



## **‘Planning for the Future’ White Paper – Chiltern Society Response**

The Chiltern Society is an environmental charity with 7000 members, which seeks to protect the landscape and biodiversity of the Chiltern Hills, including the Chilterns Area of Outstanding Natural Beauty (AONB) and part of the London Green Belt. Part of the Society’s remit is to input to the planning system in relation to planning policy and local planning applications.

The Society is opposed to the changes proposed in the White Paper because it would potentially lead to larger numbers of new houses being built in the Chilterns AONB and Green Belt and a reduction in the level of scrutiny of environmental impacts. Changing decision-making on the principle of development to the Local Plan preparation stages risks development being approved without sufficient technical supporting information, and decision making being taken out of the hands of local planning authorities and the local population.

The White Paper doesn’t appear to take much notice of the findings of the Glover Review in terms of strengthening the role of AONBs and proposing separate local plans for areas such as the Chilterns. Instead, by removing the Duty to Co-operate and Sustainability Appraisals, the co-ordinated approach that is required to protect AONBs is likely to be reduced.

The current policy on Green Belts in the National Planning Policy Framework is leading to large and significant sites in the Chilterns being proposed for removal from the Green Belt to allow for housing development. The proposal to increase housing numbers in the south east on affordability grounds would be likely to lead to more pressure on the Green Belt to the detriment of the local environment and local communities. The planning system needs to give greater protection to these areas through national and local policies and to concentrate development in other parts of the country as part of the ‘levelling up’ agenda.

Speeding up planning decisions, and shaking-up the planning system, will not increase the capacity to build new dwellings, nor the ability of prospective purchasers to buy them.

The current planning system has made an important contribution to keeping our countryside special, and we are not convinced that what is now being proposed would be sufficient to keep it that way.

We have reviewed the [White](#) Paper and have the following comments in relation to the main paragraphs in the report that are relevant to the work of the Chiltern Society.

| Para                | Section from the Consultation Report   | Chiltern Society Comments  |
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| <b>Introduction</b> |  |  |
| 1.3                 | <p>There is some brilliant planning and development. And there are many brilliant planners and developers. But too often excellence in planning is the exception rather than the rule, as it is hindered by several problems with the system as it stands:</p>   | <p>This section contains too many broad generalisations, e.g. the premise that the planning system is not ‘fit for purpose’; room for improvement, but a wholesale change is NOT justified.</p> <p>We agree almost wholeheartedly with 1.1. to 1.2. – there could be a greater emphasis on the objective of protecting the unique, diverse and vulnerable rural landscape - and owning assets is not a prerequisite for having a stake in our society.</p> <p>Making decisions based on local discretionary judgements is more likely to result in better outcomes than a top-down, one-size-fits-all, rules-based system.</p> <p>The bullet points are riddled with prejudicial conclusions:</p> <ul style="list-style-type: none"> <li>- ‘an exception internationally’? That doesn’t make it wrong;</li> <li>- ‘often overturned at appeal’, never mind on the basis of a ‘mere’ 24 months, but still 64% and 70% respectively of appeals are dismissed.</li> <li>- At the heart is the government’s ambitious target of 300,000 homes for year... to which the present not-fit-for-purpose system delivered 241,000 last year.</li> </ul> <p>The review needs to take the best parts from the existing system and seek to make efficiency changes whilst retaining the current levels of scrutiny.</p> |
| 1.12                | <ul style="list-style-type: none"> <li>• new development to be beautiful and to create a ‘net gain’ not just ‘no net harm’</li> <li>• New digital engagement processes will make it radically easier to raise views about and visualise emerging proposals whilst on-the-go on a smart phone.</li> <li>• Promote the stewardship and improvement of our precious countryside and environment, ensuring important natural assets are preserved, the development potential of brownfield land is maximised, that we support net gains for biodiversity and the wider environment and actively address the challenges of climate change;</li> <li>• Build more homes at gentle densities in and around town centres and high streets, on brownfield land and near existing infrastructure so that families can meet their aspirations.</li> </ul> | <p>The presence of the AONB in the Chilterns requires development to be of a high quality, and of a design appropriate to its location in terms of elevations and materials. Designs should reflect local distinctiveness, and this would be a better measure than whether a design is ‘beautiful’. Such design features could be set out in design codes, such as the Chilterns Buildings Design Guide, and would be easier to assess than a subjective measure such as ‘beautiful’. There is also some scope for design innovation.</p> <p>The Society is strongly in favour of ‘net gain’ from development rather than ‘no net harm’.</p> <p>Whilst the use of digital technology would be good for widening access to planning matters, there is a danger that respondents will not look at proposals in sufficient detail to identify and comment on impacts. Applications must be supported by technical evidence, particularly relating to environmental impacts.</p> <p>We support the proposal to promote stewardship and improvement of the countryside, but we oppose the removal of sustainability appraisals and environmental impact assessments from the planning process. It is essential for nature recovery in the Chilterns and</p>   |

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|      |  | <p>elsewhere that ‘biodiversity net gain’ is built into national and local planning policy.</p> <p>The Society supports development in town centres and high streets to avoid the need to use greenfield land, but it is totally unclear what is meant by ‘gentle densities’. The appropriate approach in the Chilterns is to go for higher densities in the towns, concentrating on brownfield sites, to avoid encroachments into the Green Belt and AONB to meet housing targets. ‘Gentle densities’ is totally meaningless and should be defined or removed.</p> <p>Another concern is that the White Paper is altogether too urban centric, with not enough consideration and thought given to rural and designated areas.</p>   |
| 1.13 | <p>Harnessing the benefits which digitisation can bring – real time information, high quality virtual simulation, straightforward end-to-end processes.</p>  | <p>This will help local people to engage with the planning system. However, it is not a substitute for detailed assessments of impacts on the environment and countryside, and, further, could result in the indiscriminate proliferation of engagement, rather than focussing on those most affected.</p>   |
| 1.14 | <p>There are growing calls for change, and for the shape that it should take – based on a bold vision for end-to-end reform, rather than further piecemeal change within the existing system. Recent reports from think tanks and the Government-appointed Building Better, Building Beautiful Commission are the latest prominent voices to have added to the chorus.</p>   | <p>This section states that ‘There are growing calls ... based on a bold vision’. It is unclear from where these calls are coming. The whole premise of the changes appears to be to de-regulate the planning system to allow developers to build more houses with reduced environmental safeguards. This poses a real and present threat to the future protection of the Chilterns and the Green Belt and AONB in particular.</p>   |
| 1.16 | <p>Streamline the planning process with more democracy taking place more effectively at the plan making stage.</p> <ul style="list-style-type: none"> <li>• Simplifying the role of Local Plans, to focus on identifying land under three categories – <ul style="list-style-type: none"> <li><b>Growth</b> areas suitable for substantial development, and where outline approval for development would be automatically secured for forms and types of development specified in the Plan;</li> <li><b>Renewal</b> areas suitable for some development, such as gentle densification; and</li> <li><b>Protected</b> areas where – as the name suggests – development is restricted.</li> </ul> </li> <li>• Local Plans should set clear rules rather than general policies for development.</li> <li>• Set out general development management policies nationally, with a more focused role for Local Plans in identifying site and area-specific requirements, alongside locally-produced design codes.... Plans will be significantly shorter in length (we expect a reduction in size of at least two thirds), as they will no longer contain a long list of “policies” of varying specificity – just a core set of standards and requirements for development.</li> </ul> | <p>If this is to be adopted it is essential that local authorities retain the power to identify their designated areas and continue to exercise a measure of control afterwards, particularly and exclusively in protected areas.</p> <p>It would be logical for most of the Chilterns to be placed in the ‘protected’ category due to the predominance of the Green Belt, AONB, Conservation Areas etc. Protected areas should also encompass land of existing biodiversity value with appropriate buffer zones, and all areas identified as potential elements of the Nature Recovery Network envisaged in the 25 Year Environment Plan. In this zone, development is restricted, but not prevented. We assume that it will operate in a similar way to the current planning application process. If this approach is to be taken, we suggest that the protection of Green Belt and AONB should only be overridden in exceptional circumstances. Local authorities should be required to meet their requirements for housing in growth and renewal areas, with protected areas only being developed in exceptional circumstances. A lack of housing number requirements should not by itself be considered an exceptional circumstance (see 2.8 below).</p> <p>The proposal, as written, does not prevent a local authority taking land out of the Green Belt through the Local Plan</p> |

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|      | <ul style="list-style-type: none"> <li>Local councils should radically and profoundly re-invent the ambition, depth and breadth with which they engage with communities as they consult on Local Plans. We will streamline the opportunity for consultation at the planning application stage, because this adds delay to the process and allows a small minority of voices, some from the local area and often some not, to shape outcomes. Local Plans should be subject to a single statutory “sustainable development” test. Replacing the existing tests of soundness. Updating requirements for assessments (including on the environment and viability). Abolishing the Duty to Cooperate.</li> <li>Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new standard template.</li> <li>Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable (of no more than 30 months in total).</li> <li>Decision-making should be faster and more certain, within firm deadlines, and should make greater use of data and digital technology.</li> <li>We will seek to strengthen enforcement powers and sanctions so that as we move towards a rules-based system, communities can have confidence those rules will be upheld.</li> <li>We will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms.</li> </ul> | <p>development process and then putting it in the growth category where it would get automatic planning permission when the Plan was adopted. It is totally unclear from the proposals what environmental and sustainability assessments would be made for each development prior to it being allocated in the Local Plan. To achieve the same level of scrutiny as currently, a Masterplan would need to be submitted, accompanied by environmental reports and other technical information. If a large number of sites were proposed, this would greatly slow down the Local Plan process and greatly prolong the Examination. Effectively, several major applications would be determined at the same time.</p> <p>In the Chilterns, there are large areas of Green Belt and AONB that are potentially under threat from development, particularly if housing targets are increased due to poor affordability in the local housing market. In our area, an increase in housing numbers is very unlikely to result in a lowering of house prices. Developers will control the implementation of house building programmes to maximise their returns.</p> <p>Moving Local Plans to a set of rules rather than policies risks encouraging poor quality development. If the suitability of land is determined, for example, based on layers on a GIS system indicating ‘yes’ or ‘no’ then the system will become too simplified. Planning in sensitive areas requires a detailed approach to deal with many environment issues and community concerns.</p> <p>The views of local residents and organisations must be sought and fully considered before any decision is made on whether a site is suitable. People are less likely to engage with the Local Plan process than with individual applications in their own area. Planning applications bring together all the information relating to a specific development, rather than that information being ‘lost’ amongst the large amount of documentation prepared for a Local Plan. There is a clear risk here of a ‘democracy deficit’ if people do not feel able to contribute to the Local Plan process or have to have an input through mobile phone apps.</p> |
| 1.17 | <p>We will take a radical, digital-first approach to modernise the planning process. This means moving from a process based on documents to a process driven by data.</p> <ul style="list-style-type: none"> <li>Support local planning authorities to use digital tools to support a new civic engagement process for local plans and decision-making.</li> <li>Insist local plans are built on standardised, digitally consumable rules and data, enabling accessible interactive maps that show what can be built where.</li> </ul>  | <p>The introduction of digital tools for civic engagement may potentially reach new audiences; but a wholesale move to digital, without retaining more traditional methods of engagement, is likely to “disenfranchise” many people, introducing potential non-representativeness. A mix of methods, old and new, must be employed. We recognise that there is scope to enhance the current online consultation processes on Council websites.</p> <p>We are very sceptical that such an approach would provide the detail needed to assess the environmental impacts and detailed design of an application. GIS systems are used</p>   |

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|      | <ul style="list-style-type: none"> <li>Standardise, and make openly and digitally accessible, other critical datasets that the planning system relies on.</li> <li>Work with tech companies and local authorities to modernise the software used for making and case-managing a planning application.</li> <li>Engage with the UK PropTech sector through a PropTech Innovation Council to make the most of innovative new approaches.</li> </ul>   | <p>successfully by local Councils for mapping constraints and informing decisions. However, a move to ‘decision by algorithm’ leaves huge scope for detailed assessments to be curtailed and poor decisions made due to insufficient technical scrutiny.</p> <p>Standardising processes would mean standard equipment, software, etc. and significant national investment to develop the technology. This is another example of a one-size-fits-all approach, albeit less controversial in this instance, it is unclear how this is going to be coordinated and financed. Fine words, but they must be followed by achievable deeds and avoid ‘over-promise and under-delivery’.</p>  |
| 1.18 | <ul style="list-style-type: none"> <li>Ensure the planning system supports our efforts to combat climate change and maximises environmental benefits, by ensuring the National Planning Policy Framework targets those areas where a reformed planning system can most effectively address climate change mitigation and adaptation and facilitate environmental improvements.</li> <li>Facilitate ambitious improvements in the energy efficiency standards for buildings.</li> <li>Ask for beauty and be far more ambitious for the places we create, expecting new development to be beautiful, and to create a ‘net gain’ not just ‘no net harm’, with a greater focus on ‘placemaking’ and ‘the creation of beautiful places’ within the National Planning Policy Framework.</li> <li>Make it easier for those who want to build beautifully through the introduction of a fast-track for beauty through changes to national policy and legislation, to automatically permit proposals for high quality developments where they reflect local character and preferences.</li> <li>Introduce a quicker, simpler framework for assessing environmental impacts and enhancement opportunities.</li> <li>Expect design guidance and codes – which will set the rules for the design of new development – to be prepared locally and to be based on genuine community involvement rather than meaningless consultation, so that local residents have a genuine say in the design of new development, and ensure that codes have real ‘bite’ by making them more binding on planning decisions.</li> <li>Establish a new body to support the delivery of design codes in every part of the country.</li> <li>Ensure that each local planning authority has a chief officer for design and place-making.</li> <li>Protect our historic buildings and areas while ensuring the consent framework is fit for the 21st century.</li> </ul> | <p>The Society objects to the simplification of the assessment of environmental and sustainability impacts. There must continue to be a robust system for assessing the current value of sites in terms of landscape, biodiversity and historic environment, particularly in the Green Belt and AONB. Applicants must be required to submit full ecological surveys, Landscape and Visual Impact Assessments and Heritage Assessments in particular. Even if these detailed studies are not required all over the country they must be required in Green Belt and AONB. The information needs to be supplemented by an assessment of how biodiversity net gain can be achieved and how developments can make positive contributions to Nature Recovery Networks. The Government seems to be committing to enhancing nature in the 25 Year Environment Plan, whilst weakening environmental protection in the planning system.</p> <p>NPPF policies on Green Belt and AONBs require that alternative options are assessed to justify that a chosen site is the best option. A major part of this assessment is undertaken through Sustainability Appraisals during the preparation of a Local Plan and through Environmental Impact Assessments. Without such a structured assessment process, there is a danger of excessive environmental harm and for missing opportunities to build in substantial environmental gain. Therefore, we object to the removal of SAs and EIAs from the planning process.</p> <p>This emphasis on ‘beauty’ / ‘beautiful’ is misplaced at best, and could detract from regional characteristics and traditions at worst. It would be better to develop a local or regional Design Guide that reflects local styles, local materials, local traditions, etc., such as the Chilterns Buildings Design Guide.</p> <p>In the third from last bullet we are wary of establishing another layer of bureaucracy to "Establish a new body to support the delivery of design codes in every part of the country". These need to be developed at local level if we are to retain and enhance local distinctiveness and character.</p> |

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| 1.19 | <p>We will improve infrastructure delivery in all parts of the country and ensure developers play their part, through reform of developer contributions.</p> <ul style="list-style-type: none"> <li>• The Community Infrastructure Levy and the current system of planning obligations will be reformed as a nationally-set value-based flat rate charge ('the Infrastructure Levy').</li> <li>• We will be more ambitious for affordable housing provided through planning gain, and we will ensure that the new Infrastructure Levy allows local planning authorities to secure more on-site housing provision.</li> <li>• We will give local authorities greater powers to determine how developer contributions are used.</li> <li>• We will also look to extend the scope of the consolidated Infrastructure Levy and remove exemptions from it to capture changes of use through permitted development rights.</li> </ul>  | <p>We welcome mandatory Infrastructure Levy but too often this and Section 106 agreements have been waived when a developer claims a site has become unviable.</p> <p>It is essential that such payments are specifically related to the impacts of the proposed development, rather than simply a 'tax' on development that could be spent anywhere in the local authority area.</p> <p>It needs to be clear how 'in kind' contributions would be accounted for. This will be particularly import in embedding 'biodiversity net gain' into the development process.</p>   |
| 1.20 | <p>Ensure more land is available for the homes and development people and communities need, and to support renewal of our town and city centres</p> <ul style="list-style-type: none"> <li>• A new nationally-determined, binding housing requirement that local planning authorities would have to deliver through their Local Plans. This would be focused on areas where affordability pressure is highest to stop land supply being a barrier to enough homes being built. We propose that this would factor in land constraints, including the Green Belt, and would be consistent with our aspirations of creating a housing market that is capable of delivering 300,000 homes annually, and one million homes over this Parliament.</li> <li>• To speed up construction where development has been permitted, we propose to make it clear in the revised National Planning Policy Framework that the masterplans and design codes for sites prepared for substantial development should seek to include a variety of development types from different builders which allow more phases to come forward together. We will explore further options to support faster build out as we develop our proposals for the new planning system.</li> <li>• To provide better information to local communities, to promote competition amongst developers, and to assist SMEs and new entrants to the sector.</li> <li>• To make sure publicly-owned land and public investment in development supports thriving places.</li> </ul> | <p>This appears to be a top down, blanket mandate based on delivering 300,000 homes annually, irrespective of the locality, so it is imperative that local plans factor in landscape characteristics, environmental constraints, demographics and population growth trends.</p> <p>This whole issue needs to be debated before numbers are imposed on the local authorities. Decisions on numbers need to accept that 'one size does not fit all', and clarity is needed as to how these figures are determined. Figures should not be based on old data which doesn't take into account leaving the EU, tighter immigration, falling birth rate etc.</p> <p>These assessments need to take account of different parts of the country - with working conditions/methods radically changed due to Covid-19, and unlikely to return to previous ways, the emphasis on the S.E. should be reconsidered, with further development located to regenerate the north.</p> <p>Consultation on the merits or otherwise of "a new nationally-determined, binding housing requirement...[which] would factor in land constraints, including the Green Belt", is premature and meaningless until more details are set out of HOW land constraints will be incorporated into the formula, because this has a fundamental bearing on its acceptability or otherwise.</p> <p>There is a danger here of reducing crucial planning decisions to the use of a computer algorithm. Decisions must include a consideration of the capacity of an area to take development and impacts must be fully assessed through the Local Plan process and local scrutiny.</p> <p>As a fundamental principle, areas which are largely GB or AONB, or otherwise protected, must not be expected to accommodate as much building as other areas.</p> |



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| 1.27  | <p>And for our children and grandchildren, our reforms will leave an inheritance of environmental improvement – with environmental assets protected, more green spaces provided, more sustainable development supported, new homes that are much more energy efficient and new places that can become the heritage of the future, built closer to where people want to live and work to reduce our reliance on carbon-intensive modes of transport.</p>   | <p>This is all very well, but with a potential lack of scrutiny before planning decisions are made, there is a significant risk of environmental standards being lowered and threatening our nation’s natural environment.</p>  |
| <p><b>Pillar One – Planning for Development</b></p>   |   |   |
| 2.5   | <p>Local Plans should instead be focused on where they can add real value: allocating enough land for development in the right places, giving certainty about what can be developed on that land, making the process for getting permission for development as simple as possible, and providing local communities a genuine opportunity to shape those decisions.</p> <p>Local Plans should:</p> <ul style="list-style-type: none"> <li>• be based on transparent, clear requirements for local authorities to identify appropriate levels of, and locations for, development that provide certainty and that applicants and communities can easily understand;</li> <li>• communicate key information clearly and visually so that plans are accessible and easily understandable, and communities can engage meaningfully in the process of developing them;</li> <li>• be published as standardised data to enable a strategic national map of planning to be created;</li> <li>• be developed using a clear, efficient and standard process;</li> <li>• benefit from a radically and profoundly re-invented engagement with local communities so that more democracy takes place effectively at the plan-making stage; and</li> <li>• set clear expectations on what is required on land that is identified for development, so that plans give confidence in the future growth of areas and facilitate the delivery of beautiful and sustainable places.</li> </ul> | <p>Whilst it would be good to involve people more in the preparation of the Local Plan, this will require local authorities to greatly enhance their engagement with the public and to improve the public’s understanding of the plan development process. People are used to being able to comment on a planning application in their local area and to access the supporting technical information if they wish.</p> <p>It is a big ask to expect them to deal with the whole of the Local Plan process and to input at the consultation stages and the Examination. There would be a huge amount of information to wade through if all the supporting information for each development site had to be submitted at the Local Plan stage. There would be a risk that Examinations would become very long and would effectively be determining a number of planning applications at the same time. It would result in all sites having to be considered by a Planning Inspector, rather than being determined by the local Planning Committee. This would be an erosion of local democracy.</p> <p>Q1) Protection, Control, Regulation.</p> <p>Q2) Yes</p> <p>Q3) ‘Other’ – Email, Online news – limited to <u>local</u> planning applications</p> <p>Q4) Three priorities -</p> <ul style="list-style-type: none"> <li>i) The environment, biodiversity and action on climate change</li> <li>ii) The design of new homes and places</li> <li>iii) Increasing the affordability of housing</li> </ul> |
| <p><b>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.</b></p> |   |   |
| 2.8   | <p>Areas that are Protected – this would include sites and areas which, as a result of their particular environmental and/or cultural characteristics, would justify more stringent development controls to ensure sustainability. This would include areas such as Green Belt, Areas of Outstanding Natural Beauty</p>   | <p>Designated areas, including National Parks, AONBs, SSSIs, Green Belts, must be identified as Protected land. The NNPF needs to be given more weight to protect those areas.</p>  |

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|      | <p>(AONBs), Conservation Areas, Local Wildlife Sites, areas of significant flood risk and important areas of green space. At a smaller scale it can continue to include gardens in line with existing policy in the National Planning Policy Framework. It would also include areas of open countryside outside of land in Growth or Renewal areas. Some areas would be defined nationally, others locally on the basis of national policy, but all would be annotated in Local Plan maps and clearly signpost the relevant development restrictions defined in the National Planning Policy Framework.</p> | <p>As well as Local Wildlife Sites, SSSI's and other sites designated as having existing biodiversity value (including habitats of principal importance), the Protected Area category should also be automatically applied to appropriate buffer zones around these areas; and additionally to all areas identified as potential elements of the Nature Recovery Network envisaged in the 25 Year Environment Plan.</p> <p>If Permission in Principle is to be used at all, it should certainly only apply to Growth areas, and not to Renewal areas, as is flagged as one possible option.</p> <p>Establishing the Protected status provides an opportunity to give stronger protection to the Green Belt. Our particular concern in the Chilterns is that land could be removed from the Green Belt, as in a number of our Local Plans, and then given Growth status and automatic planning permission. There is scope to do this even in the face of strong local opposition.</p> <p>We need to close this loophole rather than relying on the demonstration of 'exceptional circumstances' to justify a development. It is not acceptable to argue that a need for housing is sufficient to override Green Belt status.</p> <p>It should be unimaginable that any large area of land be taken out of GB as it must fulfil at least one of the GB criteria. And don't forget GB needs not be beautiful. We also think GB should remain GB in perpetuity and this has become an accepted characteristic attribute. There's no point constraining (say) a town and then in five years moving the goalposts.</p> <p>This has been demonstrated in our local area. In relation to GB and AONB protection, the problem with exceptional circumstances is that effectively Chiltern and South Bucks decided that the need to meet housing number requirements was effectively such, because there was no clear distinction in NPPF to determine which is ultimately paramount.</p> <p>The White Paper's suggestion (which needs meat attaching to it) is that GB is to be protected, but without saying how, needs to be clarified. This needs to be linked directly to our suggestion that GB etc limitations might be a factor in reducing the local housing requirement. The principle for determining the latter is alluded to in the report but no detail is provided.</p> <p>It is flawed also to take a national number and allocate it on the effectively arbitrary lines linked to general requirements, irrespective as to whether they can be met locally, without being able to adjust it if local circumstances. We feel that the protection of the Green Belt is of paramount importance and should not just be 'picked off' to make the numbers fit.</p> |



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|      |   | <p>The issue of substantial Green Belt release was a major part of Chiltern and South Bucks’ problem before the Council decided to withdraw their plan. As C&amp;SB are now part of the larger County authority the available land problem is reduced and there is more potential to avoid the GB etc areas.</p> <p>In the neighbouring authority, Dacorum, which is largely GB, the Council is very inhibited in terms of non-GB land being available and finding new GB to replace the area lost. Our view is that the housing numbers should be reduced or transferred to a neighbouring authority rather than harm the GB.</p> <p>If GB etc is to be protected, therefore, ideally removal should only be permitted if any GB land proposed to be removed does not meet ANY of the GB factors, irrespective of housing requirements for the Authority concerned. GB protection must be confirmed as overriding this, as currently there is conflict, particularly with approval of the Local Plan being ultimately in the hands of the Inspectors and Government Ministers, so LAs are reluctant to risk this</p> <p>More land devoted to housing DOES NOT make housing more affordable or available in perpetuity. Allowing local people onto the housing ladder means putting affordable schemes in place to facilitate ownership.</p> <p>Q5) Yes, Local, Plans should be <u>modified</u> with extensive local input in growth, renewal and protected areas. We do not support 2.11.</p> |
|      | <p><b>Proposal 2: Development management policies established at national scale and an altered role for Local Plans.</b></p>  |  |
| 2.13 | <p>With the primary focus of plan-making on identifying areas for development and protection, we propose that development management policy contained in the plan would be restricted to clear and necessary site or area-specific requirements, including broad height limits, scale and/or density limits for land included in Growth areas and Renewal areas, established through the accompanying text. The National Planning Policy Framework would become the primary source of policies for development management; there would be no provision for the inclusion of generic development management policies which simply repeat national policy within Local Plans, such as protections for listed buildings (although we are interested in views on the future of optional technical standards). We propose to turn plans from long lists of general “policies” to specific development standards.</p> | <p>There is no doubt that the process of preparing Local Plans could be speeded up, but with the plans giving effectively outline planning permission they will have to be more front-loaded and consider more detailed evidence.</p> <p>To be truly local plans, they would need to outline an approach developed with the local community and approved by local Council members. They should also incorporate Neighbourhood Planning as far as possible.</p> <p>The proposed approach, relying on the NPPF, goes against this local focus and imposes a ‘top down’, standard approach to development. There must be a role for local people to influence the Plan and for local politicians to choose the approach to be taken in their area. In an area such as the Chilterns, with a high quality environment and national designations, it is essential that a local strategy can be developed, with neighbouring authorities working together to develop co-ordinated approaches.</p> <p>Q6) Yes to the streamlining of local plans, but No to setting management plans nationally.</p>  |

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| 2.14 | Local planning authorities and neighbourhoods (through Neighbourhood Plans) would play a crucial role in producing required design guides and codes to provide certainty and reflect local character and preferences about the form and appearance of development.  | Local planning authorities and neighbourhoods also need to be able to establish the principle of development and the spatial strategy to be followed.   |
| 2.15 | We want to move to a position where all development management policies and code requirements, at national, local and neighbourhood level, are written in a machine-readable format so that wherever feasible, they can be used by digital services to automatically screen developments and help identify where they align with policies and/or codes.   | <p>This is contradictory to claimed greater weight being given to good design and “beauty”, good design being something that arises from multiple aspects of a development, applied in a coherent and holistic manner, and so is about as far away from a machine-readable tick-box assessment as one could get.</p> <p>The use of GIS is helpful to identify which policies are relevant, but this must not be used on its own to determine whether development is acceptable. There must be suitable environmental assessment and local scrutiny of all proposals.</p> <p>If new technology, incorporating algorithms, is to be developed for use by local authorities, it also has to be possible to make it available at a reasonable cost to applicants, agents and consultees, so that applications are submitted and determined in the right form. Would there, therefore be one system for the whole of England or would each planning authority have its own system?</p>   |
|      | <b>Proposal 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.</b>   |   |
| 2.19 | <ul style="list-style-type: none"> <li>• We propose to abolish the Sustainability Appraisal system and develop a simplified process for assessing the environmental impact of plans, which would continue to satisfy the requirements of UK and international law and treaties.</li> <li>• The Duty to Cooperate test would be removed (although further consideration will be given to the way in which strategic cross-boundary issues, such as major infrastructure or strategic sites, can be adequately planned for, including the scale at which plans are best prepared in areas with significant strategic challenges).</li> <li>• a slimmed down assessment of deliverability for the plan would be incorporated into the “sustainable development” test.</li> </ul> | <p>We object to the proposal to remove the sustainability appraisal system. This provides a systematic approach to assessing sustainability issues in the Local Plan Development process.</p> <p>In the Chilterns, a crucial part of the SA process is to assess alternative options. Where decisions are potentially having detrimental impacts on Green Belt or AONB it is essential that the Council and the Inspector have considered all alternatives to developing in designated areas, and this is the only option remaining. This process helps to determine whether there are ‘exceptional circumstances’ in the AONB or ‘very special circumstances’ in the Green Belt.</p> <p>If planning permissions are to be determined as part of the Local Plan process, the SAs need to be extended so that they take into account additional evidence such as ecological surveys, heritage assessments and landscape and visual impact assessments for each individual site.</p> <p>The White Paper does not specify what the single sustainability test would involve. We would hope to have the opportunity to comment further on this in due course.</p> <p>To protect an area such as the Chilterns from inappropriate development it is essential for local authorities to work closely together to develop a consistent approach. The Glover Review recommended a single Local Plan for the</p> |

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|      |  | <p>Chilterns, without specifying how this would work in practice. In the absence of the formal duty to co-operate, we would advocate plans being developed on a more regional basis, such as Oxfordshire, Buckinghamshire and SW Herts. Without a duty to co-operate we would be likely to have the kind of impasse we have between Slough and Chiltern &amp; South Bucks where no agreement has been reached on unmet need, so the Local Plan has to be withdrawn.</p> <p>Q7(a) It is not possible to answer this without details of the new test. In principle we oppose scrapping the SA process.<br/>Q7(b) Not sure. This depends on what would replace it.</p>   |
|      | <p><b>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.</b></p>  |   |
| 2.25 | <ul style="list-style-type: none"> <li>• The relative affordability of places (so that the least affordable places where historic under-supply has been most chronic take a greater share of future development);</li> <li>• The extent of land constraints in an area to ensure that the requirement figure takes into account the practical limitations that some areas might face, including the presence of designated areas of environmental and heritage value, the Green Belt and flood risk. For example, areas in National Parks are highly desirable and housing supply has not kept up with demand; however, the whole purpose of National Parks would be undermined by multiple large scale housing developments so a standard method should factor this in;</li> <li>• the opportunities to better use existing brownfield land for housing, including through greater densification. The requirement figure will expect these opportunities to have been utilised fully before land constraints are taken into account;</li> </ul> | <p>We are fairly neutral on the principle of whether an assessment of housing need or a mandatory housing requirement is the best approach for setting housing targets; the latter at least has the merit of clarity. But using affordability in any formula for calculating targets is flawed, since relative unaffordability is predominantly determined by factors other than simplistic supply / demand model; it will reinforce and perpetuate patterns of growth, and the resultant inequality between areas of the country, with “overheating” in the south, and decline in the north, and thus is directly contrary to the levelling up agenda and the need to direct development to those areas which need it; it will also push growth towards more rural LPAs (where house prices are inevitably higher as a result of the rurality), where sustainable growth is harder to achieve because of greater car-dependency, poorer access to facilities, inappropriateness in such areas of high densities etc.</p> <p>As stated under 1.20, consultation is premature and meaningless until more details are set out of HOW land constraints will be incorporated into the formula.</p> <p>Q8 (a) No</p> <p>Q8(b) No</p> |
| 2.29 | <p>We have published a separate consultation on proposed changes to the standard method for assessing local housing need which is currently used in the process of establishing housing requirement figures. The future application of the formula proposed in the revised standard method consultation will be considered in the context of the</p>   | <p>Our main concern here is as to how the Green Belt and AONB in the Chilterns will be addressed through adjustments to housing numbers. Several of our authorities have high percentages on GB and AONB land, making it difficult for local authorities to identify housing sites.</p>   |

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|      | proposals set out here. In particular, the methodology does not yet adjust for the land constraints, including Green Belt. We will consider further the options for doing this and welcome proposals.  | We would suggest that the Councils should calculate the percentage of land in the LPA which falls into the categories of land that merit Protected area status, and reduce the headline figure by that percentage. This would have the dual benefit of reducing the pressure on protected areas whilst removing the need to put more concentrated development in non-protected areas of the District. |
|      | <b>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.</b>  |   |
| 2.30 | There will therefore be no need to submit a further planning application to test whether the site can be approved. Where the Local Plan has identified land for development, planning decisions should focus on resolving outstanding issues – not the principle of development.   | This would emasculate influence of local authorities. Planning permission could also be determined by the Inspector at the Examination, possibly going against the recommendations of the local authority members.  |
| 2.33 | <p>In areas suitable for development (Renewal areas), there would be a general presumption in favour of development established in legislation (achieved by strengthening the emphasis on taking a plan-led approach, with plans reflecting the general appropriateness of these areas for development). Consent for development would be granted in one of three ways:</p> <ul style="list-style-type: none"> <li>• for pre-specified forms of development such as the redevelopment of certain building types, through a new permission route which gives an automatic consent if the scheme meets design and other prior approval requirements (as discussed further under the fast-track to beauty proposals set out under Pillar Two);</li> <li>• for other types of development, a faster planning application process where a planning application for the development would be determined in the context of the Local Plan description, for what development the area or site is appropriate for, and with reference to the National Planning Policy Framework; or</li> <li>• a Local or Neighbourhood Development Order.</li> </ul> | It is essential that the environmental impacts of applications and proposals for biodiversity net gain are fully considered in the planning application process.  |
| 2.35 | In areas where development is restricted (Protected areas) any development proposals would come forward as now through planning applications being made to the local authority (except where they are subject to permitted development rights or development orders), and judged against policies set out in the National Planning Policy Framework.   | The use of PD rights for change of use of buildings to other uses should be reconsidered in protected areas. There need to be environmental safeguards built into the process.  |
| 2.36 | We will consider the most effective means for neighbours and other interested parties to address any issues of concern where, under this system, the principle of development has been established leaving only detailed matters to be resolved.   | <p>Opportunities for neighbours and other interested parties to have meaningful input on detailed matters must be at least as extensive as for planning applications now.</p> <p>Q9 (a) NO, checks and balances must remain in place and every development should be judged on its merits.</p>  |

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|      |  | <p>Q9 (b) NO<br/>Q9 (c) NO – even in ‘growth’ designated areas, all planning applications must be subject to input by the local planning authority.</p>   |
|      | <p><b>Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology.</b></p>  |   |
| 2.39 | <ul style="list-style-type: none"> <li>• The greater digitalisation of the application process to make it easier for applicants, especially those proposing smaller developments, to have certainty when they apply and engage with local planning authorities.</li> <li>• A new, more modular, software landscape to encourage digital innovation and provide access to underlying data. This will help automate routine processes, such as knowing whether new applications are within the rules, which will support faster and more certain decision-making.</li> <li>• For major development, beyond relevant drawings and plans, there should only be one key standardised planning statement of no more than 50 pages to justify the development proposals in relation to the Local Plan and National Planning Policy Framework.</li> <li>• Greater standardisation of technical supporting information, for instance about local highway impacts, flood risk and heritage matters. We envisage design codes will help to reduce the need for significant supplementary information, but we recognise there may still need to be site specific information to mitigate wider impacts. For these issues, there should be clear national data standards and templates developed in conjunction with statutory consultees.</li> <li>• The delegation of detailed planning decisions to planning officers where the principle of development has been established, as detailed matters for consideration should be principally a matter for professional planning judgment.</li> </ul> | <p>Whilst we would support streamlining the process and using technology as part of the process, we are concerned that requiring just a Planning Statement could negate the requirement for other technical supporting information.</p> <p>In particular, in Protected areas, such as the AONB, there should still be a Landscape and Visual Impact Assessment, an ecological appraisal and a heritage assessment, depending on the specific application. Applicants will also have to justify their proposals for achieving a biodiversity net gain as part of the development.</p> <p>The Government’s aim is to develop Nature Recovery Networks to achieve ecological improvements on a large scale. This should require all developments to assess how they could contribute to this. Proposals must be built into the development, rather than just incorporating occasional tree planting.</p> |
| 2.40 | <p>We also believe there should be a clear incentive on the local planning authority to determine an application within the statutory time limits. This could involve the automatic refund of the planning fee for the application if they fail to determine it within the time limit. But we also want to explore whether some types of applications should be deemed to have been granted planning permission if there has not been a timely determination, to ensure targets are met and local authorities keep to the time limit in the majority of cases.</p>   | <p>We are absolutely opposed to the second proposal in this paragraph, viz automatic permission if time limit exceeded. We have some sympathy with the first one, because decisions DO currently take too long; but it is important that LPAs are as ready to make quick REFUSALS as they are permissions.</p> <p>Some applications are delayed due to applicants being asked to provide additional information. There must be some provision to allow for this or applicants may deliberately delay the application beyond the deadline. There must be flexibility for deadlines to be varied.</p>   |
| 2.41 | <p>To promote proper consideration of applications by planning committees, where applications are refused, we propose that applicants will be entitled to an automatic rebate of their planning application fee if they are successful at appeal.</p>  | <p>Absolutely opposed. (Unless there is a complementary provision that where appeals are rejected, the applicant automatically pays the LPA’s costs). It would be difficult and expensive to enforce.</p>   |

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|      |  | Q 10 YES, provided the requisite equipment is made available to local authorities and consultees.  |
|      | <b>Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.</b>  |  |
| 2.43 | To support local authorities in developing plans in this new format, we will publish a guide to the new Local Plan system and data standards and digital principles, including clearer expectations around the more limited evidence that will be expected to support “sustainable” Local Plans, accompanied by a “model” template for Local Plans and subsequent updates, well in advance of the legislation being brought into force. This will support standardisation of Local Plans across the country. The text-based component of plans should be limited to spatially-specific matters and capable of being accessible in a range of different formats, including through simple digital services on a smartphone.   | There is a danger of over-simplifying the system and taking out essential detail from the plans. The allocation of land is clearly a technical process and evidence needs to be compiled and taken into account.   |
| 2.45 | By shifting plan-making processes from documents to data, new digital civic engagement processes will be enabled. making it easier for people to understand what is being proposed where and how it will affect them. These tools have the potential to transform how communities engage with Local Plans, opening up new ways for people to feed their views into the system, including through social networks and via mobile phones.  | Q 11 YES, with the caveat that too much engagement could have the effect of ‘too many chefs...’. These new forms of engagement should be in addition to the current processes.   |
|      | <b>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.</b>   |  |
| 2.48 | We propose that the process covers five stages, with meaningful public engagement at two stages: <ul style="list-style-type: none"> <li>• Stage 1 [6 months]: The local planning authority “calls for” suggestions for areas under the three categories, including comprehensive “best in class” ways of achieving public involvement at this plan-shaping stage for where development should go and what it should look like.</li> <li>• Stage 2 [12 months]: The local planning authority draws up its proposed Local Plan, and produces any necessary evidence to inform and justify the plan. “Higher-risk” authorities will receive mandatory Planning Inspectorate advisory visits, in order to ensure the plan is on track prior to submission.</li> <li>• Stage 3 [6 weeks]: The local planning authority simultaneously (i) submits the Plan to the Secretary of State for Examination together with a Statement of Reasons to explain why it has drawn up its plan as it has; and o (ii) publicises the plan for the public to comment on. Comments seeking change must explain how the plan should be changed and why. Again, this process would</li> </ul> | We are reasonably comfortable with some sort of statutory timetable, since Local Plans DO take too long to produce. But LPAs need to be provided with adequate resources to enable them to carry out this work.<br><br>Q 12 YES, with the caveat that checks and balances must not be removed. |



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|      | <p>embody ‘best in class’ ways of ensuring public involvement. Responses will have a word count limit.</p> <ul style="list-style-type: none"> <li>• Stage 4 [9 months]: A planning inspector appointed by the Secretary of State considers whether the three categories shown in the proposed Local Plan are 35 “sustainable” as per the statutory test and accompanying national guidance and makes binding changes which are necessary to satisfy the test. The plan-making authority and all those who submitted comments would have the right to be “heard” by the inspector (whether face to face, by video, phone or in writing – all at the inspector’s discretion). The inspector’s report can, as relevant, simply state agreement with the whole or parts of the council’s Statement of Reasons, and/or comments submitted by the public.</li> <li>• Stage 5 [6 weeks]: Local Plan map, key and text are finalised, and come into force.</li> </ul> |  |
|      | <p><b>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.</b></p>   |  |
| 2.56 | <p>We think Neighbourhood Plans should be retained in the reformed planning system, but we will want to consider whether their content should become more focused to reflect our proposals for Local Plans, as well as the opportunities which digital tools and data offer to support their development and improve accessibility for users. By making it easier to develop Neighbourhood Plans we wish to encourage their continued use and indeed to help spread their use further, particularly in towns and cities. We are also interested in whether there is scope to extend and adapt the concept so that very small areas – such as individual streets – can set their own rules for the form of development which they are happy to see.</p>  | <p>Yes, Neighbourhood Plans should be retained. In the new more centralised system being proposed here, they are necessary to provide some semblance of local involvement.</p> <p>Q 13a YES</p>  |
| 2.57 | <p>Digital tools have significant potential to assist the process of Neighbourhood Plan production, including through new digital co-creation platforms and 3D visualisation technologies to explore proposals within the local context. We will develop pilot projects and data standards which help neighbourhood planning groups make the most of this potential.</p>  | <p>Making Neighbourhood Plans too technology based may put some people off getting involved in their local Neighbourhood Plan. Technology should be a tool to help the process, but not take it over.</p> <p>Q 13 (b) By enabling the acquisition of the requisite digital tools and by encouraging collaboration with other local parishes.</p> <p>Q 14 N/A</p> |
|      | <p><b>Proposal 10: A stronger emphasis on build out through planning</b></p>  | <p>We support the proposal that masterplans should seek to include a variety of development types by different builders which allow more phases to come forward together. Also suggest combination of stiff financial penalties and cancellation of permissions where allocated sites are “sat on” by developers.</p>  |

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|   |   | <p>In relation to land with permission being held back in land banks, including to let it increase in value, one suggestion might be to charge additional and increasing fees to renew consent after say 5 years.</p> <p>Penalties for failure to develop could be introduced, possibly assessed by reference to the number of houses permitted, with permission cancelled if site has not been materially developed within 10 years.</p> |
| <b>Pillar Two – Planning for beautiful and sustainable places</b> |   |   |
| 3.1   | We want to ensure that we have a system in place that enables the creation of beautiful places that will stand the test of time, protects and enhances our precious environment, and supports our efforts to combat climate change and bring greenhouse gas emissions to net-zero by 2050.  | Generally, we support this approach, although we are not convinced that ‘beautiful’ is the right test. It is more a question of ensuring design is appropriate to its location.   |
| 3.2   | Planning should be a powerful tool for creating visions of how places can be, engaging communities in that process and fostering high quality development: not just beautiful buildings, but the gardens, parks and other green spaces in between, as well as the facilities which are essential for building a real sense of community. It should generate net gains for the quality of our built and natural environments - not just ‘no net harm’.   | We support this.  |
| 3.6   | To address this challenge, this autumn we will publish a National Model Design Code to supplement the guide, setting out more detailed parameters for development in different types of location: issues such as the arrangement and proportions of streets and urban blocks, positioning and hierarchy of public spaces, successful parking arrangements, placement of street trees, and high quality cycling and walking provision, in line with our wider vision for cycling and walking in England. | <p>Q 15 No comment</p> <p>Q 16 Protect, conserve and enhance the Chilterns AONB and the Green Belt. Plan, design and build accordingly to reflect developing demographics and growth trends.</p>  |
|   | <b>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.</b>   |   |
| 3.7   | As national guidance, we will expect the National Design Guide, National Model Design Code and the revised Manual for Streets to have a direct bearing on the design of new communities. But to ensure that schemes reflect the diverse character of our country, as well as what is provably popular locally, it is important that local guides and codes are prepared wherever possible.  | <p>The Chiltern Society and Chiltern Conservation Board produced a comprehensive design guide which is used as supplementary planning guidance, and this encouragement is welcome.</p> <p>Q17. Yes, agree with proposals</p>  |
| 3.8   | To underpin the importance of this, we intend to make clear that designs and codes should only be given weight in the planning process if they can demonstrate that this input has been secured.  | <p>Too little emphasis has been put on this and that is why we are getting such bland and monotonous developments because the developers go for the cheapest option. More power needs to be given to local authorities to insist on better designs and to take into account local character.</p> <p>Q 17 Yes, as long as they reflect local and regional characteristics, e.g. the Chilterns Buildings Design Guide</p>                   |

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|      | <b>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.</b>   |  |
| 3.11 | We will explore the options for establishing a new expert body which can help authorities make effective use of design guidance and codes, as well as performing a wider monitoring and challenge role for the sector in building better places.  | Adding another layer to the planning process will not help streamline it. However, we welcome emphasising the importance of good design reflecting its location.<br><br>Q 18 YES, in spite of the risk of imposing another management layer  |
| 3.12 | We will also bring forward proposals later this year for improving the resourcing of planning departments more broadly; and our suggestions in this paper for streamlining plan-making will allow some re-focusing of professional skills.  | We support this.   |
|      | <b>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.</b>   | Q 19 YES, provided they reflect local characteristics and traditions.  |
|      | <b>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.</b>   | We would need further information on this to comment in any detail.  |
| 3.17 | Through updating the National Planning Policy Framework, we will make clear that schemes which comply with local design guides and codes have a positive advantage and greater certainty about their prospects of swift approval.   | We support this.   |
| 3.18 | Where plans identify areas for significant development (Growth areas), we will legislate to require that a masterplan and site-specific code are agreed as a condition of the permission in principle which is granted through the plan.  | A Masterplan will be crucial if outline permissions are to be issued through local plans. They would need to be accompanied by supporting information assessing the environmental impacts of development.  |
| 3.19 | We also propose to legislate to widen and change the nature of permitted development, so that it enables popular and replicable forms of development to be approved easily and quickly, helping to support ‘gentle intensification’ of our towns and cities, but in accordance with important design principles.  | We don’t understand how identikit houses can possibly be deemed good design or “beautiful”. They could be, in some situations, but it needs active control, not PD.<br><br>The term ‘gentle intensification’ is totally meaningless and should be removed. In some urban areas, more dense development would help to protect the surrounding rural areas from development. |
| 3.20 | We intend to develop a limited set of form-based development types that allow the redevelopment of existing residential buildings where the relevant conditions are satisfied – enabling increased densities while maintaining visual harmony in a range of common development settings (such as semi-detached suburban development). These would benefit from permitted development rights relating to the settings in which they apply. | This approach would not be appropriate in AONBs where detailed design and landscape impacts are significant considerations. In the Chilterns it is crucial to retain and enhance local distinctiveness in the face of increasing and uniform types of development in the surrounding areas.  |

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| 3.21 | This proposal will require some technical development and testing, so we will develop a pilot programme to test the concept. Where we are taking forward existing schemes to expand the scope of permitted development through upwards extensions and demolition/rebuilding, we also intend to legislate so that prior approval for exercising such rights takes into account design codes which are in place locally (or, in the absence of these, the National Model Design Code).  | Instead of developing a pilot programme, we believe it would be better to identify LPAs that come close to reflecting the proposed concept and develop the programme with them, e.g. South & Vale.<br><br>Q 20 YES, but to include Permitted Development. |
| 3.22 | The reformed planning system will continue to protect the places of environmental and cultural value which matter to us. Plans will still play a vital role in identifying not just areas of defined national and international importance (such as National Parks and Sites of Special Scientific Interest), but also those which are valued and defined locally (such as Conservation Areas and Local Wildlife Sites).  | And AONBs.  |
| 3.23 | In line with the ambitions in our 25 Year Environment Plan, we want the reformed system to play a proactive role in promoting environmental recovery and long-term sustainability. In doing so, it needs to play a strong part in our efforts to mitigate and adapt to climate change and reduce pollution as well as making our towns and cities more liveable through enabling more and better green spaces and tree cover. Several initiatives are already laying the foundations for this. Nationally, the Environment Bill currently before Parliament will legislate for mandatory net gains for biodiversity as a condition of most new development. And the Local Nature Recovery Strategies which it will also introduce will identify opportunities to secure enhancements through development schemes and contributions. | We fully support this approach. It is crucial that this is embedded in the planning system going forward.   |
|      | <b>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.</b>   | This statement is a bit vague and demonstrates to us how government has simply not 'got' addressing climate change; assessing impacts on carbon emissions and climate change adaptation should be central to all planning policies.                       |
| 3.25 | These measures, and reform of our policy framework, provide important opportunities to strengthen the way that environmental issues are considered through the planning system. However, we also think there is scope to marry these changes with a simpler, effective approach to assessing environmental impacts.   | It may be possible to streamline the environmental assessment process, but it is crucial that impacts are fully assessed, and opportunities are maximised for environmental enhancements.   |
| 3.26 | we will want to be clear about the role that local, spatially-specific policies can continue to play, such as in identifying important views, opportunities to improve public access or places where renewable energy or woodland and forestry creation could be accommodated.  | There is a crucial role for local plans in identifying those features and assets that are of most importance in their local area. This can be further developed through Neighbourhood Plans.  |

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|      | <b>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.</b>  | See response under 1.18 above.  |
| 3.27 | It is vital that environmental considerations are considered properly as part of the planning and development process. However, the current frameworks for doing so – which include Strategic Environmental Assessment, Sustainability Appraisal, and Environmental Impact Assessment – can lead to duplication of effort and overly long reports which inhibit transparency and add unnecessary delays. Outside of the European Union, it is also important that we take the opportunity to strengthen protections that make the biggest difference to species, habitats and ecosystems of national importance, and that matter the most to local communities. | We are strongly opposed to these changes as a reduction in scrutiny for environmental impacts would create a real and present threat to the AONB and Green Belt in the Chilterns. See response under 1.18 above.  |
|      | <b>Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century</b>   |   |
| 3.29 | We envisage that Local Plans will clearly identify the location of internationally, nationally and locally designated heritage assets, such as World Heritage Sites and conservation areas, as well locally important features such as protected views.   | We support this.  |
| 3.30 | We also want to ensure our historic buildings play a central part in the renewal of our cities, towns and villages. Many will need to be adapted to changing uses and to respond to new challenges, such as mitigating and adapting to climate change.  | We support this.  |
| 3.31 | We will, therefore, review and update the planning framework for listed buildings and conservation areas, to ensure their significance is conserved while allowing, where appropriate, sympathetic changes to support their continued use and address climate change.   | Need to be cautious here – although, as stated above, climate change issues are important, this should not be at the cost of destroying historic character – listed buildings form such a tiny proportion of building stock, they are not crucial to achieving the net zero target. |
|      | <b>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.</b>  | We welcome energy efficiency, grey water/dual plumbing, permeable paving, sunshine harvesting etc measures to reduce building’s carbon footprint on the environment.  |
| 3.35 | As local authorities are freed from many planning obligations through our reforms, they will be able to reassign resources and focus more fully on enforcement. Ensuring that planning standards and building regulations are met, whether for new homes or for retrofitting old homes, will help to ensure that we deliver homes that are fit for the future and cheaper to run.   | The hint that LPAs will potentially be (again) allowed to set their own higher standards for energy efficiency is welcome, and we would explicitly support it.<br><br>All of Pillar 2 could be incorporated almost seamlessly into improving the NPPF.                              |

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| <b>Pillar 3 – Planning for infrastructure and connected places</b> |  |   |
|  | <p><b>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.</b></p>  | <p>Whilst we agree it would add clarity to the system to have a standard payment, the principle needs to remain that developers are contributing to infrastructure directly related to their development.</p> <p>There is a danger of this becoming a blanket ‘tax’ on development with Councils pooling money to undertake works elsewhere in their District.</p> <p>‘In kind’ contributions also need to be allowed for in the process.</p> <p>Q 21 Protection of the Chilterns AONB and Green Belt in every respect</p>  |
| 4.8  | <p>We believe that the current system of planning obligations under Section 106 should be consolidated under a reformed, extended ‘Infrastructure Levy’.</p>   | <p>We propose that the (C)IL is levied on ALL new-build and qualifying extensions, including separate buildings and self-build projects.</p>  |
| 4.9  | <p>This would be based upon a flat-rate, valued-based charge, set nationally, at either a single rate, or at area-specific rates.</p> <ul style="list-style-type: none"> <li>• Provide greater certainty for communities and developers about what the level of developer contributions are expected alongside new development.</li> </ul> | <p>We support the levy principle with no let out. Also, any new housing bonus should be only used for infrastructure works and not included in the general revenue of the LA. There should be no let out from levy eg viability.</p> <p>Such a requirement would in due course be taken into account in assessing the purchase value of land for which there is potential, and should not increase the ultimate developed property prices. It is particularly important for areas for which any permitted development is determined.</p> <p>Infrastructure is important but it should look to the future and not just more and more roads.</p> <p>It is essential to clarify how biodiversity net gain is to be built into the Infrastructure Levy. It must be built into the system in such a way that it can’t be ‘negotiated out’ by developers on the basis of lack of viability.</p> <p>The Natural England process (or similar) for measuring biodiversity net gain must be incorporated into decision-making on-site selection in the Local Plan process and in relation to planning applications. Contributions must be agreed with the developer, which secure site enhancements treated as ‘in kind’ contributions, or in exceptional cases financial contributions. The situation must not be allowed to arise where developers play off one type of contribution against another. Otherwise our wildlife networks will continue to decline, and the objectives of the 25 Year Environment Plan would be missed.</p> |
| 4.13   | <p>To better support the timely delivery of infrastructure, we would also allow local authorities to borrow against Infrastructure Levy revenues so that they could forward fund infrastructure.</p>   | <p>This approach could work well for biodiversity net gain, allowing new habitats to be created ahead of the harm to existing habitats.</p>   |



| Para | Section from the Consultation Report  | Chiltern Society Comments  |
|------|---|--|
|      |   | <p>Q 22 (a) YES, but we favour retaining the term Community Infrastructure Levy (CIL) as it better reflects local interest and support.</p> <p>Q 22 (b) it should be set locally, to better reflect the local economy</p> <p>Q 22 (c) it should aim to capture more value, but depending on local conditions.</p> <p>Q 22 (d) YES, provided adequate checks and balances are in place.</p> |
|      | <p><b>Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights.</b></p>   |  |
| 4.19 | <p>In making this change to developer contributions for new development, the scope of the Infrastructure Levy would be extended to better capture changes of use which require planning permission, even where there is no additional floorspace, and for some permitted development rights including office to residential conversions and new demolition and rebuild permitted development rights. This approach would increase the levy base, and would allow these developments to better contribute to infrastructure delivery and making development acceptable to the community.</p> | <p>Q 23 YES. This would help to close a loophole in the system.</p>  |
|      | <p><b>Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision.</b></p>  |  |
| 4.21 | <p>With Section 106 planning obligations removed, we propose that under the Infrastructure Levy, authorities would be able to use funds raised through the levy to secure affordable housing.</p>   | <p>On site provision would be better in most cases.</p>  |
| 4.22 | <p>This could be secured through in-kind delivery on-site, which could be made mandatory where an authority has a requirement, capability and wishes to do so. Local authorities would have a means to specify the forms and tenures of the onsite provision, working with a nominated affordable housing provider.</p>   | <p>We support this.</p>  |
|      |   | <p>Q 24 (a) YES</p> <p>Q 24 (b) both, depending on circumstances</p> <p>Q 24 (c) YES</p> <p>Q 24 (d) YES, commensurate with the planning application.</p>  |
|      | <p><b>Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy.</b></p>  | <p>Local authorities should definitely NOT have the restrictions on how they spend the Infrastructure Levy lifted. In most local authority areas planning obligations do not provide sufficient funding to put in the necessary new infrastructure. This must be done before money is spent on other priorities.</p> <p>Q 25 NO</p>  |

| Para                     | Section from the Consultation Report   | Chiltern Society Comments   |
|--------------------------|--|---|
| <b>Delivering Change</b> |  |   |
| 5.7                      | We also want to make better use of surplus land owned by the public sector, and to level up public investment in development to support renewal of towns and cities across the country, giving power to communities to shape its future use and bringing investment to places across the country.  | There is a crucial role for public land to play in delivering Biodiversity Net Gain and enhancing Nature Recovery Networks. |
|                          | <b>Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms.</b>  | We support most elements of what is set out here.   |
|                          | <b>Proposal 24: We will seek to strengthen enforcement powers and sanctions</b>  | We support this.  |
| 5.29                     | We will review and strengthen the existing planning enforcement powers and sanctions available to local planning authorities to ensure they support the new planning system. We will introduce more powers to address intentional unauthorised development, consider higher fines, and look to ways of supporting more enforcement activity. | We support this.  |

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