

Written evidence submitted by Mrs Allyson Spicer [FPS 162]

I would like to submit the following to be considered under the call for evidence when the Select Committee discuss “The Planning System” and I am grateful for being allowed to do this late submission.

I understand that the first question, *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?*

It has been clear since the inception of the National Planning Policy Framework in 2012, the planning system is far worse now than it has ever been. Primarily brought about by Paragraph 58, Enforcement, which states

“Effective enforcement is important to maintain public confidence in the planning system”

It has become apparent what LPAs are actually doing is not enforcement but mitigation.

I live in a Conservation Area, and a nearby house submitted a planning application for an extension, despite having previous extensions. Two of the last three had been refused, but the last one was granted. A small rear and side extension to accommodate a garage. It was noticed by neighbours what was actually being built, was not as per the agreed permission. What was supposed to be a solid brick wall, suddenly had two “openings” and of the agreed two small windows in the back, one had become a floor to ceiling window and the second smaller one, a set of sliding doors!

It was reported to the Enforcement Officer, and now it seems the advice received was to submit a “non material amendment” which they have done, but not for the work they have already done.

When raising this with my Ward Councillor, and the Planning Department and Chairman of the Planning Committee it appears (although I am still waiting for official confirmation) there is currently no means to actually “enforce” properly. It seems in order to “enforce” there are any number of hoops to go through, even in a Conservation Area, so one has to ask – why bother!

If all anyone actually needs is a piece of paper granting planning permission, with the prospect that its highly unlikely if you change what you were granted permission for, your not going to be made to correct it on one house, imagine that for developers!

Local Planning Departments of Local Councils, and the Planning Committees who must spend hours and hours in meetings, making sure the applications meet the NPPF, it meets Net Zero Emissions, it agrees with the Local Plan, just to fall down on actual “enforcement”

Why are they wasting their time and effort, and at the end of the day public money to sit and pour for hours, and hours, and even more hours to grant permission, only to not be adequately able to actually “enforce”? I would be mad as hell!

Even if only one enforceable condition was applied to every single application,
“ We only grant permission to build exactly what is submitted on the attached drawings”
would at least be a start!

Otherwise, why not let Government at MHCLG make all the decisions! Throw the whole lot back to them, and say “you wanted it, you can have it, Lock, Stock and Smoking Barrel”

Ultimately, unless Paragraph 58 of the National Planning Policy Framework allows for true

Enforcement, then every single Local Council are impotent! They are effectively **unable to take effective action, helpless or powerless.**

Actually, the same Paragraph should also rectify the issues in your questions 2, 3 and 6.

As long as this Country is still reliant on developers building what they want, rather than what we need, it will remain a problem!

We see it every time during the Local Plan Process. What should happen, is Local Authorities should have to decide what level of housing they need without the need of interference from Government, especially when Planning Law or the National Planning Policy Framework is ignored by the Secretary of State at MHCLG.

We have had one Local Plan, and about to do the 5 year review, and I have learnt so much in the preceding years. It has now become apparent, that once a site is submitted and agreed to be included in the Local Plan, even though at the time of submission, all anyone knows is an approximate number of houses per site, with no actual details of design, or density, or facilities until such time as a planning application has been submitted. Now we have discovered that should that application not be acceptable to residents or Councils, then even if its refused, it gets appealed to the Planning Inspectorate and its highly unlikely it will go in favour of the refusal!

What we should have in order to build what we actually need, is for Councils to dictate the type and quantity of houses, schools or care facilities. They should also create their own “master plan” and instead of waiting for developers to submit planning applications, they should prioritise the sites within the Local Plan Process.

Its often said by Government the planning system is too long, yet if the Local Plan Process actually meant something, rather than just a tool developers have used to force Local Planning Authorities to fail the 5 year housing land supply test, then by Councils Local Plans having their own master plan and the ability of selecting which sites that would come forward , and to some degree when, the supply test would not be required, would it?

Let Councils pick the numbers & types of houses needed.

Let residents see the designs before a planning application, as part of the Local Plan Process

Let Councils not developers decide when things are built!

Let Councils enforcement teams actually “enforce”

Again, I am grateful for being allowed to do a late submission

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