

1. What three words do you associate most with the planning system in England?

Managing sustainable development

2. Do you get involved with planning decisions in your local area?

Yes – as the Local Planning Authority we are at the heart of the planning process

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?

Improved online access in a simpler format is welcome, however as an LPA we have serious concerns over how this data can be made machine readable in a nationally standardised format, and how this will be funded

4. What are your top three priorities for planning in your local area?

As an LPA all of the above issues are priority areas for us as ensuring balance between all of these requirements is essentially what the planning system is for. Undue focus on one particular area or issue can result in unintended and negative consequences

5. Do you agree that Local Plans should be simplified in line with our proposals?

The principle of speeding up the plan preparation process is supported, but there is concern as to how the expectations for developing a robust evidence base and the meaningful engagement with communities, particularly with the heightened importance of getting design and detailed matters determined for areas and sites being identified for Growth or Renewal. The additional emphasis on design codes and implication of consent for certain allocations means that more detailed work will be required as part of the local plan process which will take more time and cost more money to achieve. The White Paper does not adequately explain at what scale such codes and allocations should apply and how LPAs are meant to resource this costly work that is usually dealt with by planning consultancies working on behalf of an applicant and using a range of specialist consultants (Highway specialists, archaeologists, flood risk experts, ecologists, urban designers etc.) the majority of whom are not part of LPA teams partly due to the continual reduction to Local Authority resources in recent memory, and partly because this has rightly always been the responsibility of applicants and not a cost to the tax payer.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

The standardisation of such generic policies is generally supported, but it is essential that they have adequate coverage for the entire country and that it provides enough flexibility for LPAs to take a local approach to locations where a different approach is needed, with green wedges or Areas of Landscape Value for example in the Central Lincolnshire context, with a strong likelihood of success at examination. Caution is also needed to ensure that the Government does not subsequently amend these generic policies changing the protection that they offer as this could undermine location-specific policies and could leave areas without adequate protection.

- 7(a). 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?

In principle, the idea of streamlining Local Plan procedures including tests of soundness and Sustainability Appraisal are welcomed. However the importance and thoroughness in particular of SA must not be effectively ‘watered down’ through any streamlining as SA sits at the heart of good decision and plan making.

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

It is difficult to see a method for achieving this in the absence of a duty to co-operate

- 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

The principle of setting housing requirements nationally is supported as it will remove the lengthy and time consuming debate locally, but there has to be a reality check on the outcomes of this otherwise the national targets will not be achieved.

- 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

Yes-the principle of taking into account local affordability and the size of existing urban areas is a sensible one. However in areas where joint plans are produced this needs to be carefully considered to ensure sufficient

levels of sustainable development take place to support communities and to support growth and regeneration especially in areas of deprivation.

9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?

In theory this is a good idea but there is serious concern that there is an absence of understanding around the amount, complexity and cost of work required at the local plan stage to accommodate this goal as many technical constraints could prevent allocation even in principle. This process will also take more time which runs counter to the other clear goal of speeding up the process

9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

See response to 9a as this is also largely the case for Renewal allocations

9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

Possibly, although large sites and whole new settlements by their very nature are complex developments to bring forward and therefore require significant lead-in time and careful infrastructure planning to be delivered alongside.

10. Do you agree with our proposals to make decision-making faster and more certain?

No. Applications are already dealt with as quickly as Local Authority resources allow and the use of extensions of time are invariably at the request of the applicants and so they are happy to follow this route. By eliminating Extensions of time it will result in more applications being refused and/or due to the proposed sanctions around refunds at appeal could see poor development approved due to the consequent financial risk to the authority. By delegating decision making down to planning officers it also runs a risk of lack of consistency in decision making. Planning is a complex process and cannot be over-simplified to attempt to increase certainty in the same way that the law is complex and needs detailed bespoke interpretation, nuanced decisions and therefore also cannot be over-simplified to increase certainty.

11. Do you agree with our proposals for accessible, web-based Local Plans?

In theory yes although there is no detail in terms of how this will work, how long it takes, will it be retrospective and how is it funded? LPA's will need

to be provided with substantial additional resources including staff, IT support, training and IT equipment in order for this to be delivered successfully.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

No. Whilst the ambition of shortening the process as far as is practicable is welcomed, the required work to enable allocations to effectively benefit from outline permission, the creation of design codes etc. is likely to take longer than the current process unless significant resourcing is given to each authority.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

Yes

13(b). 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?

Similar to the response to Q11, in order for NP's to move towards a more digital basis, significant levels of training, support and IT knowledge will be required especially supporting local groups, Town & Parish Councils undertaking NP's.

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, although the evidence is clear that across the country planning authorities have already and continue to play their part by issuing timely planning permissions so there is little more that can be done to ensure delivery. Instead of seeking to impose sanctions on a sector that already delivers, measures that apply to land agents and major house builders should be implemented if we are to see increased delivery. Measures such as charging council tax per property if not constructed after a prescribed period beyond the consent and based on standardised delivery rates for the area should seriously be considered as they are more likely to be effective

15. What do you think about the design of new development that has happened recently in your area?

At Lincoln we pride ourselves on achieving the best design outcome possible for each site, taking into account all planning constraints. Design

however is subjective so it is not possible to achieve collective unity of opinion on the built environment. It is important that we consider context, separate taste preferences from good design and use both creativity and pragmatism in securing a solution

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 - **all of the above as we cannot achieve sustainable growth without each area**

17. Do you agree with our proposals for improving the production and use of design guides and codes?

No. Whilst the use of design codes in certain limited circumstances – such as part of urban extension planning can be a useful tool, considering the built environment in this way is far too simplistic. Codes won't work for huge parts of the country. Areas which are rightly characterised by their significant variety in terms of design, materials, streetscape would be impossible to deal with in this manner. It also creates undue uniformity and lack of variety as well as stifling innovative and clever bespoke design solutions. The answer is to upskill planning authorities specifically in relation to urban design and then increase the weight given to design in decision making within the policy framework nationally and locally. In addition as design is subjective it will be impossible to secure a consensus with the local community and whilst increased input should be welcomed at local plan stage we express a note of caution about allowing the local community to direct the design approach of an area – particularly when as suggested we use local popularity as any form of measure. In the context of a national housing crisis where demand is far outstripping supply how can 'what is popular locally' be relied upon as a measure of design quality that should be replicated? Furthermore who arbitrates on a solution where the community either disagree with each other or disagree with the trained, experienced professionals

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. Having a Chief Officer responsible for design and place-making is a positive step and a new body to support this approach is also welcomed. However, the focus should be about upskilling local authorities to secure good design on a site by site basis as opposed to guidance on creating design codes

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Yes

20. Do you agree with our proposals for implementing a fast-track for beauty?

No. Good design should be an absolute pre-requisite on all sites and focus should be about equipping local authorities to confidently refuse poor or even mediocre design every time. The legislation needs to be couched to support 'is it good enough to approve' instead of 'is it bad enough to refuse'.

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]

Planning is about delivering all of the above in a balanced way. Focusing on one area to the detriment of others will result in a poor place

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?

Whilst having a single tariff is a sensible approach in theory the idea falls apart for huge parts of the country which will be caught in the consequent viability gap. In these locations there may be little if any infrastructure levy secured and so the ability to secure any infrastructure would be lost. Furthermore there is no mention as to how non-financial contributions would be secured as they are currently under S.106

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

Locally

22(c). 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?

If authorities have a sound local plan then it shouldn't be possible to secure more, nor less than the current system as this has been calculated locally as part of the local plan process and based on localised evidence

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

There is no objection to allowing this flexibility but we would object if this became an expectation or even requirement due to the significant risks around pay back as it is based on presumed delivery. This again is more of an issue in areas of lower slower growth and/or areas with marginal viability

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Yes but unsure how this would be achieved in practice

24(a). 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

24(b). 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?

Either. However, in the context of a place like Lincoln this is largely academic because by attempting to secure affordable housing through an Infrastructure levy that is set at a threshold that allows for viability of the most challenging sites will mean that very little affordable housing is delivered at all

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

Yes. See response to 24(b)

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

No. If the system is to work as suggested then the quality of the affordable units should be assured in the same way as the market houses

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

Given that this is the proposed method for securing all infrastructure requirements associated with new development, the more flexibility given to Local Authorities the better

25(a). If yes, should an affordable housing 'ring-fence' be developed?

This would be a good method for prioritising affordable housing delivery but given the concerns expressed under 24b this is then likely to be to the detriment of all other necessary infrastructure

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?

The principle of wider and greater engagement by local communities from diverse backgrounds in the planning system is inherently a 'good' thing. The reality of delivering it is entirely different. Arguably the Town & Country planning system is already the most publicly consulted process delivered by Local Authorities. The general public mainly get involved in planning when it directly effects them e.g. a development taking place where they live as opposed to commenting on a Local Plan which appears somewhat more abstract and remote to them. This consultation is light on the detail on the practicalities and realities around greater and more meaningful public engagement from more marginalised sections of the community at the local plan stage, and why it is deemed to be positive to significantly curtail this engagement at the Development Management