



27 October 2020

Planning for the Future Consultation
Ministry of Housing, Communities and Local Government
3rd Floor, Fry Building
2 Marsham Street, London, SW1P 4DF

Dear Sirs

The Fulham Society would like to comment on the White Paper: Planning for the Future as follows.

The Fulham Society is the main amenity Society in Fulham, West London, representing the area covered by the former London Metropolitan Borough of Fulham. We have some 600+ members and look at and comment on any planning applications which we feel will have an effect on our local area. Fulham is an inner London borough and we comment here on how these proposed policies affect us and similar areas.

We do not deny that the present planning system is in need of reform and support many of the goals set out in this White Paper *Planning for the Future*: the simplification of local plans, markedly better design, the emphasis on sustainability, more effective community involvement in plan making, extensive use of modern technology throughout the planning process, a simplified developer contribution and, above all, more homes built of the types that are required.

However we question whether the Government's current proposals will deliver these benefits and fear that it appears to be more about speed than quality.

General comments

Local Plans. The White Paper sees all planning policy being set nationally with local plans restricted to development allocation and the specific codes and standards to be applied to projects in the zones. This does not take account of the particular position in London which has had a strategic planning authority, the Mayor and GLA, for the past 20 years. Boroughs are used to interacting with the Mayor on housing targets, which are based on need and assessed capacity, and to compile their Local Plan in general conformity with London-wide planning and development management policies in the London Plan and associated guidance.

We do not see how the Government's proposal that "We will set out general development management policies nationally, with a more focused role for Local Plans in identifying site and area-specific requirements" can work. A nationally set policy would either be so restrictive as to

damage viability or so loose as to cause substantial damage to heritage assets and other amenities. The alternative envisaged by the White Paper – “local authorities setting precise zonal design rules for specific matters in their entire area” - will be completely impossible in the time envisaged by the White Paper for the preparation of Local Plans.

Housing. The government plans to impose housing targets on local authorities from the top-down according to an algorithm described in the White Paper and in the consultation on *Changes to the Current Planning System* but London’s housing market is unique, appealing to a worldwide investor community. In inner London (and probably much of outer London), it is highly unlikely that any of the methods detailed in the White Paper to increase the rate of house-building will improve affordability. What should be important is the quality as well as quantity of development and how well it meets local needs for types of housing and jobs.

For many Londoners in low-paid occupations, social renting and other low-cost rent homes provide their only chance of decent housing and it is essential they are not driven out of the capital by the cost of accommodation. Homes to rent at prices key workers can afford is the housing requirement in the capital. London requires at least 43,000 new affordable homes annually and 31,000 of those need to be for low-cost rent with 45% having two or more bedrooms.

Large brownfield sites for growth within London are already marked as Opportunity Areas and greenfield sites within London’s built boundaries are almost non-existent. A target of 93,000 new homes annually in London would be unachievable based on the proposals detailed in the White Paper, except through the loss of Metropolitan Open Land, critical public green space which could never be replaced, heritage assets or other amenities, or the imposition of large numbers of high rise towers in inappropriate places, which will cause a major backlash.

Furthermore, the city has a huge number of unbuilt residential planning consents, ca. 300,000 according to the latest estimates, far greater than the total number of homes built in London over the past decade. We need these houses to be built and for developers to be pushed into doing so.

Duty to Cooperate. We consider it important that strategic planning is encouraged across local authority boundaries, both within London and with local authorities outside London and the removal of the duty to cooperate is therefore of concern. Given the imposition of a top-down target, councils will no longer have a duty to co-operate with each other over the drawing up of local plans, as the numbers will be set by government.

Design Codes. A new body is to be set up to support local authorities as they create local design codes, and each local authority will be expected to employ a chief officer for design and place-making to oversee quality. Local design codes must have community input to be valid. We like the emphasis on design and happy at the idea of a local authority having an official to encourage it. However, we cannot see that a National Code could be applied to all areas, that a local authority will have the time or resources to complete this and furthermore, so much about design depends on the circumstances, the taste and the background of those involved. Although communities will

theoretically be able to influence the design code, once it is in place they will have no input. How often are the codes to be updated and how specific will they be to particular areas?

Community Infrastructure Levy. The existing system of developer contributions is to end. Section 106 agreements will be scrapped, while the existing Community Infrastructure Levy will be morphed into a nationally-set levy on development value that the government says will bring in at least as much or more developer contributions as the existing system. The levy will be paid at the point of occupation, leaving councils to pay for and deliver any infrastructure needed up front. Councils will be allowed to borrow against future levy receipts to fund this. We do not like the proposal to shift the payment of developer obligations for the new Infrastructure Levy from commencement to completion of development. This will create uncertainty, possibly avoidance or even evasion, and also significant delay to the delivery of both affordable housing and social infrastructure. We are not happy that some of the income from the levy should go to “overall planning costs” if that refers to the costs of introducing the new system: these should be covered by Government grants

Digital planning. Public involvement in local planning is to be hugely expanded by digitising the service, to allow much easier public access to planning documents. It certainly could be improved and we support this move. However, one must remember that not everyone who wishes to comment on a planning proposal is knowledgeable about the internet and these should not be forgotten

Community involvement. These proposals appear to decrease the amount of community involvement. They seem to remove the public from any involvement in individual applications. Currently individuals, their elected representatives, the amenity groups such as the Fulham Society, as well as the many ad hoc groups that spring up around any major development have been able to influence the built environment where they live. There appears no provision for this sort of involvement.

There may be community input as the design codes are developed but after that, there is none. Even where there is an option to submit non-compliant applications, these would be decided according to national policies which will necessarily be high level and open to interpretation, but with no sort of community right of appeal or involvement.

Preliminary Questions

We do not have the expertise to answer several of the questions below adequately, and are therefore only answering some of them. However we are members of the London Forum and support their comments and views.

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

Essential –Insufficiently responsive to communities- Developer dominated

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

Yes. Our committee reads the planning lists, discusses any which could impact on the local community, and if necessary comments to the Local Authority,

2(a). If no, why not?

Not applicable.

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 Fulham Society does not agree with the assumption in question 3. The proposals in the Planning White Paper would reduce most of the opportunities for people to contribute views to planning decisions.

Notifications of changes to Local Plans, new planning applications and intended decisions must at least be available by email to those who subscribe and organisations that are on a list appended to the local Statement of Community Involvement. These should also be placed on the Council web site and listed in public libraries, so that those who wish to be aware of announcements can be.

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

- to protect and enhance existing areas and the built environment;
- to provide plentiful, truly affordable, housing;
- protection of publicly-accessible green spaces and historic assets.

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

No. We would support improvements in the Local Plan process, but think Proposal 2 requires substantial further work before adoption. Local Plans should not be stripped of essential local content and relevant general policies.

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

No. These proposals will not make decision-making faster and more certain, as in our response to earlier questions. It will give a safe harbour for developers, but communities will be laden with considerably more uncertainty as a result, and many developers will nonetheless attempt to bypass the Local Plan through the appeal system, calling upon nationally set policies. Disenfranchising communities when proposals actually come forward is a recipe for conflict and may well produce even less housing in the long term, due to the backlash it will ultimately cause.

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

Yes, but it will be necessary to ensure that any user can both easily establish what policies are applicable to each site and also find where there are rules addressing each subject topic in the Local Plan. The Local Plans must have good facilities for ease of searching for relevant policies and text

and simple access to the new types of maps of local authority areas. PDF and other accessible versions must be available for those who are not comfortable with other technologies.

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

No. The proposed timescale is too short and, coupled with the new accelerated processes for approval, will result in large numbers of sites where there has been inadequate time or resources to develop a design code and other rules that will ensure high quality and no damage to amenity. The rush to write plans will result in perfunctory design codes that do not achieve the objectives of the White Paper, and cause swathes of unpopular and badly-designed development that will result in a backlash. The quality and amount of community engagement will also be critical.

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

Our major development site, Earls Court, has been empty for many years. The plans for it have been for expensive residential led, with inadequate provision for new infrastructure, inadequate open spaces and inadequate mitigation of adverse effects on the local community. Other local developments around the former gas works have also been poorly designed, again essentially expensive private housing, totally inadequate affordable housing and no facilities for local people and inadequate green spaces.

The objective that a “range of homes can be provided to meet the needs of present and future generations” as required by the NPPF has not been achieved in Fulham and does not include enough affordable housing,

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

A more environmentally friendly city that safely accommodates pedestrians and separates cyclists from pedestrians and other road users while preserving the paramount importance of congestion-free routes for buses, with more green and open spaces and more trees.

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

The words “high quality” and “beauty” are subjective and not a basis for planning decisions.

21. When new development happens in your area, what is your priority for what comes with it?

Affordable housing, social infrastructure, public services and facilities

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?

No. The new proposal places large financial risks on local authorities, who are not the most efficient bearers of that risk. The developer is a better bearer of the risk that the development will prove unviable due to economic conditions that have changed for reasons not within the control of the local authority. If the Government believes that government should take that risk, it should be borne by national Government.

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

It should be set locally, because there will inevitably be factors such as difficult sites. The proposed threshold based on 'average build costs per square metre, with a small, fixed allowance for land costs' will not reflect variation in costs of building, and so a nationally set rate would be too high in some areas and too low in others.

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?

That should be left to local authorities to decide.

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?

No. You should aim to afford at least the same amount of truly affordable housing, which includes low cost homes for rent, and not First Homes.

Losses of social housing due to the Right to Buy should be taken into account.

Yours sincerely

Hon Secretary
Fulham Society