

Appendix 1: Southend Council response to Planning White Paper proposals

Planning White Paper Proposals	Pros	Cons	SBC Response
Pillar 1: Planning for Development			
Proposal 1 - Role of land use plans should be simplified	Plans would be clearer for users with greater certainty for developers and communities.	How will the aspiration for greater simplicity take into account local complexities and issues effectively?	Agree in principle with the simplification of plan making subject to further details being provided for consultation.
Proposal 2 - Development Management policies established at national scale and an altered role for Local Plans	Production of Design Codes could be twin-tracked with production of Local Plan, allowing for greater community input to design outcomes. Potential to be quicker. Good that it remains a plan-led system.	National policies may not adequately reflect local aspirations, priorities and nuances. Lack of clarity on how many aspects of Local Plans will be prepared.	Caveated support in principle for the approach but concerns that the new plan-making process will not allow sufficiently for local priorities to be reflected.
Proposal 3 - Local Plans to be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness	In principle this change could bring greater clarity in evaluating the effectiveness of local plans.	In abolishing the duty to co-operate the White Paper does not set out in sufficient detail how cross-boundary effects will be adequately taken into account.	More detail on the new “sustainable development” test is needed to convince that it will be fit for purpose in establishing the effectiveness of Local Plans. Clarity needed on how cross-border planning will be articulated; particularly important to a tightly bounded authority such as Southend.
Proposal 4 – A standard method for establishing housing requirements	Would be binding, and could reduce time taken to establish	Constraints may not be fully taken into account in setting housing	While an amended standard method could speed up the plan-

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<p>figures which ensures enough land is released in areas where affordability is worst, to stop land supply being a barrier to enough homes being built.</p>	<p>the amount of land to release in each area. Would acknowledge the extent of land constraints in an area and take into account the practical limitations that some areas might face, including Green Belt, flood risk and environmental and heritage constraints. Potential to agree an alternative distribution of housing requirement in joint planning arrangements.</p>	<p>requirement. Joint planning requirements may be hindered by removal of Duty to Co-operate. There is no clarity on how establishing housing targets will induce developers to build, especially in more marginal areas of viability.</p>	<p>making process it must be practically deliverable in each local authority area, and the local planning authority must be able to influence or effectively challenge the figure if unrealistic, before it is imposed. It will also be important not just to reflect numbers but type of housing. There is an inherent tension between introducing the standard method nationally and effectively reflecting practical local constraints which in Southend include: the Estuary/Sea; recognised areas of flood risk; important environmental designations, the density of the urban fabric and Green Belt. The levels of housing imposed by the existing and proposed methodology are undeliverable in Southend administrative area even with “growth areas” and “gentle densification”. Routes to effective cross-boundary working therefore must also be clear.</p>
<p>Proposal 5 – Areas identified as Growth Areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while</p>	<p>Could speed up delivery of major development proposals, setting broad parameters for schemes coming forward in these areas and providing a</p>	<p>Looking at proposals on a case by case basis allows some consideration of the cumulative effect of development on neighbourhoods, particularly in</p>	<p>More detail needed to understand if this would address concerns raised with the current system. There is a need for greater clarity of what should be included and excluded in</p>

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automatic approvals would also be available for pre-established development types in other areas suitable for building.	faster route to full planning consent.	terms of infrastructure provision.	Growth Areas, e.g. areas of flood risk and important open space.
Proposal 6 – Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology. The 8 and 13 week time limits for determining planning applications should be firm deadlines.	Greater digitisation of the application process including a digital template for planning notices, and standardised planning decision and developer contributions data should reduce staff time on routine tasks.	Success would be dependent on quality of information provided with the submission of the planning application. In reality this is likely to continue to be variable, particularly for smaller proposals. May still be a need to seek site specific supplementary information in addition to the standard requirements.	Support transition to a new system which deploys the greater use of technology (and visual technology) but this must be achieved carefully and effectively without alienating communities who are not fully digitally engaged and for example rely on seeing a public notice on site. In terms of timescales, larger and more complex applications will inevitably take longer to determine and emphasis on speeding up the system needs to be balanced with the need to get the right development in the right place. This change is more likely to result in the refusal of applications, an increase in appeals and reduce the ability to work with applicants to address concerns. This work with applicants is something they have generally welcomed.
Proposal 7 – Visual and Map Based standardised local plan based on a new	Digitised and web-based documents and plans accessed	Risk of digital exclusion for individuals not able to access digital	SBC has already digitised the adopted Local Plan through one-off

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standard template and utilising digital technology.	in different formats would improve accessibility to geo-spatial information and improve understanding of spatial planning. Access to data from Prop-Tech entrepreneurs should also provide benefits for the local area.	platforms.	MLHCG funding and supports the use of data standards and digital principles for land use planning. This will continue to require resources to manage and develop.
Proposal 8- New statutory timescale for local plan production for Local authorities and Planning Inspectorate with sanctions for those who fail to meet it.	Current process is too slow. Speeding up the Local Plan production process would assist in supporting delivery of development that accords with the Council's objectives and certainty for residents and developers.	Local authorities and third parties would have a 'right to be heard' which appears weaker than the current system This may limit influence on the process. Risk of government intervention for LPAs which could result in a deadline-driven approach rather than good planning. In practice, how much influence would the public have on the process, especially at later stages?	Would result in a much shorter condensed period for acquiring the range of evidence to support the Local Plan, at the same time as engaging with the community on proposals. This would be very challenging with respect to resources and dependent on proportionate evidence being available in a timely manner. This would be especially the case if preparation of design guides is run in parallel which it needs to be.
Proposal 9 – Neighbourhood Plans to be retained and communities supported to make better use of digital tools.	Government to support continued use of NP in towns and cities, where take up has been slower than rural towns and villages.	Supporting Neighbourhood Plans may divert resources from production of Local Plan with impacts on timetable. Greater clarity required on role of Neighbourhood Plans needed if Local Plan has already identified a Growth or Regeneration Area.	Currently no Neighbourhood Plans in the Borough or confirmed Neighbourhood Areas. Supporting wider preparation of neighbourhood plans will require further resource.

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Proposal 10 – A stronger emphasis on build out through planning [a wider range of development types by different builders could be secured within individual sites].	Faster delivery of permitted schemes is welcomed.	More details needed of proposed measures. Currently no incentive or punitive powers to ensure that a granted development takes place. Developers are able to landbank for long periods which can stagnate an area. Larger Developers will reflect their business mode; smaller developers need access to finance and tend to build out at a rate that reflects their resources. There is a need for a mechanism that ensures developers bring forward permitted sites within a defined timeframe.	<p>Rules on implementation, (e.g. digging a trench and doing nothing), are too open to interpretation and should be tightened. Demolition should be a separate consent which does not trigger the substantive permission.</p> <p>Closer correlation with council tax/business rate requirements could incentivise development schemes to move forward more quickly once granted.</p> <p>The current proposals lack clarity in how this will be delivered.</p>
Pillar 2: Planning for beautiful and sustainable places			
Proposal 11 – Design guidance and codes must be prepared locally with community involvement, and ensure that codes are more binding on decisions about development [National Model Design Code to be published in Autumn 2020].	Co-production of local design codes for individual neighbourhoods chimes with 2050 ambitions for co-design and emerging local plan evidence on walkable or ‘complete’ neighbourhoods.	<p>Will require additional design skill resources within or accessible to planning teams to support detailed design work or to secure external support.</p> <p>The relationship with national Design bodies and guidance should be clear.</p>	<p>Who defines or decides what is beautiful? Design codes could stifle variety and innovation out of development if too rigid. Codes need to retain sufficient flexibility, so areas do not become identikit with ‘dumbed down’ bland design.</p> <p>Codes should also retain a strong bias in favour of local context and</p>

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			vernacular.
Proposal 12 – Each authority to have a chief officer for design and placemaking, and a new national body to support delivery of locally-popular design codes.	Proposals to be published later this year for improving resourcing of planning departments more broadly.	<p>Will require additional resource within or accessible to planning teams to support detailed design work.</p> <p>Greater clarity is required about the role of the new Chief Officer and the skills required of that officer. Is this a completely new role in addition to the Planning Manager and on a par with them? Or is it an existing role with extra responsibilities attached?</p> <p>There is also an issue that design can be subjective and who is the ultimate arbiter of this.</p>	<p>Greater clarity is required on the new Chief Officer role within the Local Authority structure and the skillsets required.</p> <p>Greater clarity on the role of national and local bodies in design coding is required.</p>
Proposal 13 – Homes England Strategic Objectives should be strengthened to give greater weight to design quality and environmental standards.	Should produce better outcomes in new developments for design, environment and health and wellbeing.		Agree that public sector led development should set the highest standards for design.
Proposal 14 – Fast-track for beauty to incentivise and accelerate high quality development in 3 ways: updating NPPF; masterplan/design code to be agreed as a condition of permission in principle in growth areas; and introduce standard	Pilot programmes as proposed would highlight potential for this approach to be rolled out further.	Could be too rigid in format and unable to take account of variations in local character. Could end up as no more than a tick-box exercise without the resulting driving up of design quality. Could apply to a	Support in principle but need to see finer details of proposals including results of pilots, which should be carried out across a range of settlement types including coastal.

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'pattern books' for a wider range of permitted development.		<p>large part of the Borough that could be categorised as 'Renewal' areas. 'Gentle intensification' not clearly defined. What would this mean in Southend - replacement of bungalows with blocks of flats?</p> <p>"Beauty" is not defined - there may be very different interpretations of what 'beauty' means.</p>	<p>Danger of dumbing down of character and loss of community identity – too formulaic and no innovation. Any 'pattern book' development types pre-approved, must aspire to deliver real innovation and/or enable the heightened quality of development and place-making areas deserve. Clarity is also required to ensure the application of pattern book styles can be effectively tailored to be locally distinct.</p> <p>Southend has done a detailed "urban capacity study" to identify the suitability of different areas for densification. Suitability can be highly localised for both design and density.</p> <p>"Fast track for beauty" needs much greater clarification as does the definition of what constitutes 'beautiful' development.</p>
Proposal 15 – Amend NPPF to target areas that can most effectively play a role in climate change mitigation and adaptation and maximising environmental benefits.	No details provided, other than: "we want to ensure that it provides a clear and robust basis for development management decisions more generally, so that reliance no	<p>Subject to revision of the National Planning Policy Framework, not within the scope of this consultation.</p> <p>Potentially reduces the scope for</p>	With a climate change emergency having been declared it is an imperative that this is front and centre to assessing proposals and local plan areas for growth, renewal and protection. More details are

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	longer needs to be placed on generic policies contained in Local Plans”	more forward-thinking authorities to introduce ambitious policies. More explicit links with the proposed Environment Act required.	required to ensure the UK meets its obligations under the Climate Change Act 2008 and resources for local authorities to pursue this in their area.
Proposal 16 – A quicker, simpler framework for assessing environmental impacts and enhancement opportunities is proposed including strengthening protection of “species, habitats and ecosystems of national importance, and that matter the most to local communities.”	The current process can be excessively complex and time consuming. Strengthening and enhancing protections would be welcomed.	A separate and more detailed consultation is to be published in the autumn. However there is concern that the simplification of environmental assessment could lead to a watering down of current protections. Unclear how a simplified approach to assessing environmental impacts would accord with current statutory requirements.	There is concern that the simplification of environmental assessment could lead to a watering down of current protections. Separating out protection areas from growth areas also underplays the importance of nature within an urban environment for its residents and the integrated approach required. Green and Blue Infrastructure, for example, occurs in networks that don’t follow artificial boundaries Clarity of relationship with Environment Bill required.
Proposal 17 – Conserving and enhancing our historic buildings and areas in the 21 st century [Review and update the planning framework for listed buildings and conservation areas, including exploring whether suitably experienced architectural specialists can have earned autonomy from routine listed building consents.]	Some streamlining of listed building consent regime (e.g. by deemed consent) may be appropriate for very minor works, subject to careful scrutiny of works to be included.	There would need to be safeguards in place to ensure works are carried out without causing irrevocable harm to designated heritage assets.	Support the continuation of existing national policy for historic environment. Some limited exceptions from listed building consents regime may be appropriate for very minor works when undertaken by specialists. Overall, however, very little on the

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			historic environment and its importance to place-making (and design codes).
Proposal 18 – ‘Facilitate ambitious improvements in the energy efficiency standards	Ambitious improvements in energy efficiency standards [at a national level] are required to achieve our stated commitment to net-zero by 2050.	New homes are proposed to be ‘zero carbon ready’ from 2025 rather than zero carbon. Not ambitious enough to meet UK target.	<p>A clear national Future Homes Standard for energy efficiency is needed to achieve carbon emissions target. Await the government’s response to the Future Homes Standards consultation in Autumn.</p> <p>Concern that it is unclear how the changes to the planning system will enable local authorities to respond sufficiently to the Climate Change emergency declared, or locally agreed aspirations such as those set out in Southend 2050.</p> <p>Little on incorporating energy efficiency in wider placemaking and links to broader agenda like “local grids” etc.</p>
Pillar 3: Planning for infrastructure and connected places			
Proposal 19 – A consolidated ‘Infrastructure Levy’ [abolition of Community Infrastructure Levy and Section 106 planning contribution].	Less time negotiating s.106 contributions on grounds of viability, a simplified process for adopting the Levy, and a simpler Levy system to operate	Will never be simple when trying to establish benchmark land and development values as there are so many variables and judgements to be made. The value-based	Support intention to create a simplified Levy process and a greater overall Infrastructure Levy pot. The incorporation of affordable housing within the levy

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	<p>than the existing complex CIL Regulations would be welcome. Less exceptions and relief than the current CIL regime would be welcome as the original intention was that the cumulative impact of all development would make a contribution to infrastructure.</p>	<p>minimum threshold is already effectively in place where it is determined that setting a CIL would make development in that location/or that development type unviable. CIL unviable in many locations in north/midlands due to land values and many local variations even within Southend so difficult to see how a national Levy rate could be set. The same rate of levy will provide much more value in high value locations than in lower value locations where margins are much tighter, severely limiting the resources available for good-quality affordable housing. The proposed Levy would be charged at the point of occupation. This poses concern in relation to the timing of infrastructure delivery to support development, such as education provision or highway works.</p>	<p>needs to be better understood and detailed as there is a real concern that this could lead to an overall reduction in affordable housing delivered. It needs to be explicit how the levy will increase funding both for infrastructure and affordable housing. Management and administration of the new Infrastructure Levy needs very careful consideration if it is to work effectively and avoid infrastructure delivery taking place after development.</p>
<p>Proposal 20 – Scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights.</p>	<p>As an increasing proportion of development falls into the permitted development regime, applying the Levy to changes of use such as offices to residential would enable infrastructure to</p>	<p>The resource implications of collection and monitoring Levy from different sources need to be considered. Some permitted developments (PD) are never notified to the planning authority so</p>	<p>The principle of capturing Infrastructure Levy on developments that make demands on infrastructure is welcome though there are concerns that it could be limited in scope. Cautiously</p>

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	be provided on a fairer basis.	this creates challenges in collection. Would be better to introduce a standard notification to LPA of all PD developments.	welcome proposed changes, especially on changes from office to residential even though this is too late for much of the stock in Southend. Further details are required on the proposals
Proposal 21 – Reformed Infrastructure Levy should deliver affordable housing provision.	Less time negotiating s.106 contributions on grounds of viability would be welcome.	Disappointing that recent new guidance on viability has not yet been given the opportunity to ‘play out’ in practice. To deliver in-kind affordable housing there would have to be agreement between the developer and local authority valuers in respect of the value of the in-kind contribution. Difficult to see how the Levy could also deliver affordable housing when it already aims to deliver far more in terms of infrastructure than the funds that are received.	<p>S106 has been effective in delivering affordable housing so a proposal to scrap this is concerning. It is not clear that alternative has been thoroughly thought out. Recent changes to viability guidance should have been given more time for the impacts of these changes to be fully evaluated.</p> <p>It is also difficult to see how the Levy could deliver more affordable housing than the current system of S106, when it also aims to deliver far more in terms of infrastructure than the funds that are received.</p> <p>It must also be remembered that S106 agreements secure much more than just affordable housing, including housing tenure, phasing of development and infrastructure</p>

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			delivery and other planning requirements. How will these be secured in the new system?
Proposal 22 – More freedom for local authorities in spending the Infrastructure Levy.			<p>In general greater flexibility for local authorities is welcomed as this will allow a more locally appropriate response to infrastructure provision. The amount of Levy collected currently is much less than the amount required to fund infrastructure.</p> <p>If affordable housing is added in there will be limited income available to fund all the infrastructure provision needed as a result of new development and many local authorities will need to choose whether they put infrastructure provision or affordable housing provision first, rather than providing for both in the quantum necessary. It can also take time for the funding pot to build up to the point where it can make a difference.</p>
Implementing the new system			
Proposal 23 – Develop a comprehensive resources and skills strategy for the	Recognition that Planning departments have lost	Pre-application charging should be at the discretion of local authorities	Careful consideration required of level of funding needed to support

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<p>planning sector to support implementation of reforms, including: The cost of operating the new planning system should be principally funded by the beneficiaries of planning gain-landowners and developers – rather than the national or local taxpayer. Local authorities to be subject to new performance framework with intervention where authorities not meeting this. Some local planning activities to be funded through general taxation, with a small portion of the income earned from development contributions to cover overall planning costs including plan making, design codes and enforcement activities]. Greater regulation of discretionary pre-application charging to ensure it is fair and proportionate. Planning fees to continue to be set on a national basis based on clear national benchmarking of cost of processing applications.</p>	<p>approximately 30% of their staff resource since 2010. Recognition of the additional and/or different resources (staff and technology) needed to support these proposed changes is welcomed.</p>	<p>reflecting the individual circumstances of each, including location and scale of development.</p> <p>For some developments national fees represent a substantial undercharge at current rates. Discretion in how costs are calculated should be included within the reforms.</p> <p>Recruitment of experienced/capable staff is currently a challenge in many areas, and it will take time to train employees in new skills.</p>	<p>transition to proposed planning system.</p> <p>The Skills strategy should fully reflect the new obligations for planning departments arising from the new planning system, including digital platforms and design expertise. A temporary transitional recognition of this may not be adequate</p> <p>Any new performance targets must give the system time to “bed-in”.</p>
<p>Proposal 24 – Stronger enforcement including new powers to address intentional unauthorised development.</p>	<p>Welcomed. It is recognised that enforcement is often seen as a “Cinderella” service that is frequently overstretched.</p>		<p>Strengthening of enforcement powers is welcomed, providing this is also reflected in consideration of additional resourcing requirements.</p> <p>There is a need to look in more detail at enforcement powers and procedures to speed up and</p>

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			strengthen the system. Transgressors often seek to flout the current law including when an appeal is in process, to benefit financially. Consideration should be given as to whether automatic suspension of enforcement notices while appeals are pursued should be changed.