

## **THE HITCHIN SOCIETY**

### **National Planning Policy Framework - Response to Consultation**

This response is made by The Hitchin Society, the civic society for the town of Hitchin, Hertfordshire. The society was founded in 1962, and is a Registered Charity.

The views expressed are the official response of The Hitchin Society.

In response to question a(v), we confirm we are happy to be contacted again in relation to this consultation .

Except for the general comments below, this response follows the structure of the questionnaire.

#### **General**

While we would broadly welcome the concept of a shorter and more accessible approach to planning guidance, we believe that the current proposals are based on a number of deeply flawed assumptions about the working of the current planning system. There is no independent evidence that economic development is held back by the planning system nor that long delays are caused by planning procedures. Indeed, in many ways the existing system is “developer friendly” with an in-built presumption that consent will be granted to schemes in accordance with local plans, and with a high probability that any schemes refused by the local authority will be given planning permission on appeal. A developer can submit repeat applications (and appeals if necessary) in anticipation that success will eventually be achieved, while there is of course no possibility of any form of third-party appeal once planning permission has been granted.

The need for more housing to meet the demands of a rising population, and still more, the demographic trend towards increased household formation, is not in dispute. However, the building of additional housing is constrained by commercial considerations on the part of house-builders, and by the availability of finance, rather than by any perceived shortcoming of the planning system. It should also be mentioned that in many places there is no shortage of land for building purposes, with local authorities identifying enough land to meet their present and projected housing needs.

The planning system has served this country well for more than half a century, protecting and enhancing the quality of the built environment of our towns and cities. This is in contrast to the damage caused in the inter-war and immediate post-war years by thoughtless demolition of historic buildings, and by inappropriate, out-of-scale, developments in an unregulated context not too dissimilar from what is now proposed. The quality of the English countryside has also been well-served by the planning system, in contrast with much of Europe, by retaining the distinction between town and country, and preventing creeping urbanisation of the countryside between towns, villages and other settlements.

There is a great risk, indeed virtual certainty, that all this will be lost as a result of an unconstrained approach to development, almost irrespective of other considerations, now proposed in the Draft National Planning Policy Framework.

## **1a Delivering sustainable development**

Strongly disagree.

The presumption in favour of sustainable development, without the most rigorous and testable definition of sustainability, is tantamount to a presumption that virtually any development will be permitted irrespective of its suitability or its location. Developers have already become accustomed to describing their schemes as “sustainable development”, and no developer would ever describe a scheme as “unsustainable”. The claim that a development is sustainable may have little more justification than, for example, the development being within a few hundred meters of a bus stop (even though the service could be withdrawn at any time) or a few kilometres from a railway station. The onus would be placed on hard-pressed local authorities, or on objectors with few resources, to establish whether any claim to sustainability is justified against objective criteria. Indeed, no such objective criteria are included in the draft Planning Policy Framework.

While it is recognised that some protection will continue to be given to the Green Belt and to National Parks (as well as to other very limited areas) by far the greatest part of the countryside between towns and villages will now be open to any development described by its promoters as “sustainable”. Not only will this result, over time, in a great and irreversible change to the nature of the English countryside, but will also result in housing, retail, distribution, manufacturing and other facilities being located in a random and unplanned way with serious consequences for the provision of infrastructure and other services. Unrestricted building in the countryside will create housing areas, as well as travel destinations, that by their very nature will be car dependent, leading to demands for more road building and/or ever greater congestion, and undermining the government’s own targets for reducing greenhouse gas emissions.

## **2a Plan-making**

Strongly disagree.

While we support a clear, easy to understand, national planning policy framework, the present draft fails to achieve this objective. As stated above, it is far from obvious that the present system needs radical change. In the absence of up-to-date and adopted local plans, which are not available in many areas, the NPPF creates a free-for-all for developers which will be damaging to urban and rural spaces alike (see also response to question 15a).

We do not accept that the present planning system is a barrier to efficient and effective planning. Nor do we accept the argument that the system is an obstacle to economic development and growth, and no evidence has been put forward by the Government to sustain that case. Indeed, with the exception of very complex projects, planning applications are normally processed, from application to decision, within 13 weeks for major applications and 7 weeks for smaller ones. The time required can be increased by pre-application processes and legal negotiations but these are both important and would be unaffected by the introduction of the current proposals.

## **2c Joint Working**

Disagree.

Cooperation among neighbouring local authorities is important, but it is far from clear how it will work in cases where deep disagreements exist between authorities. Safeguards are required against one local authority proposing to expand into an area of an adjacent local authority against the wishes of the local population and their elected representatives (this is not a hypothetical situation, but has occurred at least twice to our knowledge and experience in recent years).

### **3a Decision taking**

Neither agree or disagree.

The removal of existing policy statements and guidance eliminates many important principles which are of great importance to the fair and principled operation of the planning system. The essential elements of the planning policy statements and planning guidance documents need to be retained.

We do however support the emphasis placed in the NPPF on the pre-application stage, infrastructure planning and community involvement.

### **4a Guidance to support the Framework**

Disagree.

As stated above, the cancellation of existing policy statements and guidance eliminates a vital planning tool which has been strongly in the public interest and remains so today.

The existing policy statements and guidance documents should remain in force to support and clarify whatever new Planning Policy Framework is eventually introduced. Indeed, the draft document as it stands lacks clarity and rigour, and unless corrected will cause uncertainty and problems in its future application.

### **5a Business and economic development**

Neither agree or disagree.

Under the existing planning regime local authorities already place great importance on encouraging economic growth, employment and inward investment. The changes now proposed will not significantly alter the approach of local authorities in this respect.

### **6a Town centre policies**

Disagree.

While there is much to support in the draft Planning Policy Framework concerning town centres, it does not adequately reflect the range of town centres in this country. What might be right for a major urban centre or a new town is unlikely to also be right for a historic market town. While the desire for economic growth through development is understood, in some cases economic growth and prosperity are more likely to be promoted by conserving and enhancing what is attractive and distinctive about a town centre. These aspects of a town centre are likely to be powerful drivers of leisure shopping, tourism, and the café and

restaurant sector, which may well be damaged by unsympathetic, out-of-scale commercial development, even if advanced in a planning application as sustainable development.

In particular, we would challenge the concept that “retail and leisure needs are met in full and are not compromised by limited site availability”. Given the uncertainties of economic forecasting, this is a recipe for there being at times empty, unlet properties, and a decline in the more marginal parts of a town centre. This has a damaging effect on the vitality of a town centre, and does nothing for future growth and prosperity.

The draft Planning Policy Framework also does not adequately reflect changes taking place in the nature of retail businesses, with a rapid growth in internet shopping, and continuing changes to the nature of retail shopping, especially in smaller town centres. In addition, pressures on disposable income in mass market and mid-range shoppers make it unlikely that economic growth and increased employment opportunities will be achieved by a free-for-all approach to town centre development.

## **7a Transport**

Neither agree or disagree.

This section represents good practice and is to be welcomed. However, one of the underlying causes of the high level of car-based commuting in this country has been insufficient coordination in the past between land use planning and transport provision.

We trust that the intention to grant planning permission to sustainable developments irrespective of where they are located (except for Green Belt and National Parks) will be moderated to ensure that building does not take place in open country without access to sustainable transport links. To do otherwise would create car-dependent developments, leading to increased congestion, and potentially to proposals for more road building , as well as making the government’s targets for reducing greenhouse gas emissions still harder to achieve.

## **8a Communications infrastructure**

No specific comments

## **9a Minerals**

No specific comments

## **10a Housing**

Disagree.

Excluding windfall sites is not supported as this will discourage developers from taking on the more challenging sites. An allowance for windfall sites should be included in the Local Plan, based on objectively assessed past experience of the extent to which they can contribute.

### **11a Planning for schools**

No specific comments

### **12a Design**

Disagree.

Good design as a condition of planning consent should be clarified and strengthened. The present draft mentions good design but leaves options for it to be ignored, for example by making “obviously poor design” the criterion for refusal. Mediocre design will thus get through, if not approved by the local authority, then almost certainly on appeal.

Indeed, good design has been woefully absent from so many housing schemes and other developments over recent years, and the quality of the design, and the specification of building materials, need to be important determinants of gaining planning permission.

Local distinctiveness is also a key issue so easily ignored by developers, as is conforming to the scale and grain of existing settlements, especially in the context of schemes within or adjacent to historic town centres. Failure to measure up to such considerations should be grounds for refusal, with confidence that the decision would not be simply overturned on appeal. Economic growth, although of great importance, should not be the only consideration in considering building schemes that will shape the environment for centuries to come.

Limiting the criteria for advertising sites to “amenity and public safety” without reference to good design and the impact on the visual environment will encourage a proliferation of unsightly advertisements. Local authorities should retain control over advertisements.

### **13a Green Belt**

Disagree.

One of the ‘essential characteristics’ of Green Belts is stated to be their permanence, but paragraphs 137 to 146 make clear that both the position of boundaries, and development within Green Belts are open to consideration. It is thus misleading to claim that, within the draft Planning Policy Framework, Green Belts are characterised by permanence. The boundaries of Green Belts were drawn up originally to prevent urban sprawl extending from urban areas into the countryside, and usually were chosen as being “defendable boundaries”. The concept of re-drawing boundaries to accommodate development, albeit with some compensating extension of the Green Belt elsewhere, is a distortion of the purpose of Green Belts, and should be firmly rejected.

### **14a Climate change, flooding etc**

Agree.

### **15a Natural and local environment**

Disagree.

Because there are no transitional arrangements allowing time for local authorities to develop Local Plans or have existing plans clarified for conformity, the local environment will be at huge risk from the planning “free-for-all” which the NPPF will create. Transitional arrangements are needed to allow for the continuation of existing planning policy statements and guidance until adequate replacements are in place. During the transitional period a presumption in favour of the existing local plans and planning policies should take precedence over the presumption in favour of sustainable development.

### **16 a Historic environment**

Neither agree or disagree.

Although the importance of conserving the historic environment is recognised in this section, we remain concerned that Planning Policy Statement 5, “Planning for the Historic Environment” will be lost. We consider that this should be retained in order to strengthen the protection of the historic environment.

We would also emphasise that it is not sufficient to protect historic buildings from demolition as part of a development scheme, but it is necessary to ensure that any new development in the vicinity of historic buildings or a historic town centre respects and enhances the historic environment. Any such development needs to be in keeping with the historic environment both in scale, and with varied styles and sizes of buildings; these may well be of high quality modern design rather than false or pastiche copies of any historic style.

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