



c/o Old Chapel Cottage, Lower Froyle, Alton, Hampshire GU34 4LS

Our ref. FPC/20/008

Date: 27 October 2020

Dear Sir,

Planning for the Future White Paper 2020 - Consultation Response

Background : Froyle Parish

- The Parish of Froyle is situated in the Hampshire countryside between Alton and Farnham within the East Hampshire District Council ('EHDC'). It is located just to the north of the boundary of the South Downs National Park ('SDNP').
- The Parish consists of Upper and Lower Froyle which effectively act as one village sharing a Church, Village Hall and recreation ground.
- The Parish has 325 dwellings and a total population of approximately 600 adults
- Both Upper and Lower Froyle have individual conservation areas. Upper Froyle has a settlement boundary, whilst Lower Froyle is designated as countryside.
- There are over 50 listed buildings in the village, including Grade I and II* assets, and the surrounding countryside has been designated as 'valued landscape' by the Council for the Protection of Rural England ('CPRE').

Consultation Questionnaire

PILLAR ONE

1. What three words do you associate most with the planning system in England?
 - **Slow (but necessarily so), evolved, malleable!**
- 2(a) Do you get involved with planning decisions in your local area? **Yes**
 - **Froyle Parish Council (FPC) is a statutory consultee and considers every Planning Application.**
 - **Most building applications are for extensions or outbuildings, but there have been significant applications following the relocation of a special needs boarding school away from the village and the subsequent redevelopment of the site. FPC were very involved in this process, working with the Local Planning Authority ('LPA') to draw up Development Guidelines and liaising with the Planners and the Developer in the evolution of the scheme. The final development added 85 dwellings to the Parish, an increase of around 35%, together with a hotel and hospitality venue.**
 - **Since permission was granted, there have been issues with the hotel element of the development and the potential contravention of its use-class. FPC have been in extensive and protracted discussion with the LPA about enforcement which remains unresolved.**
 - **More recently, there has been a proposal to build a large commercial incinerator just outside the village and a group has been formed, with FPC backing, to fight it.**
- 2(b) If no, why not? **N/A**

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?
 - **Currently a combination of media is probably best for the village as some parishioners do not have access to the internet. In the long term, we would welcome a move to a digitally based information system.**
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 / Other – please specify]
 - **The environment, biodiversity and action on climate change.**
 - **Protection of the character of the village and heritage assets.**
 - **Providing homes and places for a diverse village population.**
5. Do you agree that Local Plans should be simplified in line with our proposals? **Not Sure.**
 - **Whereas we agree that there is plenty of scope for improvement in the Local Plan ('LP') process, 'simplification' could result in insufficient control of individual proposals, resulting in inappropriate development that will harm the character of the village.**
 - **It is not clear how the 'Renewal' and 'Protected' categories apply to rural villages such as Froyle. We note that 'Renewal' might include "small sites within or on the edge of villages" but it is not clear how this would relate to the existing designation of 'countryside' and 'settlement boundaries'.**
 - **The suggestion to have 'sub-areas' seems sensible, in order to achieve better definition, closer control and a finer grain within the broad classifications.**
6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? **No.**
 - **The proposed LP process would reduce the public consultation to one 6-week window in the LP stage.**
 - **This public input will be in the form of developing design codes which is a complex concept that would be hard for most residents to understand and thus fully engage with. It should furthermore be recognised that Parish Councillors are not 'Planning experts' either.**
 - **Plans developed at the scale of the 'whole' LPA area would necessarily be very broad-brush and unable to ensure the required quality for each individual site.**
 - **It is unclear how national policies would be translated into site-specific guidance and design codes. It is not stated what these codes would cover – e.g. height, density, street widths & character, semi-private and public spaces, landscape, etc? More detail on how this would be achieved needs to be provided.**
 - **The requirement for design guides and codes to be produced on a twin track with a LP would not appear to be feasible as it is unlikely that there would be the resources to draw up codes for every single site contained in the LP.**

- 7(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? **Not Sure.**
- **Parish Councils are not generally involved in legal and policy tests.**
- 7(b) How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate? **Not Sure.**
- **This is an important issue for Froyle as we are close to LPA boundaries and the impact of any development, in either authority, will have implications on the infrastructure on both sides of the LPA boundary.**
 - **There can only be benefit from cross-border working. It is essential to ensure continuity in larger strategic issues, continuity in cross-border areas and to save the duplication of work within adjoining authorities.**
- 8(a) Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? **No**
- **There is no recognition in the proposal figures of the planning permissions that have been granted but not built out – up to 1,000,000 homes. These need to be factored into the Housing Requirement figures.**
 - **The New Standard Method (‘NSM’) does not adequately take into account local constraints, such as the effect of National Parks. This is a key issue in EHDC where much of the LPA area is within the SDNP and as a result puts disproportionate development pressure on LPA areas outside the SDNP boundary, such as Froyle.**
- 8(b) Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? **No**
- **We feel that affordability and quantity of existing dwellings is a very crude indicator that does not adequately take into account the character of the area and that it should not therefore be a significant determinant of housing need.**
 - **Some of the most desirable (and therefore higher priced) areas are often the most constrained and/or require protection in order to maintain their essential character.**
- 9(a) Do you agree that there should be automatic outline permission for areas for substantial development (*Growth* areas) with faster routes for detailed consent? **Not Sure**
- **We do not agree that the areas identified for ‘Growth’, should be determined by a binding, top-down housing requirement. Under this system there will be very little ability for local communities to have any influence.**
 - **It is unclear how the quantity of development (number and mix of housing) would be fixed at the LP stage without developing illustrative schemes – which would be time consuming and therefore counter-productive.**
 - **It is not clear how non-housing development would be assessed and quantified in this process.**
 - **Design Codes – see comments Q17**
- 9(b) Do you agree with our proposals above for the consent arrangements for *Renewal* and *Protected* areas? **Not sure**

- We would welcome the retention of the current planning application process in 'Protected Areas'.
 - The distinction between the two 'Renewal' and 'Protected' is unclear, particularly in village and countryside settings.
 - Residents would have much less input to the size and form of 'Renewal' areas on the edges of villages, than they have at present.
 - We believe that in many cases, it will be very difficult to adequately control development in sensitive locations, based on 'pattern book' or LPA design codes. See comments to Q.17.
 - We are unclear on Local and Neighbourhood Development Orders and how these would be controlled under the new system.
- 9(c) Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? **No**
- We are concerned that in using the Nationally Significant Infrastructure Projects ('NSIP') process for larger developments would remove them entirely from the planning system. This would bypass established processes and compromise LPA ability to co-ordinate development in its area.
10. Do you agree with our proposals to make decision-making faster and more certain? **Not sure**
- We would welcome greater transparency in the process with the introduction of digital technology.
 - It is not always the LPA that creates delay in the processing of applications.
 - We do not agree with the automatic granting of permission if the stipulated time period elapses without permission. An automatic refund would be more appropriate.
11. Do you agree with our proposals for accessible, web-based Local Plans? **Yes**
- We would agree in principle but would note that timing and opportunities for communities to engage would be significantly reduced under the proposed system.
 - Web-based systems work on the assumption that everyone has access to the internet and broadband connections are sufficiently fast/reliable. Some rural areas may not necessarily have access to adequate internet facilities.
 - It will be important to invest sufficient time in developing and rolling out these IT systems. Any issues in implementing a workable system will create considerable disruption and erode public confidence.
12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? **No**
- Under these proposals there would be only one opportunity for public consultation in the planning making process.
 - It is not clear what 'best in class ways of achieving public involvement' is and therefore how communities will be able to engage. Moreover, the best ways of achieving public involvement seems to be only established in Stage 1 of the process, we feel this is too late. We would suggest that it needs to be defined prior

to embarking on the process, perhaps with national guidance as part of this phase of the proposals.

13(a) Do you agree that Neighbourhood Plans should be retained in the reformed planning system? **Yes**

- **It is essential that all the hard work and public commitment in drawing up a Neighbourhood Plan ('NP') is captured and used. It is not clear how the form of a NP would work in conjunction with the new zoning system.**
- **The NP could operate as a fourth zone if it were supplemented with sufficient design codes/guidance.**
- **Froyle has an adopted Village Design Statement ('VDS') which does comprise some elements of design guidance. A VDS could also transfer into some form of design code/ guidance under the new system.**

13(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?

- **This is difficult to determine without a full understanding of the whole process but as a minimum we would suggest that NP would have to be supplemented with some form of design coding/ guidance – see Q13a) above.**
- **Resource from the LPA would need to be committed to helping communities transfer NP's and VDS's into the new system.**

14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? **Yes**

- **Statutory time limits for building out developments in 'growth' areas. It is well established that there are over 1,000,000 approved homes that have yet to be built, and it is essential that this backlog is addressed before more land, especially in 'Renewal' and 'Protection' areas, is committed to development.**
- **Stronger enforcement measures – although it is unclear how these would be administered.**
- **A greater variety of development types within larger schemes - although the means of determining this is as yet unclear.**

PILLAR TWO

15. What do you think about the design of new development that has happened recently in your area?
- **One major development - Froyle Park**
 - **Redevelopment of a former school site adding 85 new dwellings to a Parish with only 240 dwellings**
 - **Reasonably well designed but its size has made it a challenge to integrate the new residents into the existing village community**
 - **Adopted Development Guidelines produced by community to guide development, definitely helped in developing an acceptable approach.**
16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?
- **Less reliance on cars**
 - **Retention & development of local employment & services**
 - **Improvement in 'green' public transport**
 - **Energy efficiency in new buildings, improvements to efficiency of older buildings**
 - **NO incinerators!**
 - **This White Paper mentions climate change but fails to address this important opportunity to place sustainability at the heart of the planning process. This should inform strategic decisions at the earliest stages and feed into the LP, Design Codes and the design of individual homes. It is essential in strategic planning that the location of major developments are close to employment in order to reduce car usage and that infrastructure such as public transport is planned to support this. The move to plan land zoned for 'Growth' on housing requirement seems to cut across this, steering development into the countryside instead of urban areas, and thereby perpetuating commuting and car usage.**
17. Do you agree with our proposals for improving the production and use of design guides and codes? **No**
- **Successful Design Codes are site specific, drawing on the constraints and opportunities of a particular location and reflecting the essential character of that place. These require expertise and a considerable time to undertake well. By necessity, they do not dictate solutions but set subtle parameters to ensure that new buildings, and the spaces they create are pleasant places to live and work and carefully integrated into their surroundings. Care needs to be taken to prevent them becoming formulaic and detached from an evidence-based vision for development in the area.**
 - **To create Design Codes for every site in every LP will take an immense amount of resource to do properly. We also suspect that many communities will find it hard to engage without strong support/facilitation from their LPA, which we anticipate will not have adequate resources to supply (see Q18).**
 - **This will result in many sites falling back to the standard National Model Design Code ('NMDC') or Area wide design codes, which will be general by necessity.**

- This will ultimately result in poor developments, especially in ‘Renewal’ areas at the edges of villages such as Froyle. We feel that rural areas would be better as ‘Protected’ and retain the current planning process.
 - Design Codes and Guidance should include measures to address energy efficiency (see Q.16)
 - We await further clarity on the process with publication of the new NMDC, which is promised for Autumn 2020. It would have been easier to comment on this issue with sight of the NMDC.
18. 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**
- However, as above, we suspect the challenge of drawing up area design guidance and specific codes for each ‘Growth’ and ‘Renewal’ site will be beyond the resources of Local Authority (LA).
 - We would support the appointment of a Chief Design Officer (‘CDO’) for design and placemaking in every authority, but the burden of creating design codes for their whole area cannot fall on this person alone. We see the CDO as being in charge of an area wide initiative, proving leadership and inspiration to teams in every town or village that requires design codes and development guidelines.
 - Funding will need to be made available to employ planners, architects and urban designers with the skills to guide local communities in the development of design codes for their specific localities, under an area wide vision led by the LA CDO.
19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? **Yes**
- The government must lead by example. Homes England sites tend to be larger sites, which must be design led to create good settlements with a sense of place.
20. Do you agree with our proposals for implementing a fast-track for beauty? **No**
- We welcome any emphasis on schemes complying with design guidance that is local and developed with the community.
 - We can see that in ‘Growth’ areas, where considerable time has been taken in drawing up design codes for major schemes and process to expedite detail matters, this might work.
 - We disagree that ‘site-promoters’ should be able to write their own codes unchallenged, and then expect fast-track status.
 - We are very concerned at the term ‘gentle densification’, particularly if it is to be facilitated by permitted development. It is not clear how this is to be controlled in order to prevent ‘gentle’ becoming ‘excessive’.
 - The use of ‘pattern books’ in ‘Renewal’ areas would seem to cut across the whole idea of producing code-led, site specific developments that sit sensitively within their surroundings and maintain local distinctiveness. Such an approach would not be applicable to rural villages such as Froyle.
 - Such an approach ignores the fact that good design starts with an appreciation of context, including such issues as local topography, landscape, street design, block and plot configuration.

- **We note that the White Paper states that this proposal “will require some further technical development and testing”, we would agree. We suggest that any testing includes village edge ‘Renewal’ areas, where sensitive, controlled, site specific development is essential to retain and enhance the character of the settlement.**

PILLAR THREE

21. When new development happens in your area, what is your priority for what comes with it?
- **Protection of the character of the village**
 - **More/better infrastructure**
 - **Adequate provision of services and employment**
- 22(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? **Not Sure**
- **We would like to ensure that any new Levy would require a specific proportion is spent locally, to mitigate the effect of new development on the community.**
- 22(b) Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? **Locally**
- **We suspect that it would be appropriate for rates to be set locally, to encourage development where required and to be able to adjust for site specific situations. For instance, in urban development areas where sheer quantity of development would allow a reduced rate to encourage development – and where existing, surrounding infrastructure can reduce requirement. Conversely, in rural areas, the rates may be higher due to the dispersed nature of settlements.**
- 22(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? **Not sure**
- **Concern that in lower value areas that need more infrastructure, a greater levy might make the development non-viable.**
- 22(d) Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? **Not sure**
- **A conservative view of the LA income stream must be defined for a period to match the borrowing requirements, and underpin any borrowing.**
23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? **Yes**
- **This is essential if development rights are to be increased to allow larger developments in some instances (see Q.20)**
- 24(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? **Yes**
- **Affordable housing in rural areas to prevent migration away from villages and to maintain a diverse population.**
- 24(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? **Not sure**

- **We are concerned that this would open up the potential of cheaper housing being built by developers for the affordable ‘in-kind’ portion.**
 - **Some means to allow local LA/Registered Provider’s (‘RP’) to influence the design and mix of Affordable Housing (‘AH’) to meet local need, would need to be provided. Otherwise developers would just build the lowest cost unit, and when it is not taken up, it would be ‘flipped’ it out of AH.**
- 24(c) If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? **Yes**
- **Market fluctuation could have a great effect in both directions.**
- 24(d) If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? **Yes**
- **As 24 b) above, any in-kind delivery would have to be accompanied by design codes to ensure standards for affordable housing.**
25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? **Not sure**
- **We would want to ensure that the community receives a quantity of any Levy to mitigate the effect of the development on the village.**
 - **We foresee issues with Community Infrastructure Levy (‘CIL’) being used to reduce Council Tax, as this would be a very short term, minimal benefit spread across the entire LA area. CIL should be used to mitigate negative aspects of development for the community it effects.**
- 25(a) If yes, should an affordable housing ‘ring-fence’ be developed? **Yes**
- **Essential that it is provided, but to an established need.**
26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?
- **We welcome diversity in the planning process.**
 - **We have concerns that the opportunity for community input is less in this White Paper and at a stage that will make it more difficult to engage. We suspect that this will do nothing to encourage engagement from the quieter sections of the community.**

Conclusion

- We welcome the move to make the planning process faster and simpler to use, particularly in the Local Plan stage.
- However, we feel that this proposal is too simplistic at present and could result in insufficient control, resulting in inappropriate development particularly in 'Renewal' areas.
- We do not anticipate any 'Growth' area in our Parish, but how 'Renewal' and 'Protection' areas will relate to current designations of countryside, settlement boundaries and conservation areas is, as yet, unclear. Further work, and further consultation needs to be done to further define how these designations will impact villages such as ours.
- We believe that the new proposals will ultimately reduce the opportunity for community consultation in the planning process. We feel that the move to produce design codes at LP stage, will ultimately be difficult for many residents to understand and engage with. Without significant input and expertise at the local level, provided by the LPA, they will fail to adequately protect villages such as ours. Any move to proceed with this plan must be accompanied by adequate funding and resources to lead the process at a local, site-by-site level.
- The default back to Local Area and/or National Design Codes and the suggestion of 'pattern books' is especially worrying and we would strongly oppose this. There is no "fast track to beauty" as good design requires detailed work analysing and understanding context to produce sensitive schemes that support and protect character and local distinctiveness.
- The opportunity to address Climate Change has not been adequately addressed at present. There is scope to do more and to embed sustainability in the planning process.
- Any change to S106 and CIL structures should ensure that monies are spent on good quality affordable housing and infrastructure to mitigate the effect of new development on local communities.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Andrew Potter', with a long horizontal flourish underneath.

Andrew Potter

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