

Written evidence submitted by Robert Rush [FPS 163]

I do not have the technology to have participated in the virtual public engagement event planned for 26th November. It is with great appreciation that I have been encouraged by the local Member of Parliament to submit, as an alternative, written testimony to be considered for inclusion in your Committee's deliberations on the proposed changes to the planning system.

It is because of my experiences of local 'planning' in the area within which I have a resident's Association role, that our MP considers my knowledge would be valuable to the Select Committee.

Obviously I cannot react to live questioning, and I do not propose to base this response parrot fashion to the listed questions in the White Paper. What I will do is form my words generally. I also intend to illustrate my statements with actual case instances on planning experiences where the local community has faced problems.

So do we (our Resident's Association) think that the planning process is fine or in need of reform? I would say that reform is always a good thing, and there are some aspects proposed which would bring about improvement. But we must be on guard of any changes which would disenfranchise local people from having substantial input and genuine effects upon outcome of local development.

In this response we are not concerned so much with major developments but more with localised planning issues and how these are dealt with and how the process can be improved.

We are very concerned that although there seems to be a vision at national level about the value of community involvement and about sustainable outcomes, but by the time things filter down to the grass roots much in reality has been diluted.

Mr Jenrick states in the White Paper that *'communities' will be reconnected to a planning process that is supposed to serve them, with residents more engaged over what happens in their areas and goes on to say the planning system needs to be fit for purpose. It must make land available in the right places and for the right form of development. Building Beautiful Commission found in its interim report last year, too often*

what we do build is low quality and considered ugly by local residents. We particularly want to ensure that the facilities and infrastructure that communities value, such as schools, hospitals and GP surgeries, are delivered quickly through the planning system.

Let me ask you to read the following case example of how these laudable ambitions have translated recently:

Case example:

Our community pharmacy is very popular. It engages in outreach with us offering free blood pressure tests, discounts on purchases, and gives talks at our neighbourhood meetings. The pharmacy is small, has no toilet let alone for pwd, a consultation room inaccessible to wheelchairs, and medicines are stored across the road in an annexe. Pledged to give us a pharmacy fit for purpose, a derelict garage, just two properties away was purchased with the intention to build vastly improved facilities correcting all of the current inadequacies under one roof. It would have a decent waiting area, with display information boards on health and the local community . With two flats above, the new in-fill frontage in traditional materials would restore the integrity of the two storey Victorian terrace, greatly welcomed by the Association. We fully supported the Pharmacy and were involved in working up detailing of the design. It was assumed that moving just two doors along would sail through the planning process. How wrong we could be. Two submissions and two rejections followed: insufficient bicycle storage, not enough flats, a pharmacy at that location was not appropriate to have information boards in its waiting area (!) Unbelievable. On the first rejection the preferred design of the frontage was for three storey of contemporary materials, which we were aghast at, but on the second rejection it suddenly became a preference for a traditional design! The unforgivable insult to the community was the helpful suggestion that the pharmacy should first look at alternative sites away from the epicentre of our community. Apparently our community pharmacy contributes a threat to the survival of the 'high street'. A block of flats could then be built.

At such a time as this, the blocking of investment in the health and wellbeing of a local community in this way can now be viewed as a disgrace to the current Planning system. Despite the intervention of the residents Association and the Member of Parliament, nothing could be done and the pharmacy is no longer in an appropriate financial position to try again.

Draw your own conclusions on this case example. Where is the vision, where is the accountability, and where does this leave communities faith in the system.

When we have become involved in local planning applications we are faced with the enormous task in understanding the plethora of policies, plans and guidelines and the extensive 'Local Plan'. What is misnomer if there ever was one - the 'Local Plan' that local people have never been involved in drawing up or agreeing. A credible local plan needs to be rooted in the area it serves. It certainly needs to be simplified, and all the associated guidelines make it virtually impossible for the average layman to wade through 'on line' and as a result become caught out over something or other. The proposal that Local Plans should be slimmed down is laudable, but of little point if the new version contains just as many links and threads to countless strategies and policies as there are now.

We are concerned about the grouping of land categories into just three elements. The proposal to grant planning permission in principle virtually on the basis of this land classification will downgrade the influence of genuine local concerns. It is unclear how automatic approval in growth areas will address site specific constraints such as heritage assets and sites otherwise treasured by local communities. Once the fox is off and running....

There has to be resistance to the notion that in Renewal areas "suitable for development" there would be a statutory presumption in favour of development. The vague term 'gentle densification' is extremely worrying. In heavily built up areas it is often occasional small pockets of undeveloped land which are the only sources of 'breathing space' and these have immense benefit to the mental wellbeing of local people otherwise feeling totally 'hemmed in'.

There is insufficient incentive within the process to bring forward proposals that are beautiful and which will enhance the environment, health, and character of local areas .

We propose that small pockets of open land are protected and not developed unless local neighbourhoods agree as this can enhance the environment, health and character of a local area which is already densely developed.

To combine Growth and Renewal areas into one category and to extend permission in principle on all land within this area is a frightening prospect and counter to the interests of local communities who will in reality have no sway or influence. To restrict automatic permission in principle to land identified for substantial development in Local Plans (Growth areas) whilst treating all other land to regular application for approval would at least give a better feel that

decisions could be influenced by local concerns. There is no point in emphasising respect for heritage and Georgian (why not Victorian?) terraces when pre-determined broad height limits, scale and/or density limits are allowed to chew up vistas and continuity.

Areas that are Protected – (including sites and areas which, as a result of their particular environmental and/or cultural characteristics), would justify more stringent development controls to ensure sustainability. But this does not go far enough and in reality virtually all existing residential areas become suitable for development along with degrees of presumptive approvals. *In 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.* But we feel the scope of 'protected areas' is insufficiently broad and that local communities should be allowed to specify small sites in their own neighbourhood as Protected. *Local communities know their locality best (RIBA).*

We would like to give you another actual Case example which the community had to deal with.

A property speculator bought a site which consisted a Grade 2 Listed building with adjoining Romanian restaurant and courtyard, the courtyard garden containing a tree with a TPO on it. Suddenly the tree became 'diseased' and its removal sanctioned upon condition of replacement. Instead in came the planning application to build a block of flats upon the courtyard. It required the personal intervention of the local MP, the Borough's Chief Executive alongside the watchful resident's Association to secure a belated extension to the deadline to enforce the replacement of the tree. Without notifying the residents Association a 'tree officer' met with the developer and helpfully agreed the new tree could be shoved to the side of the courtyard which was predictably followed by a new planning application to build a block of flats. The Application denied there was any biodiversity on the site. When challenged on this another meeting with the 'tree officer' took place, again without notifying the Association or MP, and the 'tree officer' agreed it could be cut down (again) and two trees planted in the street instead thus clearing the way yet again for the block of flats. Question: why do Councils assist applicants achieve their aims when these are in direct conflict with the interests of local communities? Why is no help offered to communities on the same basis? This is why there is such distrust between Council and community. However, the

application to build flats was again rejected, and re-inforced upon Appeal - ironically due to the constraints of the Local Plan, hinging upon change of use – for once acting in the interests of local people. These use classifications have recently been merged by the Government and the local community is dreading yet another attempt by the property speculator to destroy the neighbourhood asset. The young tree stands, proud and defiant, beautifully setting off the Listed building, and now forms part of an IWM accredited, and Britain's only, memorial honouring the partnership of Romania and Britain during the WW1 conflict.

(see Appendix pictures much treasured)

As the report of the Building Better, Building Beautiful Commission has shown, ...too many places fail to reflect what is special about their local area or create a high quality environment of which local people can be proud.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.

This is the kind of anomaly site which we are keen to see incorporated into the Protected category. But how can local people ensure this happens ?

Whilst the White Paper reasonably places emphasis on changes to planning to benefit housing targets, there has to be a comment made about the threat the planning reforms are to the commercial infrastructure of local communities. It is a given that a community is glued together when it has a commercial infrastructure where people mingle, shop and talk. Recent planning outcomes have bewildered our community, with decisions driven by change of use classifications, the Local Plan, and a desire to force residents away locally and onto the nearest 'high street'.

We think it useful that we take up your time with another case example. (Giving you illustrations in this manner take our comments away from being anecdotal to verifiable.) To set the scenario, our neighbourhood shops, intermittently broken into two 'parades', amount to over 90. There is one national store, the remainder independently run. The range includes dentist, homeopath, church, mosque, Asian-Lithuanian-Romanian grocery shops, ceramics, ICT, laundrette, off licence, Romanian restaurant, pizza, Chinese and Indian take-aways, estate agents, butcher, car spay, accountants, clothing fixtures, hairdressers and more. The latest licensed closing time is 01.30am. It is on a bus route.

Case study: Supported by the resident's Association a new café/cake shop was proposed upon conversion of a former IT store. We considered this to be a valuable asset to the community. Although there was no objection received from local residents the planning application was rejected. Local Plans and a change of use was cited but also backed up by spurious reasons about bicycle parking, and that it was an unsuitable activity within a quiet residential area. It was also claimed that it risked creating traffic hold-ups due to taxis (!). We were dumfounded. The intervention of the Member of Parliament, the Chamber of Commerce and the resident's Association could not affect the Council's decision. Months later, however, an application for a restaurant four doors away was not pulled up on any of these grounds (it was rejected on another issue).

.....presumption that the system (is) too dependent on the views of a particular official at a particular time, and not transparent and accessible requirements shaped by communities.

The White Paper trots out references to 'high streets' and ignores the importance of local neighbourhoods. The whole thrust is being directed by corporate interests and their own investments along major shopping areas (high streets) with Councils then sacrificing neighbourhood areas to meet directives and pots of money available from government to support 'high streets'. It's not good enough. This is killing communities.

We have also created new permitted development rights to enable more new homes to be built on top of buildings and the demolition and rebuild of vacant buildings for housing, without the need for usual planning permission. We have experienced in recent times the conversion of several neighbourhood shops for housing and are very concerned that the new government ambition will progress the destruction of sustainable communities.

There are laudable ambitions *for local authorities to radically rethink how they produce their Local Plans, and profoundly re-invent the ambition, depth and breadth with which they engage with communities.* There is reference to the need to ensure effective inputs from the local community in the drawing up of Design Guides. But there is no mention of how active resident Associations will be given a driving role. It is offensive for Councils to pump money into 'citizens assemblies', which they run and facilitate, at the direct expense of supporting resident Associations. The nature of the two groups is entirely different – one led by Councils and the other led by residents.

There has been no contact with us regarding the drawing up of Neighbourhood Plans and we are surprised to read reference to them in the White Paper. Some Councils respect and support their network of resident's Associations whilst other Councils do the opposite and marginalise them or at best offer token involvement.

Case study: Alarmed by recent planning threats to the neighbourhood we welcomed the Borough's newly elected 'senior person' to come meet the community. Ten months later some thirty or so local shopkeepers and residents raised the money themselves to hire a hall. The 'senior person' was congratulated on a 'determination to get Planning Officers out of their office and to meet communities'. Anticipating such a 'meet' - residents were immediately slapped down with the sharp remark that 'they haven't got time to meet everyone. You'll all have to go to a Citizens Assembly'. Hardly a gesture of positive and outreaching engagement. Many present were insulted and outraged at being dismissed so lightly. In the pursuit of 'engagement' the Association Chairman e-mailed local Cllrs to seek their own position on the crisis facing our neighbourhood shops. No reply came back from any of the three Cllrs. A follow up e-mail sought a socially distanced meet offered to each Cllr... there was no reply from two and an out of office reply from the third. This is the reality of what goes on and how residents and their Associations struggle to be treated with the respect Mr Jenrick alludes to be desiring. It has a long way to go

In this Borough at least, all funding has been withdrawn from supporting Residents' Associations. They are kept afloat by borrowing and favours and local peoples own subscriptions. Meanwhile tens of thousands of pounds each year is being driven by the Council into running their own 'Citizens Assemblies' which are a far, far cry from RA's, how *they* operate, their activities and their independence, but it does make for good window dressing and easy reporting back to government that there is engagement happening.

Mr Jenrick *must* address this nationally, not by seeking to create RA's Country wide, but to enforce Councils contribute to any established RA's running costs (typically about £500 a year).

We note the proposed consolidated Infrastructure Levy offers different approaches on how this might be applied. We have to say, with despair, that despite flats and a supermarket being built in our neighbourhood, not a penny was ever offered to the Resident's Association nor even it's recommendations on where money could be spent. We welcome the proposal for discretion to

Councils on this, but what would be the benefit if the money is never invested firstly in keeping their own R. Associations solvent, and then in local priorities decided by the Association.

The advent of technology does open up possibilities of data sharing and accessibility, the ability to visualise is valuable progress. Registers on planning applications identified and viewable on a national scale would benefit both proposers and objectors. It would be very good to see levels of contractor and developer contributions and where these have been invested. Whilst a digital revolution might be appropriate for large far reaching scale developments there must be a clear understanding that small scale planning applications are perfectly well served by the present system. It is easy to describe the system as 'outdated' (as do an elite minority who consider the way we vote as 'outdated') when It is quite simple to access the application form, the accompanying documents and to submit comments through the Borough web site or by post. It is straight forward, visual, and it works. The tying of a planning notice 'on a lamp post' is completely appropriate and ensures local people are aware of local proposals. Simple. You walk along the road, you see the notice, you are informed. To remove this approach will effectively disenfranchise millions of local people of knowing what is going on in their area. That is not to say that residents should have to rely (only) on publicly displayed 'notices' and for those with a smart phone who wish to be bombarded with 'alerts' that could also be initiated. We caution in the strongest possible terms about going too far. There is a somewhat elitist and sneering tone throughout the White Paper on this matter and it is regrettable. As to whether there will be greater quality participation by civic engagement tools linking up with social sites and input from mobile phone users remains to be seen.

The White Paper focuses on new homes, but we will not meet our carbon reduction target by building new homes alone and therefore the policy should extend to include a strategy for existing stock. For instance, why is there no compulsion to fit solar panels on house extensions as part of Approval criteria. The recent government voucher scheme has undue emphasis on solar thermal and virtually nothing for single brick sand and cement rendered internal walls (mainly post war houses) which leach heat out of rooms. There should be scope, for instance on plastering such out facing walls, thermos paint and insulated linings - but there is nothing. The very worst type of house is being shortchanged.

The Government has heard how the combination of technical jargon and traditional models of community engagement discourages people from having their say on decisions. At the same time, it disproportionately encourages engagement from people from a narrow set of demographic groups – typically older, better off and white. We believe that the voices of those who may benefit most from new development are therefore often the quietest in the planning process.

To this we concur that design and planning can become too technical for the layman, it is hard to understand how this can be rectified as it is a 'knowledge' issue. Once again, we have to say, it is the residents' own Associations who frequently support those struggling with even basic levels of comprehension. Citizens Assemblies do not do this, but Resident Associations do. Our case examples illustrate that. Can this understanding of the worth of Resident Associations not get through?

Regarding the opportunity to the strengthening of protections to species and habitats it is very rewarding to read and that it is a positive as a result of leaving the European Union !

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