

# Stone Town Council – General Purposes Committee

## Minutes of the meeting held virtually, on Tuesday 27 October 2020

**NOTE: Due to the Coronavirus Pandemic (COVID-19) and Government Guidelines on public gatherings, the meeting was held virtually on Zoom. Members of the public were invited to observe the meeting streamed live on YouTube.**

**PRESENT:** Councillor R. Kenney in the Chair, and  
Councillors: A. Best, J. Davies, Mrs L. Davies, I. Fordham, M. Green, Mrs J. Hood,  
P. Leason and C. Thornicroft

**ABSENT:** Councillors: T. Adamson, K. Argyle, Mrs A. Burgess, Mrs K. Dawson,  
M. Hatton, J. Hickling, T. Kelt, J. Powell and R. Townsend

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### **GP20/275 Apologies**

Apologies were received from Councillors: K. Argyle, T. Kelt, Mrs K. Dawson and R. Townsend

### **GP20/276 Declarations of Interests**

None

### **GP20/277 Requests for Dispensations**

None

### **GP20/278 Reform of the Planning System**

The Committee considered the Town Council's responses to the following Government consultations on proposed reforms of the planning system:

- White Paper: Planning for the Future
- Transparency and Competition: A call for evidence on data on land control

A copy of the Ministry of Housing, Communities & Local Government consultation papers together with further information on the 'Planning for the Future' White Paper, had been attached to the electronic version of the agenda. A 'Planning for the Future' overview had also been included.

The Chairman confirmed that each Committee Member had had an input into the compilation of a draft paper responding to the consultations, which had then been circulated to all.

The Chairman invited Councillor Fordham to speak about the proposed planning reforms and the preparation of a consultation response.

Councillor Fordham informed the Committee that in summary the White Paper proposes a radical simplification and a shortening of the local plan process leading to improvements which in principle the Committee would support. However, many questions are raised about a top down central Government led approach

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

which may marginalise other inputs at the expense of local democracy and trust in the planning process. The proposed changes to the planning system also fail to address some important issues.

Councillor Fordham confirmed that the draft response was based on the template provided by the consultation and 26 key questions had been answered. The personal inputs of Members had also been compared with other Councils and it was noted that common issues had been identified.

RESOLVED: That the Committee accepts the draft paper (attached as an appendix to the minutes) as the Town Council's response to the White Paper 'Planning for the Future' Consultation.

**CHAIRMAN**

## PLANNING FOR THE FUTURE

### RESPONSE BY STONE TOWN COUNCIL TO CONSULTATION ON PLANNING WHITE PAPER

OCTOBER 2020

#### BACKGROUND

The Government White Paper “Planning for the Future” was published on 10<sup>th</sup> August 2020, with a 12 week consultation period ending on 29<sup>th</sup> October 2020.

A principle objective of the White Paper is to “simplify” development of Local Plans by focussing on identifying three ‘new’ land categories:

- **Growth areas;** land identified as suitable for development, where outline approval for substantial development would be automatically secured for the forms and types of development specified in the Plan;
- **Renewal areas;** land suitable for some development, such as ‘gentle densification’;
- **Protected areas:** land where development is ‘restricted’

The proposals seek to **‘halve the time’ it takes to secure planning permission on larger sites** identified in the Plan. Local Authorities would also be encouraged to identify ‘sub-areas’ within the Growth areas for self and custom built homes.

The Government will set out **‘general development policies nationally’ alongside ‘locally produced design codes.’** Time to produce Local Plans will be cut by at least two-thirds. Local plan ‘policies’ will be replaced by ‘a core set of standards and requirements for development.’

**The Local Plan consultation process will be ‘streamlined’ to take out ‘delays’ caused by a ‘small minority of voices.’** The entire Local Plan process (from very beginning; call for sites; first proposals, first public consultation, identification and classification of land categories, second public consultation, creation of draft Local Plan document, submission and sign off by Planning Inspectorate for adoption) will be limited, by legislation, to no more than 30 months in total.

**Community ‘involvement’ will replace ‘meaningless consultation.’**

**The Planning process will be digitalised, replacing hard copy documents with electronic data.** The Government will equip local authorities with ‘world-class civic engagement and proactive plan-making’ technology and resources.

The Government will also **'facilitate ambitious improvements in energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.'**

'Creation of beautiful places' will be made easier for those who want to 'build beautifully through the introduction of a fast track for beauty....to **automatically permit proposals for high quality developments where they reflect local character and preferences.'**

**The proposed reforms will 'sweep away months of negotiation of Section 106 Agreements' to be replaced by a 'nationally set, value-based flat rate Infrastructure Levy.'**

**The Government will set a new nationally determined and binding housing requirement for local authorities.** 'Masterplans and design codes for substantial development sites should seek to include a variety of development types from different builders' (which will be explored further to support faster build out 'as we develop our proposals for the new planning system')

**With respect to Neighbourhood Plans, the White Paper says "we think they should be retained in the reformed planning system, BUT we will want to consider whether their content should become more focussed to reflect our proposals for Local Plans.'**

#### **RESPONSE FROM STONE TOWN COUNCIL**

The key objective of the proposals is to speed up the planning process. **This is desirable but will local knowledge and public scrutiny be sacrificed to facilitate speed and convenience?**

Local authorities will have to deliver decisions on planning applications within 8 weeks for most applications and 13 weeks for major developments. **There will be less opportunity for tier 3 councils and individuals to comment on significant development within their area.**

Local authorities that do not deliver decisions within the statutory time frame will be required to refund the application fee and if the local authority refuses an application that is subsequently allowed on appeal, the fee will be refunded and costs automatically awarded against the local authority. **Such a process may incentivise poor decision making and tip the balance of such decisions in favour of commercial interests at the expense of local needs.**

**The current planning process requires simplification and improvement but changing it so that all the cards are stacked in favour of developers is not the way to improve it.**

**Neighbourhood Plan involvement seems to be an afterthought and may become marginalised calling into question the much vaunted 'Localism Agenda'.**

The Paper refers to an ideal of building to reflect local character. **The danger is that ‘local character’ will be defined too loosely and that developers will build what they like to build, standard units based on standard plans, similar nationwide.**

## **CONCLUSION**

**Stone Town Council understands and in principle supports the desire to speed up the development of Local Plans and improve inefficient processes but has serious reservations about the impact of the proposals as outlined below:**

- Local democracy and local knowledge will be undermined at the expense of the interests of developers and development;
- Top down policy making will lessen the importance of the LPA, elected members, Planning Committees and residents;
- LPA and public scrutiny of planning proposals will be sacrificed in favour of speed and acquiescence to the wishes of developers incentivised through financial penalties;
- The input of Town and Parish Councils who represent local people will be marginalised;
- Neighbourhood Plans may be retained but would seem destined to be less important at best;
- Insufficient detail is provided to make responses to many of the proposals.

## **RESPONSE TO QUESTIONS IN THE WHITE PAPER**

- 1. What three words do you associate most with the planning system in England? Housing, local, complex, lengthy.**
- 2. Do you get involved with planning decisions in your local area?**  
Yes. The Town Council has a statutory right to be consulted.
- 3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?**

The existing process may work for those involved but seems opaque to many members of the public. It is not clear how these proposals will clarify matters. More detail of alternative approaches is needed before making further comment. A Town Council should however, have a right to be represented at any formal hearings/reviews.

4. **What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]**

To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and to encourage people to engage in developing strong communities that promote health and wellbeing.

5. **Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]**

Agree with the need to improve the speed and reduce the complexity of preparing Local Plans. Have severe reservations with many of the proposals and the lack of detail and clarity. Sense that the concept of 'Localism' will be diminished and that timeframes for community engagement will limit opportunities for comment. Greater clarity is needed on how Local Plans with a reduced level of detail will work and the future of Neighbourhood Plans. The Government should provide for greater local democratic processes by enabling local authorities to have discretion about whether to grant planning permission for development in Growth and Renewal areas. If low / zero build practices were required under Building Regulations, this aspect could be removed from the planning function, allowing a greater focus on sustainable place making. Limiting the amount of time for consultation through the new system may lead to reduce community engagement with planning. Different areas and communities will have different levels of participation through the new digital approach. The new system seems to be overly top down (national dictating too much to local). There is no evidence to suggest that such a revolution, rather than gradual improvement through evolution will work better. The current democratic oversight and local connection will be lost, because decisions will be made nationally through development management policies.

6. **Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]**

The ambition to open the market to smaller builders and developers is welcome – however volume builders control the market. Whilst the new system would give certainty to developers on land allocation through Local Plans, it will not prevent speculative applications which would be considered under national policy and local design codes. More clarity is required on the statutory weight given to local design codes. It is presumed that developers would retain the right of appeal as well as a benefit from an extension of permitted development rights. This would appear to be a developer’s charter with few benefits to local communities. Whatever a streamlined plan looks like it must ensure protection of our heritage and natural assets. There should be concern about the automatic granting of outline planning permission for Growth areas as this could result in poor quality housing development.

**7a) Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]**

The White Paper does not provide a sufficient definition of sustainable development. There is a lack of detail on how to integrate nature into the planning system. Section 106 payments are crucial to the maintenance of ecology. Any replacement must set a priority for wildlife recovery and management programmes – and support climate change measures such as carbon sequestration. The role of the planning system should be to build healthy, sustainable places - not just to build, build, build. The overall scope of the White Paper is very narrow and almost entirely focused on housing delivery.

**7b. How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

Not applicable to a Town Council.

**8a. Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]**

It is evident the Government wishes to secure an increase in housing delivery. We understand that Stafford Borough has calculated that its annual requirement under these proposals will increase from 400 to 829 which will have fundamental impacts on quality of

life. Any housing increase should be agreed alongside sufficient infrastructure provision yet these needs are not adequately acknowledged. No binding short term figure should be applied ahead of a Local Plan.

**8b. Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]**

Not sufficient in themselves – refer to comments re quality of life.

**9a. Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]**

No. Such an approach will remove democratic oversight in favour of the convenience of a streamlined process. Community engagement and input is important to democracy and trust in government both locally and nationally. It is not democratic to remove the right of local people to comment, question, and disagree with a Local Plan proposal, application or development.

**9b. Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? [Yes / No / Not sure. Please provide supporting statement.]**

The proposals do not appear to integrate ecology/nature into the three types of area and therefore offer less protection than is available under the current system. No explanation is given on how planning will contribute beyond unsupported net gain commitments. By making all decisions through the Local Plan, valuable new information gained later, would carry no weight.

**9c. Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]**

No. Allowing new settlements to be brought forward under NSIP will further erode trust in the planning system. Development Corporations, if used, must be locally led and accountable.

**10. Do you agree with our proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]**



Yes, but scrutiny should not be sacrificed in favour of speed. The White paper is long on objectives, but very short on detail.

**11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]**

Yes, in principle, if this avoids marginalising sections of the community.

**12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]**

It may be desirable in theory but not at the expense of local democracy and scrutiny. The aim appears unrealistic and no evidence is given on how it will be achieved other than placing most authority at national level and implementing a top down approach.

**13. a. Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]**

Yes, Neighbourhood Plans should be given more rather than less weight as they are evidence of local democracy in action and essential to public trust. However, the White Paper proposals seem to reduce their importance significantly. Neighbourhood Plans offer the opportunity to shape the design of a development, match it to local needs and have the potential to secure locally led development. Further detail is required about the relationship between Neighbourhood Plans and the new-style Local Plans to ensure continuing community engagement

**13b. How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?**

By providing them with greater importance.

**14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]**

In principle, having a mix of different builders one development area may encourage more variety of styles, However, this could lead to competition between developers and a race to the bottom in order to ensure sales.

**15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]**

Developments by the major developers who control the market are often convenient and bland copies of house designs that can be found anywhere in the Country. Allowing design criteria to be specified at local level might remove this problem. Design should embrace not only the housing but also density, design of roads, pavements and green spaces, and parking allocations. Quality of life/wellbeing issues should be part of the considerations when it comes to a design code.

**16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]**

We do not believe that sustainability is at the heart of the proposals. More detailed consideration of the wider environmental issues is required, especially green spaces, energy efficiency and transport. There is a stated commitment for new homes to be carbon neutral by 2050. Carbon neutral homes can already be a reality if there is the determination but there is little detail on how this might actually come about.

**17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]**

Yes, in principle this could be valuable. A National Model Design Code might be welcome as would design guides that offer further detail, but what weight will they carry without a legal status?

**18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]**

Not sure.

**19 Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]**

Agree emphasis on better external appearance and improved thermal properties for new developments. Not sure what Homes England is. The actual creation and application of locally specific characterisation requires more detail.

**20. Do you agree with our proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]**

The independent Building Better, Building Beautiful Commission, published in January 2020, should be endorsed through the new planning system. However, 'beauty' should be reflected throughout the range of building - small and large, major development, self build and small development.

**21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]**

Infrastructure needs should be carefully assessed and agreed in advance of commencement and its implementation should come before or alongside the new development. The quality of life of residents can suffer greatly due to time lags or lack of implementation under the current system. A more joined up approach is required. The protection of green spaces is vital to the well-being of local people and their protection should be prioritised.

**22. a. Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [Yes / No / Not sure. Please provide supporting statement.]**

Any new Infrastructure Levy fully (replacing the current S106 system) should generate at least the same amount of infrastructure funding and affordable housing should be included. A Town Council/Parish should also be entitled to a percentage of the amount generated for investment in its geographical area.

**22b. Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]**

The national Infrastructure Levy rate should reflect differing development values across the country rather than a one size fits all approach. Guidance is required on what is meant as 'area-specific'. There is concern that the proposals fail to address one of the key barriers to housing and affordable housing delivery which is the price of land.

**22c. Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]**

At least the same and ideally more. Developers benefit from development and a proportion of this financial gain needs to be channelled back into improving life for the community. This latter process should involve far more transparency.

**22d. Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]**

Not sure. Government support will be required in some form, perhaps via the underwriting of risk taken against agreed criteria.

**23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]**

Yes. It is a further means of residents sharing the benefit of development in their community.

**24a. Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]**

It is important that development continues to deliver affordable housing as part of any new system and would suggest this is ring-fenced.

**24b. Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]**

There is insufficient detail on how this new system would work.

**24c. If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]**

Not sure, insufficient detail provided.

**24d. If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]**

Not sure, insufficient detail provided.

**25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.] a. If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]**

Agree in principle. Even within a single authority area, the needs of a community can differ greatly and therefore having flexibility to meet these needs is important. However, benefits should accrue to the community impacted by the development.

**26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?**

No comment.