outcome will not be achieved unless Local Planning Authorities are properly resourced, in order to produce the Design Codes on which effective planning and management of all development will rest. This must include reinvigorating the will to, and resources for, LPA's to take enforcement action where breaches of planning control occur.

Turning to detail with regard to the policy approach for 'Renewal Areas' and to proposals in para 2.8. These lack clarity and specificity – including the somewhat 'Delphic' concept of 'Gentle Densification!' Absent any full and carefully explained detail we neither understand nor trust this concept to be

appropriate or acceptable. Government therefore needs to explain exactly what is meant by this approach and how it might work in practice to deliver the priority objectives that we have identified in our response to Question 4.

Relaxation of the parameters governing Permitted Development has to date not resulted in recognisable 'gentle densification' (often the opposite); and 'the jury is out' in respect of the most recent freedoms conferred in respect of upward extensions to residential property.

Finally, the White Paper also suggests that, 'Local authorities could (our underlining) continue to consider the case for resisting the inappropriate development of residential gardens.' If development is by definition 'inappropriate' it follows that it must not be negotiable unless 'very special circumstances' outweigh the acknowledged harm.

QUESTION 6

We prefer the alternative options approaches set out at para 2.16, or variations thereto. We agree that NPPF should have primacy (see Q 5 above). However, where local distinctiveness merits specific policies Local Plans should include them.

We also agree that it is important for local Design Codes to underpin and provide rules-based parameters (standards) for development within specific neighbourhoods and/or urban typologies. This will be essential in order to prevent 'town cramming' in the form of ugly piecemeal development within suburban settings.

The aspiration to digitise significant elements of the planning service is supported in principle. However, Government's track record of innovation in other settings is poor and failure to deliver will further reduce public confidence in the system. (Question 1 refers).

QUESTION 7(a)

The current test of 'soundness' is laudable but opaque. However, replacing it with a test of 'sustainable development' is of itself equally so and likely to result in interminable semantic argument at Examination.

However, we think that the White Paper proposal to reinforce ‘primacy’ of the NPPF by including national development management policies has merit; if so it would be a simple step to require Local Plans to be in general conformity with the provisions of NPPF.

QUESTION 7(b)

Cross boundary issues could be dealt with by handing this responsibility to County Councils and/or to Joint Planning Units funded by and reporting to County Councils and their District/Borough constituents.

A regional perspective is also required. *From 1965 to 2001 The Standing Conference on London and South East Regional Planning (SCLSERP) and its successor SERPLAN provided a first class, cost effective forum to address and inform strategic issues.* These models should be re-visited and adapted.

QUESTION 8(a)

As we understand it a ‘standard method’ for establishing housing requirements is already in use nationally and the proposal is in effect to modify it by introducing ‘constraints’ together with ‘opportunities’ (including densification).

Ironically, the proposed process would start with the **answer** i.e.. the national target of 300,000 new homes annually which would be distributed pro-rata to LAs in the form of **binding** targets. In simple terms LA’s would then have to decide how the requirement would be met locally, for example as between greenfield or brownfield sites (rural or urban/suburban).

The approach raises many issues; not only technical but also that of democratic accountability.

1. Where does the national target of 300,000 come from? How often will it be fixed, reviewed, or adjusted; and how will such adjustments feed into binding targets for LAs?
2. Work by central government to assess constraints, other than high level policy designations, in each and every local authority will demand

rigorous fine-grained analysis. This will require local knowledge of housing markets and, critically, value judgements as to the capacity of existing urban areas to deliver new housing through renewal and regeneration. This in turn will require assumptions to be made about the housing yield estimated to arise from policy-driven aspirations for 'gentle densification.' A circular process with no democratic input from the receptor communities.

3. The above difficulties will be compounded by the fact that local authorities must repeat the process by making their own assessment of constraints in order to allocate their binding requirement to each category of the growth and renewal areas, thereby reinforcing the circularity within the process. In short, the process will be centrally driven by predetermined targets and assumptions characteristic of a Command Economy.

4. The concerns expressed above reflect our perception that the 'easy bits' of constraint identification will inevitably dominate the technical process. Thus, we think that Green Belt and 'countryside' constraints, reinforced by a 'countryside lobby' will be unreasonably heavily weighted thereby driving 'optimistic' assumptions of urban capacity. These will then morph into policy, based upon the as-yet untested, but seductive prospect of 'gentle densification' - a 'fudge-factor' leading to town cramming by the back door?

To conclude we are not convinced that the proposed method is yet fit for purpose. However, some of our concerns might be ameliorated/mitigated if the standard method were modified to incorporate a regional or sub-regional component. For example, the binding housing requirement could be fixed for individual regions and shared out to LAs using the model approaches we have suggested in response to Question 7(b). This process would need to be completed within a fixed timescale and subject to sanction.

QUESTION 8(b)

The extent of existing urban areas 'per se' is in our view too simplistic an indicator of housing capacity. It would, for example ignore strategic constraints within urban areas, which should be taken into account. Obvious examples would include extensive areas of conservation significance (within Oxford, Cambridge, Bath, York etc) and extensive areas at risk of flooding. A measure of 'net potential area of search' should therefore be factored in.

Affordability is a relevant consideration but needs to be assessed rigorously and applied with care in the context of setting housing requirements. Planning Consultants, Lichfields, have used the proposed method to assess affordability-based needs in the Thames Valley. This calculates a housing need for Wokingham Borough, which includes Earley/Whitegates, of 1600 new homes per annum – double the current requirement of 800. This is an unconstrained figure but one which intuitively, absent the necessary constraints analysis and well-constructed strategic thought, reinforces our perception that the standard method could turn out to be no more than an Aunt Sally for overloading development into the suburbs.

QUESTION 9(a)

Yes. See answer to Question 5.

QUESTION 9(b)

Renewal Areas – No. See answer to Question 5

QUESTION 9(c)

Yes. New settlements must form a practical, deliverable option as part taking a fair share of development under the Growth Areas typology. If their delivery can be speeded by sponsorship under the Nationally Significant Infrastructure Projects Regime this should be considered seriously.

QUESTION 10

Yes, Decision making should be faster and more certain as long as digital technology is used appropriately; and so long as it works.

Delegation of decision-taking to planning officers should be expanded subject to LA's retaining an ability for applications to be recovered and dealt with by Committee in appropriate circumstances. The Secretary of State is enabled to recover cases from determination by Planning Inspectors and to call-in applications for his determination. The same recovery principle should apply locally.

We support the principle of incentivising local planning authorities to determine applications within statutory time limits but not at the expense of quality of decision-making. This will have resource implications.

We also consider that the freedom for owners/developers to submit repetitive applications as part of an 'attrition strategy' should be curtailed. This will be especially important as and when design considerations are given greater significance as part of Design Coding. In such circumstances there should be a sanction of 'Two Strikes and You're Out' whereby 2 refusals against Design Code criteria would trigger an automatic bar on further applications. This sanction should also apply to Permitted Development where prior approval must be sought and should run with the land.

Such a provision would free local authority resources for deployment on more pressing and productive casework.

QUESTION 11

Yes, so long as the technology can be made to work.

This would be best done by the use of 3D technology.

QUESTION 12

Yes, but if binding housing requirements are to be imposed centrally the proposed timescales for Local Plans will not be achieved unless the public can have confidence in a Standard Method which is equitable; and confirmed by a proper analysis at local scale by competent professionals. For the reasons

given (see Question 8) we have little or no confidence in the 'Command Economy' model which is currently proposed.

QUESTION 13(a)

Not sure. Evidence to date is patchy. Production of Neighbourhood Plans is 'resource hungry' and time consuming. Moving forward the priority should be for delivering and implementing Design Coding; and demonstrating with empirical evidence whether the 'gentle densification model' is credible and/or achievable. Confirmation must be a precondition before any binding housing targets are contemplated.

QUESTION 13(b)

Community preferences about design must not be left to the neighbourhood planning process. Most localities do not have and never will have a Neighbourhood Plan – primarily for the reasons set out above (Question 13(a)).

Unless a credible, effective means of consulting on and/or communicating with local communities is established (how are communities to be defined?), the public will be alienated. It is therefore down to Government to provide clear and effective proposals as to how communities would be engaged.

QUESTION 15

Ugly and poorly designed.

QUESTION 16

Protection, enhancement of and accessibility to urban greenspace; quality of life within a suburban setting.

QUESTION 17

Yes, but detailed proposals are required setting out how the community will be involved in the preparation of design guidance which is directly relevant to their particular setting and everyday lives. (Question 13(b) refers)

QUESTION 20

Proposals to implement a fast track for beauty lack sufficient detail and/or empirical evidence of successful application to real world situations to justify support at this stage. Absent this evidence we maintain a healthy distrust of the proposal 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.' (our emphases).

This statement begs the question, what is popular and popular with whom? Can a consensus be reached on such matters of taste; and if so, how can it be reconciled with 'good design principles?' Resolving this conundrum and application of the approach to permitted development in particular, will be a major challenge. Moreover, it is unfortunate that permitted development rights have already been widened ahead of the White Paper. A case of the cart before the horse/bolting the stable door?

Against this background it is crucial that any redevelopment or intensification within suburban settings achieves the highest design standards and does not, by use of 'pattern books' simply result in piecemeal, 'off-the-peg flatpack IKEA'.

In localities where multiple schemes are proposed they must only come forward within a clearly articulated design framework which considers the wider locality as a whole (its 'function' as well as its 'look'). This must be based on a coherent vision for localities as part of the Coding approach and this will take time and resources if it is to be done properly. Failure to achieve this will result in alienation, not 'buy-in'.

The White Paper acknowledges that 'gentle densification' will require 'some' technical development and testing. The word 'some' should in our view, be replaced by 'SUBSTANTIAL'. This must be based upon real world examples

and/or prototypes; and not simply virtual models of ‘form-based development types’ or pattern books (para 3.21).

In addition to ‘beauty’ any such pilot schemes will need to be of **good design**; demonstrate viability and address head-on questions of land assembly, construction costs, land value/landowner taxation and development levy/community benefit.

As things stand we are very concerned that unless the proposed approach to densification is comprehensive and ‘regulated’ as part of the design coding regime, this initiative could very likely trigger an uncontrolled wave of speculation in the suburban land market with individual properties bought up and/or traded, together with sharp practice leading to whole streets and localities becoming blighted. The White Paper is silent on this issue and it must be addressed.

Against this background, and notwithstanding the concerns raised, ACER is keen to understand how the concept of ‘gentle densification/intensification’ will be taken forward through the technical development and testing process. ACER would also be keen to participate in this process if a way can be found.

QUESTION 21

ACER’S priority when new development occurs and/or is mooted in its locality is to ensure that overdevelopment is not the result. Therefore, all development should cover-off or mitigate its external costs where these are identifiable and recoverable. This means the appropriate provision of community facilities, protection and enhancement of green space; good design which is attractive in the street-scene; and is a good neighbour to adjoining residents.

QUESTION 22(a)-(c)

Whichever course is chosen the criteria for its selection should mirror those which underpin ‘a good tax’. Namely, fairness; adequacy; simplicity; transparency; and administrative ease.

QUESTION 22(d)

Possibly, but only under strict rules that do not place council tax payers at undue risk.

QUESTION 25

No – The levy should be spent in the locality (reasonably defined) in which the development occurs. It should be used to offset external costs imposed and also to achieve benefits (net gain).