

Pillar One – Planning for development

1. What three words do you associate most with the planning system in England?

Deliberative, democratic, hierarchical

2. Do you get involved with planning decisions in your local area?

Salisbury City Council (SCC) considers and comments upon all planning applications in the City and seeks to maintain a constructive dialogue with Wiltshire Council as the planning authority, and other Wiltshire Council teams and Statutory Consultees in order to promote positive and sustainable development in the City.

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

At present, SCC is advised directly by the planning authority by email. We wish for this to continue.

4. What are your top three priorities for planning in your local area?

Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas

Building homes for young people

The environment and protection of green spaces

Protection of existing heritage buildings and areas

Proposal 1

The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.

5. Do you agree that Local Plans should be simplified in line with our proposals?

The proposals are strongly opposed. This simplification will not assist Salisbury City which is currently built to its boundary.

Planning policies must protect our valuable heritage and natural environment. Salisbury is severely constrained by a mixture of constraints to development on:

- heritage and conservation (Grade I and Grade II listed buildings, Scheduled Monuments, two large conservation areas);
- the importance of the natural environment (SSSIs relating to the 5 rivers and their wetlands in particular);
- dense population with an overstretched road system leading to poor air quality and three AQMAs;
- and a vulnerable High Street and tourism sector made worse by the pressures from the Novichoc incident coupled with Coronavirus restrictions.

Planning decisions in the City must therefore be well considered and must balance a wide range of competing pressures. To have a simplified “protect” or “renewal” policy for the City would not be helpful and could lead to its physical degradation.

Proposal 2

Development management policies established at national scale and an altered role for Local Plans.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

Yes

Proposal 3

Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.

a. Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

The current tests of soundness make sense and the proposals in the White Paper have not given sufficient justification why they should be changed, nor sufficient detail in what is proposed.

No, we do not agree.

b. How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

No comment

Proposal 4

A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

SCC cannot comment upon this. There is very little development land within the City boundaries.

c. Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

No comment.

d. Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

No. It would appear that the proposals will result in a reduction of affordable housing. In Salisbury, there are specific types of affordable housing required and the NDP will seek to provide additional affordable housing if possible. We have commissioned our own Housing Needs Assessment in support of our NDP.

Proposal 5

Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of

development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

SCC strongly object to this.

Under these proposals, there will be automatic planning permission immediately outside the City boundaries in current greenfield areas. These new developments will potentially have a significant negative impact upon the City which will be the services and employment hub for neighbouring growth areas. If any of the infrastructure requirements that feed from the development into Salisbury City are not properly addressed in the Local Plan (which under the Government's proposals will be rushed through on a short timescale) there will be no recourse for Salisbury City to make the case at planning application stage that anticipated impacts must be mitigated.

e. Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?

No

f. Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

No. They are over-simplified

g. Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

No comment

Proposal 6

Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology

7. Do you agree with our proposals to make decision-making faster and more certain?

No. SCC considers planning applications and understands that whilst some are properly prepared and address all relevant and material planning considerations, some planning applications are poorly conceived, or even purposefully and unjustifiably presented to promote the benefits but ignore the harm that the scheme might cause.

It would be wrong to penalise the decision-makers where the fault lies with applicants who submit poorly conceived applications and inadequate supporting evidence.

Proposal 7

Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

8. Do you agree with our proposals for accessible, web-based Local Plans?

Yes

Proposal 8

Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

9. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

Whilst it is recognised that the current plan-making system is cumbersome and slow, and that a shorter plan-making period would be helpful, and also that it will be helpful to have a simplified approach to decision-making, it is important that local plans are not prepared in haste and that important detail is overlooked in favour of a shortened timeframe. In this sense, “haste makes waste” and the detailed land use pressures on the City must be fully considered if development for the future is to be successful.

The proposed timescales appear to be unworkable. SCC has been preparing a neighbourhood plan for around 2 years which is designed to run in parallel with the LPA’s Local Plan review so that the NDP and LP policies are aligned when they come into effect. SCC therefore has first-hand knowledge of the LPA’s processes, and though they are slow to be realised as firm proposals, the LPA’s approach is thorough and balanced.

The proposed timescales seem unrealistic as explained here:

- 6 month call for sites: this may be sufficient time to undertake the process of obtaining a list of potential sites but may not be sufficient to properly assess the environmental and traffic implications, let alone the unique infrastructure requirements that different sites present. The current system where this stage takes approximately a year (twice as long as proposed) seems a more reasonable time-frame.
- 12 months to draft the Local Plan: Assuming that the plan will focus on spatial strategy and site definition only, and that development management policies will be nationalised, it may be possible to achieve this. However, there is a real danger that the individual site policies or masterplans will be over-simplified and generalised. It is our experience from our own NDP call for sites that it takes time to negotiate with developers/proposers to agree how a site may be built out. There is always a tension between the plan maker (who seeks to secure sufficient infrastructure for the community) and the developer (who seeks to make a profit) as they negotiate an agreement what any particular scheme will offer. SCC feels that this cannot be achieved in a year and is very concerned that poorly conceived masterplans will be the result. This will not be sustainable in the longer term. The LPA should be given sufficient time to properly assess new sites.
- 6 weeks consultation: This is the current consultation period, but it takes far longer (6 months at least) to consider the outcomes of the consultation. In undertaking this White Paper consultation, the Government will not be able to give a considered response on 1 November 2020. It will require time to consider the responses. LPAs also need time to consider responses and this shortened timetable seems unrealistic.
- Examination in 9 months: this seems realistic, provided that the previous stages have been carried out competently and completely.
- 6 weeks to finalise and digitise: this seems appropriate.

In summary, SCC strongly objects to the shortened plan-making timetable because it runs a significant risk of paying insufficient regard to the need for infrastructure and masterplanning and will not allow sufficient scope to negotiate all necessary infrastructure provision for new sites.

Proposal 9

Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

a. Do you agree that Neighbourhood Plans should be retained in the reformed planning system?
Yes. SCC is producing a NDP to add detail to the emerging Local Plan.
b. How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?
<p>At present, the biggest blockage to the evidence gathering is the reluctance of the LPA to support the NDP in a collaborative way.</p> <ul style="list-style-type: none"> • The mindset of the officers is not helpful (it is reluctant), and the Steering Group must make repeated requests for emerging evidence. • The website is very difficult to navigate and it is therefore difficult to find relevant evidence and the search facilities on the website do not usually return the correct links. • Local plan policies are not prepared in a collaborative manner with the community (or the NDP which represents the community) and the liaison meetings are often uncomfortable because the officers appear to consider the NDP as a blockage to what they are trying to achieve. • When supporting evidence for the LP is commissioned, the scope of the tender does not mention how the evidence will be used by neighbourhood planners. For instance, it would be helpful for all reports and the standards therein to be in tabular form broken down by parishes so that the NDP could identify the report's relevance to the parish. <p>The Government's support for neighbourhood planning is welcomed, but the Government must recognise that neighbourhood plans are largely prepared by volunteers who are not planning experts and who do neighbourhood planning in their spare time. Developers and planning officers get paid for working on neighbourhood plans – neighbourhood planners do not.</p> <p>Locality is a well-resourced programme with enthusiastic and sensitive staff and their assistance is highly valued as we prepare our NDP. However, it is necessary that the planning authority is supports the production of our NPD as well and that the officers are given specific training in how NDPs are prepared.</p> <p>Each LPA should be REQUIRED to have specific officers responsible for supporting NDPs and NDPs should not be treated by officers as an irrelevant inconvenience.</p>
Proposal 10
A stronger emphasis on build out through planning
10. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?
The White Paper seems to place all responsibility for lack of build-out on the LPA and not on the developers who do not action their permissions. It would be useful for the new planning system to penalise developers who landbank and manipulate housing land supply figures. The LPA is not responsible for building.
Pillar Two – Planning for beautiful and sustainable places
11. What do you think about the design of new development that has happened recently in your area?

[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]
Beautiful and/or well-designed
12. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?
[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]
Less reliance on cars Energy efficiency of new buildings Energy efficiency of existing buildings Sustainable energy generation
Proposal 11 To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.
13. Do you agree with our proposals for improving the production and use of design guides and codes?
Yes, but in Salisbury where the historic environment is significant, we would not wish to introduce national codes, nor would we wish for design decisions to be left to the community when expert advice is required.
Proposal 12 To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.
14. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?
Yes. In addition, the chief officer should be required to facilitate understanding of design amongst non-planners in the community as they prepare their NDPs or give their views on masterplans.
Proposal 13 To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places
15. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?
No comment
Proposal 14 We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.
16. Do you agree with our proposals for implementing a fast-track for beauty?
No. Salisbury is unique and design decision should not be "fast tracked", nor should national policy determine what is "beautiful" in our City. Design decisions require care and consideration of local circumstances and context.

Proposal 15

We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.

SCC supports any improvements to national policy that will enable us to meet our climate change commitments.

Proposal 16

We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.

This concerns us. Whilst it is important to enhance “the most valuable” habitats and species, we are concerned that those that are not “the most valuable” will be harmed by this approach.

SCC would prefer an approach that assessed all environmental impacts in a systematic way that required any site to be assessed thoroughly once (either at plan-making or at application stage).

If environmental impacts are to be assessed at plan-making stage, plan makers (including SCC as it prepares its NDP) will require significant additional resources in order to buy in the required expertise to design appropriate mitigation for each site. A simplified approach to mitigate flooding or habitat destruction, for instance, could lead to disastrous and long term negative outcomes.

Proposal 17

Conserving and enhancing our historic buildings and areas in the 21st century.

SCC supports that the current approach will be retained.

Proposal 18

To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.

This is strongly supported.

Pillar Three – Planning for infrastructure and connected places

17. When new development happens in your area, what is your priority for what comes with it?

[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

Infrastructure
Affordable housing
Design

Proposal 19

The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.

<p>a. Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold</p>
<p>No. S106 allows the LPA to negotiate individual infrastructure improvements arising from a proposal. A national fund would dilute the attention for individual sites. Under the proposals, where infrastructure needs are identified after a site policy has been adopted could not be taken into account. It is entirely conceivable that unanticipated new pressures will arise between the time that the plan is adopted and an application is submitted. S106 allows these changed circumstances to be taken into account - a national system is less likely to be able to do this.</p>
<p>b. Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]</p>
<p>Locally</p>
<p>c. Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?</p>
<p>More value – at present development rarely supports the infrastructure that it requires.</p> <p>The outcome is congested roads, severance of pedestrian routes, poor cycle linkages, insufficient community infrastructure.</p> <p>In Salisbury, development over the past decades has led to severe traffic congestion, poor air quality, flood risk in the historic centre, and a generally poorly funded street scene. All these decisions resulted in a desire to reduce funding and allow development to create pressures because it was not adequately managed.</p>
<p>d. Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?</p>
<p>Yes. As we understand it, the CIL 123 priorities are difficult to deliver because it is necessary to await CIL receipts. The infrastructure is needed well before there are sufficient funds to pay for strategic infrastructure such as roads, junction improvements and local services. Being able to secure loans would enable necessary infrastructure to be delivered when it is needed, and not after all the pressures have been realised.</p>
<p>Proposal 20 The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights</p>
<p>18. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?</p>
<p>Yes, we think this is fair.</p>

In Salisbury, it is likely that the relaxed PD rights will lead to loss of retail as units change to residential. Residential development places different pressures on the environment and requires different infrastructure responses.

Proposal 21

The reformed Infrastructure Levy should deliver affordable housing provision

Not sure. We need more affordable housing but there is not much development land in the City. It makes more sense to require affordable housing as part of new development rather than to expect to pay for it on land that, as it turns out, is not available.

a. Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

No, more affordable housing is required. However, this should be good quality energy efficient housing with suitable room-sizes. The people who require affordable housing are heterogenous and affordable housing should be designed to meet the needs of a wide range of housing types.

b. Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

If there is no land available to build affordable housing from in-kind payments, then Salisbury will not get any affordable housing. There is limited brownfield land suitable for affordable housing in Salisbury but there is an unmet need. This approach is ill-conceived and will make Salisbury less affordable over time.

A right to purchase is helpful to those who wish to own their own homes. However, for many reasons, some people in need of affordable housing prefer to rent. Renting should be considered in more detail in the Government's thinking.

c. If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

Not sure

d. If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

Not sure

Proposal 22

More freedom could be given to local authorities over how they spend the Infrastructure Levy

No. This should be ringfenced for infrastructure funding and should not be spent on propping up departmental budgets.

19. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

No. This should be ringfenced for infrastructure funding and should not be spent on propping up departmental budgets.

i. If yes, should an affordable housing 'ring-fence' be developed?

Proposal 23

As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms. In doing so, we propose this strategy will be developed including the following key elements:

Support. Need specific training and support for neighbourhood planning groups.

Proposal 24

We will seek to strengthen enforcement powers and sanctions.

This is very much supported and it is a pity that the Government has tacked this onto the end of its proposals as an afterthought. Only through proper enforcement will deliberate infringements of planning be discouraged.