



The countryside charity  
Northamptonshire

The Wheatsheaf  
Spring Hill Farm  
Harborough Road  
Pitsford, Northampton  
NN6 9AA

01604780000

[info@cprenorthants.org.uk](mailto:info@cprenorthants.org.uk)  
[www.cprenorthants.org.uk](http://www.cprenorthants.org.uk)

# Response to the Planning White Paper from CPRE Northamptonshire

---

## Introduction

The views expressed in this response are the views of CPRE Northamptonshire which is an independent and autonomous body to CPRE The Countryside Charity as a national body.

CPRE Northamptonshire see many positive goals expressed in the preamble to the substantive proposals of the White Paper. However although the substantive proposals do contain some positive measures, we do not consider that they reflect the goals expressed. The primary focus of the proposals seems to be simply to reduce the ability of local communities and LPAs to shape the nature of identified development sites within their locality.

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

Democratic, developer-biased, litigious

Democratic because there are currently numerous opportunities for the public and their elected representatives to influence both plan making and proposed developments.

Developer-biased because whereas developers can readily challenge decisions against proposals, communities and individuals can only use Judicial Review to challenge dubious consents which is prohibitively expensive in many cases.

Litigious because plans and decisions are routinely challenged by promoters of land and developers when sites are not allocated or permission refused.

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

Yes, CPRE Northamptonshire participate in the plan making process where resources allow and also in the development management process where we identify or are made aware of developments that are likely to have a significant adverse impact upon the countryside. House building and indeed other developments are of course essential, and we encourage good design in appropriate locations.



### **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?**

**[Social media / Online news / Newspaper / By post / Other – please specify]**

Ideally LPAs would treat us as a non-statutory consultee for all significant development that may have an impact on the countryside or the landscape. We would also like notification of any stages of plan making in which we can participate.

However, it is important for our members and members of the public to be made aware of plan making stages and local proposals through the variety of channels that they now use. The value of newspaper notifications is becoming less relevant but if they are no longer used other channels must be made available to replace them.

It is important that close neighbours continue to receive a direct communication such as a letter to the occupier which is the most reliable means to ensure that it reaches the householder. Site notices also remain valuable as they are often the first alert noticed by the wider local community. These are currently only posted when there is a planning application but they should also be posted when sites are being included in land allocated for development within the plan making process before the site is allocated. This will be vital if there is to be automatic permission granted for such sites.

Notification should use the diverse portfolio of media which is in use by the local community. It is particularly important to ensure that the notification is robust and inclusive of those who are not online.

It is also important not to place too much reliance on emails because relevant recipients can change and emails can be automatically filtered out by anti-spam measures. Unless receipt is confirmed by recipients it cannot be guaranteed that they have been delivered. That being said, in the process of digitising the planning system there is an opportunity for automation of the notification process for interested parties that register for notifications within a locality or wider geographic area.

### **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]**

The aims of CPRE Northamptonshire are to protect and enhance the character and vitality of the countryside in Northamptonshire for the benefit of all. However one means of protecting the countryside is to ensure that urban areas are attractive and pleasant places in which to live.

Our top three priorities are:

- Protection of the countryside
- The environment, biodiversity and action on climate change
- Supporting the rural economy



## Pillar One – Planning for Development

**Proposal 1:** The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.

### Question

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

No.

Although it is useful to have the Growth and Renewal areas highlighted to show the intention is to develop those areas, we are deeply concerned about the proposals to severely restrict the democratic input into how they will be developed. These categories would appear to be comparable to large and smaller allocations within current Local Plans where in all practical senses the principle of development is assumed. The only significant difference therefore would appear to be the proposed reduction in democratic and local authority input.

In our experience the most successful way in which allocations are developed is for the LPA and the developer to work in close cooperation using pre-application advice and community engagement at all stages to ensure that the proposals meet local needs and do not create significant local concerns. This delivers rapid approval of schemes because they have local consent while not restricting the opportunity for developers to be creative in how they develop the site.

As an organisation we encourage communities to engage with the plan making process as early as possible but the sad fact is that until there is a concrete planning proposal that residents can relate to many communities and individuals do not engage with what to them is an abstract process. This leads us to believe that it is highly unlikely that there would be significant public engagement with the design codes and plans for Growth and Renewal areas at the stage when it is proposed to be allowed to affect the process.

Our understanding of the proposed Protected category is that it would be managed in broadly the same way as the current planning system. If this is the case then the term Protected is misleading giving the false impression that land in that category will be protected from development. We suggest for the purposes of clarity that this category is divided into Controlled and Protected. Controlled would indicate that something akin to the existing planning system applies and Protected would mean that development would only take place in truly exceptional circumstances. This would be helpful to communities and developers by providing certainty.

A further concern with Growth and Renewal areas is that it can be many years before they progress beyond being an allocation in the Local Plan. It is likely therefore that by the time they are being progressed the circumstances have changed since the plan was created and so any detailed work undertaken at the plan making stage would have to be revisited.

**Proposal 2:** Development management policies established at national scale and an altered role for Local Plans.

### Question

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

We agree that some national development management policies can be useful in setting a consistent baseline, but they must be subjected to wide consultation and should be restricted to aspects of development that are nationally applicable. This is particularly important because all too often policies are designed to solve the pressing problems of London without regard to whether they are desirable or necessary in very different locations such as rural villages. For example, some



Permitted Development rules are allowing harm to the character of streetscenes and aggravation of parking issues even where there is not a shortage of housing.

We agree that the plan making process should be simplified, but the assessment of different aspects of local need is a vital component of place shaping.

If the Infrastructure Levy replaces Section 106 payments, then it may be possible to take a less rigorous approach to some evidence since it will no longer need to be sufficiently robust to resist challenge by developers.

**Proposal 3:** Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.

#### Questions

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?

The definition of “sustainable development” must be comprehensive, clear and robust so that all parties understand what constitutes sustainable development. There are already too many planning appeals and it is important that plans enable acceptable schemes to be developed so that decisions are not subject to appeal.

A robust appraisal of plans by an outside party can be an important step in ensuring clarity and reducing ambiguity and so caution should be exercised when reducing the process.

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

We have no specific proposals but recognise that there is a need to agree cross-boundary infrastructure and development. Northamptonshire is a part of the Ox-Cam Arc which is being led by SEMLEP. We feel that this arrangement gives communities insufficient opportunity to participate in its development and so is not a model that we recommend.

Reinstating regional planning would be another solution that we would not recommend. Northamptonshire has closer connections with neighbouring counties in different regions than it does with the other counties within the East Midlands region. The Ox-Cam Arc is a perfect illustration of the problem because this crosses three of the English regions.

**Proposal 4:** A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

#### Questions

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

The standard method proposed in the recent White Paper demonstrated that there is no simple means of creating a formula that both delivers achievable results and reflects local need. The formula used in the White Paper produced substantial increases in requirements for the more rural LPAs with the result that the only reduction in Northamptonshire was for Northampton Borough which is predominantly urban. Developing in rural areas with poor access to employment, services and facilities is not sustainable development yet the formula would appear to promote that.

If a standard method is used it must far better designed and even then used as a baseline that can be adjusted to reflect local circumstances.



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?

No.

The results for Northamptonshire from the formula produced absurdly large increases in requirements for all but the urban LPA of Northampton Borough even though the build-out rate for the high numbers of existing permissions is below the rate that would meet the current targets. This might be because rural homes carry a premium of approximately £30,000 compared to their urban equivalent making them far less affordable.

This approach would in effect skew development towards unsustainable locations.

**Proposal 5:** Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

Questions

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?

No.

By designating Growth areas the principle of development is already established and consent is achieved faster than if the area was not designated. Given the proposed reduction in democratic input into the planning process for Growth areas it is even more important that proposals are subject to detailed scrutiny at this stage.

We do not support the reduction in democratic input for Growth areas. Well designed development on allocated sites does not suffer significant delays within the current planning system because it is supported by the LPA and the local community. A cooperative engagement between the developer and the community delivers rapid approvals of higher quality schemes.

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

No.

We do not support the reduction in democratic input for Renewal areas. Well designed development on allocated sites does not suffer significant delays within the current planning system because it is supported by the LPA and the local community. A cooperative engagement between the developer and the community delivers rapid approvals of higher quality schemes.

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

The NSIP process is only appropriate for new settlements that are of a size and scale to be truly nationally significant. In the past such towns would have been under the control of a development corporation obviating the need to use the NSIP process.

**Proposal 6:** Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology

Question

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

We support the principle of improving the speed and certainty of decision making but only if it does not result in reductions in quality, detailing, local input and democratic decisions.



**Proposal 7:** Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

#### Question

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

Web based Local Plans can be a useful tool but there also needs to be an alternative route to access plans for those who are not able to use them because of lack of capability, connectivity or equipment. Otherwise a whole stratum of society will be excluded from the process.

**Proposal 8:** Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

#### Question

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

No.

When the NPPF was introduced it was anticipated that LPAs could produce plans within a year. This proved to be wildly optimistic. We believe that the 30 month proposed is over optimistic. Before considering the introduction of a statutory time limit it should be demonstrated through trials that it can be achieved in practice.

A further consideration is that should neighbouring authorities wish to negotiate a shared strategic plan such as would be necessary to enable the Ox-Cam Arc, this will extend the time necessary for the plan to be produced. The Northamptonshire authorities experienced delays reaching agreement when producing the two Joint Core Strategies that cover the 7 LPAs. This in turn delayed progress on the Part 2 Local Plans.

Plans affect the quality of life of many generations and it is important that they are prepared with sufficient care and scrutiny. Setting an arbitrary timescale could result in rushed production which would deliver long lasting poor outcomes thereby failing to deliver the goals expressed within the White Paper.

**Proposal 9:** Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

#### Questions

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

Neighbourhood plans should be retained although it is unclear what the extent of their role would be under the White Paper proposals. There are also questions about the status of plans that have been made, particularly if they do not accord with the new system.

Parishes that are in the process of producing neighbourhood plans are wondering whether they should abandon the process.



### Proposal 10: A stronger emphasis on build out through planning

#### Question

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.

There are large numbers of undeveloped permissions across Northamptonshire and the rate at which these are being built out is insufficient to meet the existing housing targets, let alone the much higher targets proposed in the previous White Paper.

There are also problems with the availability of land allocated in the plans but that does not yet have planning permission. Much of this is under option severely restricting competition and a bar to entry for many SME developers.

### Pillar Two – Planning for beautiful and sustainable places

#### Questions

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]

The quality of developments varies significantly across the county. The better schemes tend to be where either the developer works with the LPA or where there are greater planning controls such as within conservation areas.

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]

Sustainability is holistic and so different aspects cannot and should not be separately rated.

**Proposal 11:** To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.

#### Question

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

Yes.

Developers will deliver what is expected from them if they have clarity about the constraints within which they must operate. It is, however, important that we do not have national copybook design codes and there is scope for innovation and local flavour in the development that comes forward.

It is important that any design codes are widely consulted upon.



**Proposal 12:** To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.

Question

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.

There were previously bodies like CABE and the Royal Fine Arts Commission that fulfilled this role. Regional if not local bodies are needed, made up of experts or retired experts in their field, together with others with local knowledge of an area. Conservation Area advisory Committees (for which provision is made in the Planning Acts) are a useful example of this type of body.

**Proposal 13:** To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places.

Question

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

Yes.

Government should lead by example and set a benchmark for quality development.

**Proposal 14:** We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

Question

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

No.

Well designed development already gains faster approval within the planning system because it attracts fewer objections, permission is not deferred to allow changes and there is no need to construct a solid case for refusal before restarting the planning cycle.

A further concern is that this is likely to lead to standardised designs produced in the cheapest possible way that will satisfy the design guide. Design is not all about beauty; it is about form following function and producing buildings and places that work for the purpose for which they are being constructed.

The scrutiny of sites and proposals should not automatically be curtailed if a proposal is deemed to meet the "beauty" criteria.

**Proposal 15:** We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.

This is strongly supported as is the proposal to change the NPPF to include the expectation that all new streets are tree-lined.

**Proposal 16:** We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.

We would support any improvement in efficiency that does not compromise quality.



### **Proposal 17:** Conserving and enhancing our historic buildings and areas in the 21st century

It is important that the integrity of historic buildings is preserved while making them fit for modern use.

**Proposal 18:** To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.

We strongly support a step change in the standards of energy efficiency and the incorporation of renewables generation for all new buildings. The goal should be for buildings to be zero carbon or even negative carbon.

In Northamptonshire we are dismayed that vast tracts of our countryside are being developed as warehousing without being required to serve a double purpose as solar PV farms. Instead further large tracts of countryside are being developed as ground mounted solar PV installations. This is a reckless waste of land which will not be available for the other purposes required to address climate change.

### **Pillar Three – Planning for infrastructure and connected places**

#### Question

22. 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]

Development must be sympathetic to its setting and its wider impact in the landscape. New housing must be developed where there is local or low carbon access to employment, services and facilities which either has sufficient capacity to support the additional population that the development will bring or it will be incorporated into the development.

**Proposal 19:** The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.

#### Questions

23(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?

There would be advantages of having certainty about the levels of developer payments in that there would not be protracted disputes about the amount of money that should be paid and about the viability of schemes. It is important that there is sufficient income raised from levies to fund the necessary infrastructure to support the development.

We are wary of the use of thresholds as many rural schemes are not large enough to trigger social housing, meaning that villages grow without additional provision. It is also important to ensure that schemes cannot be avoid the levy by being developed in successive applications.



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

A locally set rate can be more responsive to local circumstances.

Consideration should be given to structuring the levy to encourage more sustainable types of development, by having higher levels of levy for development on greenfield sites and in rural locations and lower levels on brownfield sites. It is nevertheless necessary to raise sufficient funds overall to fund the infrastructure required.

23(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?

The Infrastructure Levy, if introduced, should aim to capture more value to support greater investment in infrastructure, affordable housing and local communities. However, there is a danger that this will result in an increase in house prices unless landowners are prepared to accept lower prices for land.

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

Yes. If infrastructure is to be provided alongside development it is essential that the funds are available before houses are built out. There would, however, need to be a safety net to support local authorities should development not be built out at the predicted rate or if the developer ceases trading.

**Proposal 20:** The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights

Question

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

Yes.

Permitted development still has infrastructure requirements and should contribute in the same way as other developments. If permitted development rights continue to be expanded, this will be even more important.

**Proposal 21:** The reformed Infrastructure Levy should deliver affordable housing provision

Questions

25(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.

The range of types and tenures of affordable housing provided should match local needs.

25(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?

No comment

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

No comment



25(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 comment

**Proposal 22:** More freedom could be given to local authorities over how they spend the Infrastructure Levy

Question

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

Yes.

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

It is important that sufficient affordable housing is delivered but there could be flexibility if the requirement has been met.

## Delivering Change

**Proposal 24:** We will seek to strengthen enforcement powers and sanctions

We support the proposal to strengthen enforcement powers and sanctions. At present enforcement is under-resourced in many authorities.

Sanctions need to be a real disincentive to prevent unauthorised development and planning fees for retrospective applications should include as a deterrent a penalty for unauthorised development. It is also important to correct the anomaly whereby retrospective applications cannot be subject to developer payments such as S106.

Question

27. 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?

Moving to a predominantly online system has the potential to disenfranchise a whole stratum of society. Care must be taken to make the system accessible to those who do not have the skills or access to the digital systems.

**Additional Comments relating to the White Paper as a whole**

We are disappointed that although the White Paper expresses many laudable aspirations before listing the specific proposals, the proposals seem to be predominantly focused upon measures to make it easier for volume house builders to gain planning permission with less local scrutiny. We do not believe that such measures will deliver an increase in the rate of house building in Northamptonshire which has many thousands of undeveloped permissions that are only slowly being built out.

Faster delivery might be achieved if there were more developers competing to sell product. The White Paper expresses a desire to support SME builders but the measures proposed would appear to be more applicable to volume house builders. In Northamptonshire much of the allocated land is under option or in the ownership of the volume house builders, making it difficult for SME builders to access land for development.



Northamptonshire has no nationally protected landscapes, even though there are parts of the county that are comparable with the Cotswolds. It has been suggested that these could be protected by placing them in the Protected category. However, it would appear that Protected only means subject to the current planning regime, which does not offer protection, merely the ability to judge applications against a planning balance. It should be possible to offer high levels of protection to local landscapes where it is warranted.

In our experience the best results from the planning system occur when developers engage with the community and LPA throughout the process. This can deliver development that addresses legitimate community concerns and is more likely to deliver homes that meet local need and so sell more quickly. Conversely when the developer does not engage, they are far more likely to meet local objections and planning delays and to produce a product that does not meet local needs. In our view it would be better to encourage best practice from developers and LPAs than to reduce the opportunities for communities or LPAs to delay poor proposals that have not adhered to good practice.