



The countryside charity
Sussex

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Planning for the Future Consultation
Ministry of Housing, Communities and Local Government
3rd Floor, Fry Building
2 Marsham Street
London
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By email: planningforthefuture@communities.gov.uk

29th October 2020

Dear MHCLG,

Planning for the future consultation 2020

This is the formal response of CPRE Sussex, countryside charity, to the above application. CPRE Sussex works to enhance, promote and protect the Sussex countryside and the ability of local communities to enjoy and value the natural world.

We fully support and endorse the response from the national CPRE network to this consultation and would like to make the following additional points;

1. Environmental Evidence

The PWP proposes that planning authorities should define three zones for development within which a developer would be able to expect to obtain at least the equivalent of outline permission status for development more quickly than at present and it would appear at lower cost. In Growth and Renewal Zones, developers might have an expectation that planning permission will be available provided design codes have been adhered to. The proposals appear to remove the need for developers to carry out the individual site assessments at the planning application stage that are required to meet the terms of international agreements and established legally based national best practice as tested in the courts. Instead, there may be reliance on the use of national IT systems to provide information. These proposals are flawed because:

To promote, enhance and protect a thriving countryside for everyone's benefit

President: Lord Egremont

Campaign to Protect Rural England Sussex Branch CIO | Registered charity number: 1156568

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--- Zonal planning approaches require that all land uses are considered as part of the assessment and the outcome of such an approach needs to balance human needs for shelter, food and water and deliver sustainable development that accounts for social, environmental and economic factors and not just the latter. It also needs to ensure that the need to mitigate and adapt to climate change is addressed to avoid locking in developments that are not climate proof. The proposed approach is attempting to plan zonally for housebuilding alone and is thus seriously flawed in its basic concept.

--- The underlying data required to define zones for development is not currently available at the necessary level of detail.

--- Zone wide surveys and subsequent assessment would be required to provide the evidence that would be needed for robust decision-making.

--- These zonal surveys would need the same level of detail, covering the same factors that site surveys do at present. Such survey work could be guided by available data in cases where LAs can get access to it and where they have the resources to make use of it in a timely fashion. But IT systems cannot replace the need for on the ground surveys to deal properly with issues such as contaminated land, flooding, coastal erosion, land stability, biodiversity (including measures with respect to trees and ancient woodland) and the impacts of the changing climate. If such data were not provided, then decisions could be open to extensive and lengthy challenge in the courts. For example, with no biodiversity survey how could biodiversity net gain ever be delivered?

--- Zonal Planning requires extensive co-operation between neighbouring authorities to ensure there are not unexpected or perverse outcome from the actions of the LAs involved. So, a duty to co-operate of some sort would need to remain, with all the issues that entails. The proposals for regional planning procedures lack the necessary detail to command confidence.

--- the proposals fail to allow planning authorities adequate time or the resources necessary to complete sound and robust work that will deliver the thriving communities the nation needs.

--- In general terms the proposals simply seem to dismiss the need for evidence or will shift all this onto the shoulders of planning authorities and away from the developers who stand to gain. This increases the likelihood that decisions will be unsound. If design components similarly ignore environmental elements, this could lead to increase damage from flooding and threaten human health and wellbeing by failing to provide sympathetic green space rich in wildlife.

2. Affordable Housing

We also believe that National planning reform needs to give specific priority to redressing the undersupply crisis in the long-term provision of affordable and social housing of all tenures, especially in rural areas, with a more realistic measurement of affordability, and measures to ensure that social housing cannot be not sold back into the open market without replacement. We call for the Government to set specific affordable/social housing targets. The crisis in the undersupply of genuinely affordable homes is one of the signal failures of the mechanisms by

which new housing is currently delivered. The developer-led system cannot ever be expected to solve that problem. That model can only exacerbate it. Solving the problem requires a new long-vision approach, integrated policies, and public funding

More detail about this request is set out in Appendix A.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'D. Osborn', written in a cursive style.

Professor Dan Osborn
Chair, CPRE Sussex

Appendix A, Affordable and social housing

National planning reform must give specific priority to redressing the undersupply crisis in the long-term provision of affordable and social housing of all tenures, especially in rural areas, with a more realistic measurement of affordability, and measures to ensure that social housing cannot be not sold back into the open market without replacement. It is axiomatic that Government will have to provide grant funding and otherwise invest in delivering sufficient new homes.

We call for the Government to set as an essential feature of national planning policy a specific annual target for the building of at least 90,000 social rented homes, 30,000 affordable rent properties and 25,000 shared ownership homes.

This request recognises that;

- there is a gross, long term and worsening supply of social and affordable housing of all tenures, especially in rural areas of the country, and
- the PWP contains no aspiration to increase the overall supply of affordable homes, and appears likely to result in a reduction in their supply, inter alia by reason of the proposed removal of the requirement to provide affordable homes on sites of 10 – 40 or 50 homesⁱ.

This request adopts the recent recommendations of both the Housing, Communities & Local Governmentⁱⁱ and the Affordable Housing Commissionⁱⁱⁱ as to the need for national planning policy to set specific affordable/social housing targets, and as to the numbers of such homes required annually over the long term.

Within the overall national targets based on national statistics^{iv}, local planning authorities should be free to determine their own particular needs and hence plan targets based on suitably robust evidence.

We call on the Government specifically to prioritise the building of more good quality social and affordable housing in rural areas (with numbers and tenure priorities reflecting locally established need.)

We are particularly concerned at the disproportionate shortfall in rural areas. Action with Communities in Rural England (ACRE) calculates that only 8% of properties in rural areas are social housing compared with 19% in urban areas, and that last year only 5,558 new affordable homes were built in rural communities with fewer than 3,000 residents.

CPRE and Rural Services Network calculate that the number of households categorised as homeless in rural local authorities in England has more than doubled in the last two years (to 19,975).

These statistics prove that the current system which depends heavily on the building of a proportion of affordable homes, viability permitting, through s.106 agreements as an adjunct to developer-delivered market housing, is not working to deliver enough affordable housing; nor is it often not delivered in the places of greatest need.

The vibrancy of smaller communities, where wages in these areas are often in the lower quartile, is especially dependent on the availability of local affordable housing for local workers and service providers (and their families). There is an urgent need to use alternative financing and funding systems to enable rural communities to give planning priority to affordable homes designated for local people without the burden of so many market homes that, at least in areas like Sussex often attract people from outside the area (and who may work outside the area) pricing out local residents. The effect of the Covid 19 lockdowns is increasing that pressure as more people seek to move from urban environments into country locations that remain accessible to their workplaces. The plan to increase the threshold before the delivery of affordable homes is required is seriously counter-productive to this objective.

We also support ACRE's call for the definition of "designated rural areas" to be broadened to all parish communities of fewer than 3,000 residents in order to extend the exemption of such areas from the First Homes programme to the 70% of rural areas that fall outside the restricted definition in s.157 of the Housing Act 1985. That exemption is important both to prevent land price escalation and to prevent such homes from being lost to the social sector through on-sales.

Within National Parks and Areas of Outstanding Natural Beauty, where the National Planning Policy Framework para 172 requires development to be limited in order to protect their landscapes and natural beauty, we would like to see the NPPF or NPPG guidance making it clear that where limited development is appropriate and sustainable it should be wholly or mainly comprised of social and affordable homes retained in perpetuity for those in need. This would have the added benefit of reducing local land price escalation.

We urge the Government to give Local Planning Authorities power to set their own more realistic standard definition of affordability. Proposals for how this should be done are contained within the reports of the HC&LG and Affordable Housing Commission cited above.

Housing poverty is being increased because of the unduly restrictive definition of eligibility to qualify for social and affordable housing. This is not socially moral and impedes the Government's levelling up aim. LPAs need the flexibility to set criteria of affordability that reflect local circumstances.

We further urge the Government to give specific attention to the opportunities provided by its proposed planning reforms to adopt other important proposals in the Affordable Housing Commission reports as part of their reform package.

The crisis in the undersupply of genuinely affordable homes is one of the signal failures of the mechanisms by which new housing is currently delivered. The developer-led system cannot ever be expected to solve that problem. That model can only exacerbate it. Solving the problem requires a new long-vision approach, integrated policies, and public funding. The Government, so willing to be bold about other aspects of planning reform, should welcome this opportunity to make and deliver on the promise called for in Lord Best's report that "access to affordable housing opportunities should be available for all by 2045". We would say earlier.

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- ⁱ For example, since 2015/16, Mid Sussex District Council has obtained 146 affordable units from sites with fewer than 50 units. Only 9% of 211 residential planning applications (2019/20) involve sites of 50+ dwellings. Mid Sussex DC anticipate that they would therefore suffer a significant reduction in the number of built affordable homes if the criteria were changed as the PWP proposes.
 - ⁱⁱ H of C Housing, Communities & Local Government Committee, Building more Social Housing, Third Report of Session 2019-21 HC173 (July 2020), para 53. <https://committees.parliament.uk/committee/17/housing-communities-and-local-government-committee/publications/>
 - ⁱⁱⁱ Affordable Housing Commission report: Making Housing Affordable Again: Rebalancing the Nation's Housing System (March 2020). <https://www.affordablehousingcommission.org/>.
 - ^{iv} See the discussion in chapter 4 of the Hof C HC&LG report (op cit).