

Written evidence submitted by Neighbourhood Planners.London [FPS 032]

"I want to raise the importance of neighbourhood planning, not diminish it. To give neighbourhood plans more teeth & more breadth"

Rt Hon Robert Jenrick MP, Secretary of State for Housing, Communities & Local Government, September 2020

"Neighbourhood planning clearly provides benefits to communities and the built environment where conditions are supportive"

Impacts of Neighbourhood Planning in England, Final report to MHCLG, University of Reading, October 2020

1. Neighbourhood Planners.London exists to support neighbourhood planners in London and raise the profile of neighbourhood planning in the capital. We're a voluntary initiative set up in 2016 in response to direct experience of the first wave of neighbourhood planning in London. We maintain the definitive [MAP](#) and [LIST](#) of what is going on with neighbourhood forums and areas across London, publish research, convene events, inform public and policy debate, provide informal advice and keep neighbourhood planners in touch with each other.
2. The *Planning for the Future* White Paper provides the opportunity to take stock of the impact and role of neighbourhood planning in its first ten years and this is the focus of our evidence to the Committee. A strengthening of neighbourhood planning is an essential part of a wider strengthening of the planning system. Our thesis is that neighbourhood planning has confirmed the belief that by giving local communities more power and the right to plan their neighbourhood they will deliver positive change. As our [State of Neighbourhood Planning in London](#) shows neighbourhood forums have been established and neighbourhood plans made in most parts of London. They embrace a diverse range of communities and localities from inner to outer London and from the most affluent to those experiencing significant deprivation. The Government now needs to build on this progress by providing new foundations to, as the Secretary of State has expressed it, *"give neighbourhood plans more teeth and more breadth"* for the coming decade.
3. As good neighbourhood planners this submission is based on both a sound evidence base and strong engagement with the neighbourhood planning community. It is informed by a range of our own [primary research](#) and a [virtual gathering](#) of neighbourhood planners with 100 registrations, 35 neighbourhood forums and contributions from MHCLG officials and the Government's former Chief Planner. The detail of this submission has been shared in draft with hundreds of neighbourhood planners in London for their input, including

neighbourhood forum volunteers, local authority officers, consultants and others. It is informed by their direct experience.

Building on success

4. Our starting point is that:

- *Neighbourhood planning is already delivering on much of what the White Paper considers to be important* – supporting and delivering growth, identifying additional sites for development, improving the quality of new buildings, benefiting beauty and nature and engaging communities in ways that secure change through more local consent and reduced controversy. We address the many benefits of London’s neighbourhood planning experience in an [essay](#) for Centre for London and the positive impacts in terms of housing supply, design, local engagement and positive attitudes to development are confirmed in the recent University of Reading study for MHCLG published in October 2020
- *The process for neighbourhood planning is essentially sound* – while improvements can be made to the legal requirements for preparing a neighbourhood plan, the priorities for strengthening neighbourhood planning are to improve the support and resources it is given, to address the culture which results in too many local authorities ignoring or resisting the benefits it can bring and to bring greater consistency to the treatment of planning policies by both officers and Examiners
- *The quality of the planning system benefits significantly from the voluntary skills and resources attracted to neighbourhood planning* – local volunteers bring knowledge and insights unavailable to local planning authorities and neighbourhood planning delivers exceptional value for money
- *Neighbourhood planning brings untold benefits beyond production of a neighbourhood plan* – it provides a focus for communities to come together to think about and shape the future of their area and stimulates projects and other initiatives that create resilient places and improve local quality of life

Wider planning reform

5. Neighbourhood planning can only be effective when it is supported by the wider framework for the planning system. Neighbourhood planners are concerned by a general trend which is taking important decisions further away from local communities:

- The continuing extension of permitted development rights and use classes is removing the ability for communities to have a say on some of the most important issues in their areas, including the future of High Streets and neighbourhood level shopping parades and employment centres, the conversion of offices, the location of new homes and the integrity of streetscapes

- “Strategic” planning decisions – such as those envisaged by the White Paper for defining categories of land, calculating housing requirements or introducing national-level development management policies – cannot be imposed and need to be informed by local insight and an understanding of local consequences and opportunities. A standardised approach to development management set at a national level and applied to everywhere from the most remote rural villages to central London is unworkable. The ability to establish “strategic” place-specific development management policies informed by local insight and an understanding of local consequences and opportunities needs to be retained in a new approach to Local Plans
- The White Paper’s reforms - including the introduction of new planning categories for land and the digital-first approach - should not reduce opportunities for public engagement and consultation on the detail of planning proposals, including planning applications
- The White Paper’s ambitions for improved building design and greater consideration for beauty in planning decisions needs more meaningful and impactful community engagement on design quality in relation to major developments – there is a lack of clarity as to who will determine whether a proposal achieves acceptable design standards and how and what happens to proposals which don't meet with a locally agreed design code
- There are ambiguities and contradictions on the key issue of building heights given the weakness of higher level plans in managing the significant impacts of tall buildings on both infrastructure and communities and the introduction of permitted development rights for upward extensions

6. We support the principle that policies in both Local Plans and neighbourhood plans should not duplicate the National Planning Policy Framework. Local Plan policies should be pitched at a “strategic” level and with a requirement for general conformity with national and London-wide policies. Similarly neighbourhood plan policies should continue to be in general conformity with “strategic” policies set at Local Plan (and London Plan) level. While such principles were embedded to an extent in the 2012 NPPF, and have been made more explicit in recent iterations, our experience is that most London planning authorities have failed to respect the NPPF distinction between “strategic” and “non-strategic” policies. The White Paper also needs to clarify the future of the London Plan and ensure that it is both truly strategic and enabling of neighbourhood planning.

Giving neighbourhood plans more teeth

7. The future planning system can embrace a more significant role for neighbourhood planning in the following ways:

- Retain and develop neighbourhood plans as community-led **spatial plans** which address the full range of planning considerations that matter locally – the broad-based right to plan is fundamental to the success of neighbourhood planning in attracting engaged local volunteers to drive the process. Neighbourhood planning must not be restricted in the range of planning considerations it can address (such as a focus only on design)
- A continued role in **site identification and allocation** across the full range of land uses – this remains an essential power which has supported additional growth, identified land not addressed in Local Plans and secured community consent for often difficult choices over the location of new development
- Develop the role of neighbourhood plans in providing **locally informed and fine grain development management policies** – neighbourhood plans deliver a level of local nuance that cannot be provided by a standardised approach to development management policies in a revised NPPF
- Harnessing the role of neighbourhood plans as a source of **innovation** in planning policy development – neighbourhood plans have proven to be an important source of policy innovation on issues as diverse as flood management, the mix of uses on a High Street, second homes, sustainable development, community and self-build homes, community assets and tree cover, and also need the flexibility to go further and faster than national policy on issues such as biodiversity, air pollution and climate change
- Provide a direct role in decisions over the new **categories** of land identified in the White Paper (Growth, Renewal, Protected) including where neighbourhood plans are developed in advance of Local Plans – broad brush categorisation of land will require a flexible and locally sensitive approach if it is to stand the test of time and respond to the complexity of local circumstances (e.g. many of London’s “Opportunity Areas” contain multiple Conservation Areas which the White Paper states will be in the “protected” category)
- A continuing role in **local designations** which respond to important local considerations, including Local Green Space, key views, locally important heritage and green infrastructure
- A strengthened role in determining **density and height** of buildings
- A strengthened role in determining **Local Urban Greening Factors** and **climate considerations**, including the carbon balance of buildings
- A strengthened role in determining the local priorities for use of the **Infrastructure Levy**, including for neighbourhood forums which are significantly disadvantaged in the current arrangements for Community Infrastructure Levy by comparison with parish & town councils

8. We note with concern the White Paper’s statement that “*we will want to consider whether their content should become more focused to reflect our proposals for Local Plans*”

and welcome the Secretary of State's contrary ambition for neighbourhood plans to have "*more breadth*". There is a need to redress the balance between Local and neighbourhood plans as set out above. We share the conclusion of the Local Plan Expert Group to "*limit the scope of local plans to strategic issues, thereby creating a clear role for Neighbourhood Plans*". This is essential if the added complexity in Local Plan preparation within a reduced time period envisaged by the White Paper is to be achieved. It is also essential that just as neighbourhood planning needs to work within an agreed strategic context so Local Plans need to be better informed by local considerations. This includes decisions over the new categories of land identified in the White Paper.

Strengthening neighbourhood planning

9. We have three priorities for improving the way neighbourhood planning is undertaken:

a) Reformed support programme – the support programme is critical to the growth of neighbourhood planning but needs to be overhauled and expanded to reach its full potential. The scale of the programme should be at least doubled – it provides unquestionable value for money and needs to be set in the context of the significant "new burden" support being provided to local planning authorities. The [reform priorities](#) we provided during the last review of the Support Programme remain valid and we identify the following as key:

- An overhaul and simplification of the application process and forms, informed by service design
- Removal of the disruptive pause and restart at the end of each financial year
- A wider range of providers for technical support
- Common access to digital tools for both mapping and engagement (e.g. Commonplace) and to data sets and digital capability (e.g. Natural Neighbourhoods, Local Insights), including access to key data common to all evidence bases
- Provision of peer-to-peer and network support as an integral part of the programme
- Support for the benefits of neighbourhood planning that go beyond producing a neighbourhood plan, including the development of aligned projects; noting the importance attached to securing "*milestone wins*" in our own [research](#) and the "*evidence of demand and scope....for more than one output from neighbourhood planning activity*" supporting a call for "*better recognition and more targeted support for the effective integration of placemaking matters that go beyond pure land use planning policy*" and consideration of "*community plans*" in the recently published University of Reading research for MHCLG
- Stronger support for neighbourhood forums and the growth of neighbourhood planning in our cities, including both the critical set-up phase and delivery of a neighbourhood plan when made – we provide further proposals in our [research](#) on

the potential of neighbourhood planning in areas experiencing high levels of deprivation

- Ensuring the support programme responds to the priorities set by neighbourhood forums and does not distort those priorities through extensive ring-fenced funding

b) Removing the headwinds – too much neighbourhood planning is despite rather than because of the support of others and the process through which it is managed. We identify the following priorities for reform:

- Stronger legal requirements for local planning authorities to progress neighbourhood plans through the different stages, removing loopholes that mean the current statutory time limits are too often ignored
- A stronger presumption that the neighbourhood area submitted for designation is to be accepted other than in exceptional cases, to overcome gerrymandering and obstruction by local planning authorities seeking to impose their own views on neighbourhood area boundaries (e.g. Old Oak, Royal Docks, Southwark)
- A stronger presumption in favour of the renewal of neighbourhood forums after each five year period
- New selective rights of appeal where local planning authorities either (a) refuse to progress a plan that meets the Basic Conditions following Examination, or (b) refuse a neighbourhood forum application for renewal after 5 years
- Simplified requirements for Strategic Environmental Assessment and Habitats Regulations Assessment
- More teeth to the Duty to Support to ensure local planning authorities provide guidance and information on terms set by neighbourhood forums and supported by a transformation in both the skills and resources available to local planning authorities that enables them to undertake the full range of their planning responsibilities and effectively engage with and support their communities
- Greater consistency in the approach to policy drafting by both planning officers and Examiners

c) Changing the culture – with important and valued exceptions, the culture within London Boroughs and the GLA and Mayoral Development Corporations has been antipathetic at best to the evolution of neighbourhood planning. There are too many cases of active hostility. This culture of delay, obfuscation and resistance is evidenced in our work on [Community Infrastructure Levy](#), the role of [Local Plans](#), [Statements of Community Involvement](#), representations on the [London Plan](#) and a [commissioned report](#) on the potential of neighbourhood planning in deprived parts of London. It is also evident in the report and hearing session held by the [GLA Planning Committee](#) into the progress of neighbourhood planning. The London Mayor has also repeatedly failed to offer support for neighbourhood planning or design it into his programmes for the capital. One of the outcomes is that it is taking on average 49 months to progress from designation to a made

plan in London and there are nine Boroughs categorised as neighbourhood planning “deserts” with no designated forums. The number of new forums being designated in London is significantly slowing down. Just as the White Paper *“supports culture change”* in the planning profession and seeks *“world class civic engagement”*, so it should result in a growing tide of support for neighbourhood planning in our urban areas as an outcome.

Engagement – learning from neighbourhoods

10. The White Paper states that *“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. Our reforms will democratise the planning process by putting a new emphasis on engagement at the plan-making stage.”*

11. We ask that this radical re-invention learns the lessons from the best of neighbourhood planning and designs processes which are:

- Simple to navigate
- Highly visual
- Iterative
- Responsive to rapid changes in the planning context
- Local
- Relevant to lives
- Face to face
- Using accessible language

as an alternative to the complex, text heavy, jargon ridden, turgid, legalistic, remote, slow and inaccessible approaches run by local planning authorities that are regularly experienced by local communities. The Local Plan of the future needs to focus on strategic policies and address these at a local level which is meaningful and relevant to people and communities wanting to engage in the process.

12. We also speak from experience that the majority of community engagement in planning decisions takes place around planning applications and not forward plans. This will always be the case because of the nature, complexity and meaning of the issues involved. The White Paper’s welcome support for a radical and profound re-invention of community engagement in Local Plan preparation needs to be extended to planning applications. It is contradictory to think that community engagement can simply be moved upstream in the planning process.

Harnessing digital

13. We welcome the commitment to better planning through greater use of digital technology. It can play a key role in strengthening engagement, using data, increasing transparency and through mapping and the spatial expression of planning policies.

Neighbourhood planning has been a significant source of innovation in the use of digital in plan making and we have run events and published a range of [blogs](#) on the approaches being used. Improving the planning application process and making documents digitally accessible (including via online maps) is a key starting point in harnessing digital, although it is important not to straitjacket the format being used by volunteers developing neighbourhood plans. The National Information Requirements for planning applications should be extended to require fully navigable 3D models of proposals that require a Design and Access Statement. Neighbourhood forums should have free, shared, online access to all data used by local planning authorities in preparing development plans and supplementary planning documents. Accessible summaries of key plans and proposals are also needed.

14. It is important that, if adopted, a “*digital-first*” approach complements and enhances public and community engagement in planning. Digital tools and approaches can engage new and larger audiences and bring fresh insights but this must not be at the expense of other traditional approaches and voices who do not engage digitally or the depth and detail that comes from face to face engagement. Improvements in digital engagement cannot compensate for the White Paper’s anticipated loss of opportunities for public and community engagement in planning applications, with the right to participate in individual development removed in 'growth' and 'renewal' areas. Nor can improvements in digital engagement provide an alternative to established methods, including basic publicity such as site notices and notification in local papers. There is also scope for making much better use of neighbourhood forums (and other local groups such as civic societies) as a means of publicising planning proposals. We support a blended approach which embraces on- and off-line engagement and which includes participation in both policy development and development management. The power of neighbourhood planning lies in geographical proximity.

Making the change

15. The White Paper is rightly provoking discussion and debate. This is unsettling for neighbourhood planners and this aspect of the planning system is highly dependent on volunteers making decisions about how best to use their time. The lack of detail in the White Paper and the widespread commentary that the role of neighbourhood planning is to be diminished is already resulting in volunteers choosing not to get involved. Some Forums report a “chilling” effect, especially from concern at the thought of having to produce a new neighbourhood plan shortly after an existing one to take account of any reforms. As a result plans are stalling and applications to establish new neighbourhood forums are being put on ice. To address this disruption we believe Ministers should:

- Make a clear a widely publicised statement that neighbourhood planning will have a more important role and neighbourhood plans will be given more teeth and a broader role as a result of the White Paper’s reforms

- Recognise the extraordinary contribution being made by thousands of neighbourhood planning volunteers providing their time, passion, skills and unprecedented insights to the benefit of the planning system
- Provide guarantees about the transition of existing made and draft neighbourhood plans, brought into force by direct democracy, into the new system
- Encourage local planning authorities to support neighbourhood planning during the period of uncertainty created by the planning reforms to deliver new policies and site allocations which they can do more quickly and flexibly than Local Plans

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