

Written evidence submitted by WMCA Cultural Leadership Board [FPS 029]

Introduction

These representations reflect the views of the West Midlands Combined Authority Cultural Leadership Board, comprised of volunteers from across the cultural sector in the West Midlands. The WMCA Cultural Leadership Board was established in 2019 as an advisory board consisting of members from the arts & cultural sector across the WMCA area. The board's vision statement is: "The WMCA Cultural Leadership Board (CLB) places culture at the heart of sustainable growth in the region, enhancing quality of life for its diverse communities." The Board's mission is to look for strategic opportunities to test the transformative role of culture across WMCA's policy areas, including transport and housing, skills, digital, the environment, wellbeing and inclusive communities. It is committed to building an innovative and entrepreneurial cultural sector, with leadership that reflects the diversity of our region, and supporting a world-class cultural offer that is accessible to all." This representation is from the CLB as an advisory board and not from the WMCA itself, who are providing a separate representation developed by the Housing and Land Delivery Board. However, there are many points of overlap and agreement between the two representations. We do recognise and appreciate some important messages in the white paper. As a group we are therefore happy to contribute further on subsequent proposals as they emerge. We are also open to more proactive engagement.

Is the current planning system working as it should do? What changes might need to be made? Are the Government's proposals the right approach?

We want to stress the role of culture in the planning of great places¹²³ and to express our concern about the narrow housing delivery focus the White Paper adopts in its current form, avoiding any consideration to other land uses and the potential impacts on those. We are concerned that there are little considerations about the protection and impact on cultural venues, organisations, and activities throughout the proposals. Land values and housing markets have impacts beyond the housing delivery targets which the paper is concerned with and risk endangering current cultural developments, by making them unviable or unattractive proposals. We are afraid little consideration is given to the impact of the proposals on the viability of cultural schemes, especially in Growth and Renewal zones. The paper has an overall bent towards promoting new-built developments, lacking in detail any encouragement and protection of re-purposed buildings and meanwhile uses. If such uses are to be impacted negatively, there could be a disproportionate impact on the cultural sector. The focus on beauty and fast-track for developments which meet requirements in Design Codes could also hinder cultural developments as those are usually diverse in their design and function and often can hardly be codified. The sole focus on physicality neglects the impact on social, economic and cultural lives of people that the planning system has. The potential replacement of the Communities Infrastructure Levy and S106 need to also consider what it takes to create good places, by making sure funding is protected and allocated to cultural uses and developments.

¹ See the TCPA Good Practice Guide: https://www.london.gov.uk/sites/default/files/tcpa_culture_guide.pdf

² See the TCPA's case studies on regenerating places and communities through culture: <https://www.tcpa.org.uk/culture-case-studies>

³ See the Local Government Association Culture-led regeneration case studies: <https://www.local.gov.uk/topics/culture-tourism-leisure-and-sport/culture-led-regeneration-case-studies>

Under the proposals, the success of Growth zones will rely on the comprehensive and meaningful community engagement at the Local Plan, as well as, at the rigorous enforcement of Design codes. We are afraid that in such processes the voice of cultural organisations and communities has not been considered. In the absence of the duty to be heard, there will be very little opportunity for local communities to preserve cultural venues and activities, which often are situated in areas potentially to be designated as Growth zones. In a fast-tracked process for approval, we are afraid that cultural venues within the Growth designation will have little to no ability to object. This will particularly hurt young cultural organisations and start-ups which might have not existed and therefore been able to influence or be considered at the formation of the Local Plan. Additionally, freeholders who own cultural venues in a Growth zone might prioritise housing over retaining the cultural asset, which will be of detriment to many established cultural developments. The combined impacts will be devastating to the ability of communities to nurture and kick-start cultural and creative practices in Growth areas.

We are alarmed that Renewal zone allocations will set up a similar set of issues to the Growth allocation. Freeholders who own cultural venues in a Renewal zone might prioritise housing over retaining the cultural asset, which will be of detriment to many cultural developments. Zoning of Renewal will most likely encompass majority of music venues and nightclubs; therefore, the Local Plan or national policies will have to be able to provide strong safeguards in areas where such assets are to be protected and preserved for the community.

A localised protection for cultural venues, organisations and developments should be considered within the designations of Growth and Renewal. An equivalent to the Protect zone but a bespoke designation. The Protect zones define 'cultural characterises' as one of the criteria for designation. However, this needs to be better defined to truly engage with cultural activities, venues and organisation of significance to local communities.

Currently, the 2012 and 2018 NPPF stipulates that Local Plans and planning policies should:

- set an overall strategy for the provision of cultural infrastructure by including policies, and strategic site allocations, necessary to provide it*
- set criteria, or identify strategic sites, for local and inward investment to meet anticipated needs over the plan period for creative industries*
- seek to address potential barriers to investment, such as inadequate infrastructure*
- allow for new and flexible working practices (such as live-work accommodation)*
- allocate a range of suitable sites to meet the scale and type of cultural facilities needed in town centres*

We would welcome further strengthening of those policies, if the NPPF is to become the sole policy document against which applications in Protect areas are examined. In Growth and Renewal areas, we would be alarmed if those policies are not reflected in the Local plans against which a planning application is examined.

We are alarmed that the proposed changes to the planning can adversely impact cultural practitioners in the West Midlands, such as freelancers and sole traders, and in particular, young people, women and BAME representation in the arts and culture. The 2018 report ' Diversity and Cultural Leadership in the West Midlands'⁴ by Dr Karen Patel and Dr Annette Naudin for the West Midlands Leadership

Commission specifically points out to the fact that the creative industries in the region remain unequal in access and opportunity. We are very concerned that by introducing a planning system which will encourage housebuilding and discourage independent cultural developments to take place, future opportunities for access by underrepresented communities in the cultural sphere will be taken away. We are concerned that the lack of protection for cultural venues in the current zoning proposals will further create challenges to the access to culture that communities across the West Midlands face. The potential disintegration of cultural ecosystems due to viability issues the new planning system will introduce, as well as, potential impact of amended S106 and CIL funding, do not align with the goals that the Cultural Leadership Board pursues, in particular to promote a diverse and representative cultural practice across the region. In the context of the Black Lives Matter movement, we urge you to rethink the implications of the White Paper in connection with allowing access to culture to all communities across the Midlands.

How can the planning system ensure that buildings are beautiful and fit for purpose?

We are alarmed of the creation of a fast track system for developments which meet a specific set of physically defined parameters, as this risks the creation of a market which favours these developments to the detriment of others, such as functions housed in re-purposed buildings, which might not be meeting the definition of beauty. We are concerned that the paper only defines physical parameters of beauty and makes no mention of function. In many cases, cultural developments might be forced out of a neighbourhood if a fast-track system is created, which does not consider the function on an existing building or plot of land. We are alarmed especially in the case of further extending permitted development rights for ‘replicable and popular developments’, as this doesn’t instil confidence that the role and replicability of cultural developments has been taken into account. Expanding permitted development rights in this manner risks to prioritise easily replicable housing developments, thus in some cases threatening cultural and creative clusters.

What approach should be used to determine the housing need and requirement of a local authority?

We have no overall objections in principle to the creation of a more efficient and streamlined plan making process. We are concerned about the reduced time to consult with local communities and in particular with the ability to fully consider the full context of the local plan in a shorter time frame. We are concerned that issues of cultural importance might be overlooked or that cultural organisations might not be able to mobilise and respond to the plan making process in the six months timeframe of initial consultation. We would welcome strengthening of the statutory bodies to be consulted in the plan making process, where those aim to enfranchise cultural representative organisations.

We are concerned about the abolition of the ‘right to be heard’ which is often the sole opportunity for community members to voice their concern to the planning committee members. We would encourage this to be retained and not to be consigned solely to a planning official’s role.

In principle we are supportive of the proposals to introduce Design Codes. However, we cannot judge how widely community consultation and engagement will be able to feed into those codes. If design codes are to assume greater importance in the ‘plan-making’ process, then local communities should

⁴ Available at: <https://www.wmca.org.uk/media/2690/report-diversity-and-cultural-leadership-in-the-west-midlands.pdf>

be allowed sufficient opportunities to comment upon and influence their content. Design Codes will also need to consider the role culture can play in place making in its definitions particularly in the Model National Design Code. Culture as a term is currently largely absent from the National Design Guide.

Furthermore, the white paper offers no clarity on the legal/formal status of such codes, and therefore the ability of local authorities to enforce compliance with them.

How can the planning system ensure adequate and reasonable protection for areas and buildings of environmental, historical, and architectural importance?

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