

Rt. Hon. Robert Jenrick, MP,  
Planning for the Future Consultation,  
Ministry of Housing, Communities and Local Government,  
Planning Directorate,  
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Fry Building,  
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London SW1P 4DF

Dear Secretary of State,

This letter and its attachment is the considered response of Castle Cary Town Council to the Government's White Paper 'Planning for the Future' published in August, 2020. The Council hopes you will find it a helpful document and welcomes the opportunity to comment.

In preparing this response the Council has drawn upon its extensive experience of planning over many years and especially over the past five years in dealing with significant housing developments in Castle Cary (and with the neighbouring parish of Ansford with which we share a Neighbourhood Plan). Of course, this Town Council's role is that of commenting on planning proposals ultimately determined by South Somerset District Council rather than deciding on their suitability but we have been intimately involved with several proposals having a considerable impact on the town and thus speak with experience and some authority.

We have largely confined our response to matters arising within our direct experience. Nonetheless, the Council considered also the wider issues raised in the White Paper. As you will see from our response we remain unconvinced that the planning system is broken.

In short, the Council is of the view that delays in the scale of housebuilding required in England are not primarily a consequence of local authority bureaucracy, excessive paperwork, lack of skills in the planning professions, local consultative mechanisms or nimbyism.

It is a matter of record that in the previous ten years planning permission was granted for 2.5 million homes but only 1.5 million were built. 1 million remain undelivered by developers.

The delays arise in our view mainly from developers sitting on outline planning approvals until they are willing to deal with the 'reserved matters' and then build out. We believe there are various reasons for this, not the least of which is the state of the housing market, credit availability, the predicted profitability of individual developments and disagreements between developers and landowners. Here in Castle Cary one developer had the benefit of an outline planning permission for a 165 home project but did not make the reserved matters application for three years, i.e., only just in time before the permission would have been lost entirely.

A second source of delay is a desire of developers to maximize profit by increasing density on sites which simply cannot bear the load when the impact on infrastructure, vehicle parking and access are taken into account. We have one brownfield site (on which we keenly favour development) now at appeal after refusal at our request by South Somerset DC because densification would clearly result in overflow parking in nearby streets leading to traffic disruption.

Where there is delay at the local authority this is usually caused by lack of staffing resources. Simply put, planning departments are understaffed and this is mostly the result of inadequate budgets and salaries less than those in the private sector.

Finally, we were concerned that although the White Paper mentions housing for older and differently-abled people, it falls short of offering a constructive way forward to provide sheltered housing with communal spaces for older people, a significant issue in our locality. Incentives may be needed because our experience is that developers fail to address this need.

Yours faithfully,

Judi Morison,  
Chairman,  
Castle Cary Town Council

Enc.

# **Castle Cary Town Council: Response to the White Paper ‘Planning for the Future’, August 2020**

## **Who we are**

Castle Cary, together with the parish of Ansford, forms a thriving local market town with a population of some 3,360 people and 1,640 dwellings and is seen as a desirable place to live with a strong housing market but lacking enough affordable and social housing, particularly for local young people although many new affordable homes are being built in adjacent Ansford.

Employment opportunities cover a wide range and the town is slightly more ‘self contained’ than the national average with 54% normally working from home or within 20km. The town with its weekly market and thriving retail presence is the hub of the local area and as an attractive historic centre it draws trade from residents, outlying villages and increasingly visitors from further afield. In normal times Castle Cary has a rich and varied cultural and social life with a range of venues and outdoor spaces. Transport links are not entirely satisfactory and the railway station is one mile from the town centre with insufficient parking.

Castle Cary benefits from many older buildings in the honey-coloured limestone of Hadspen quarry giving a strong and locally distinctive character to the town. There are 2 Scheduled monuments, some 112 Listed buildings and 4 Conservation areas. The town is surrounded by high quality farmland and a wider countryside unusually retaining much of its early landscape character.

Our vision for Castle Cary, as set out in our adopted Neighbourhood Plan, is to allow for sustainable growth in housing, employment and community facilities whilst promoting and attractive environment that continues to protect and enhance the unique character and heritage of the town.

## **What we welcome in the White Paper**

We welcome the government’s intention to ensure more houses are built to meet the growing requirements of the population and the emphasis on

sustainable development, well-designed houses of high quality and bettering of the environment.

We cautiously welcome the increased use of information technology in the planning system though we are concerned it should not exclude those people unfamiliar with IT, nor should it fail to notify neighbours positively of planning applications. Despite the present system of lamp-post notices, press adverts and letters to near neighbours people often turn out to be unaware of developments: the use of social media may not be a good substitute. Machine-readable planning must accommodate householders who draw up their own plans.

Implementation of the Community Infrastructure Levy (CIL) has been patchy with about one-third of local authorities relying on s.106 according to the RIBA. We welcome a compulsory infrastructure levy to replace CIL and s.106 because we think it essential that towns such as ours can achieve infrastructure and community improvements to meet the additional demand of new housing. We have no firm view on whether the levy should be nationally rated or based on local judgement but we do think it should be set so that developers do not pay less than currently and it needs to be strictly enforceable with penalties for non-compliance. Section 106 agreements are often renegotiated by developers seeking to scale back their contributions: these claims are in our view caused by paying too much for the land and the desire to maximize profit.

We would welcome guidance to local authorities prioritizing levy spending on infrastructure in the localities of development (rather than local authorities having full discretion to spend elsewhere on services or in reducing council tax as mentioned in the White Paper) and guidance on borrowing against projected levy income, particularly to ensure that advance spending on infrastructure by town councils will be reimbursed automatically by the planning authority and that borrowing councils will be protected against debts incurred by non-payment of the levy (arising, for example, from developer failure).

Having a Neighbourhood Plan in place we would expect our Town Council to receive 25% of the new levy and for it to be expendable locally with few or no restrictions.

Finally, on this point we are concerned that the new levy would be payable on the final value at occupation. If a development loses value for any reason the levy would be reduced and thus the infrastructure costs born by the local authority might not be fully covered, thus transferring risk to the public sector and hence taxpayers.

## **What we find adverse in the White Paper from the perspective of a town council**

1 In general we think the massive centralization proposed with the government setting obligatory housing targets for planning authorities will lead to a reduction in local inputs and an undermining of localism in democracy. A clear danger in this would be the Local Plan being adopted before the public fully understood the implications. Subsequent to a Local Plan being adopted elected Councillors and the public would have no further say in a process which grants outline planning permission automatically in designated Growth zones, the form of this automatic process not being elucidated in the White Paper.

Automatic consent is risky: it diminishes a District Council's ability and flexibility (in consultation with Town Councils) to deliver a local strategy going beyond merely the location of new developments. It is not clear in the White Paper what the proposed 'sustainable development test' would encompass if replacing a range of sustainability appraisals addressing economic, social and environmental factors.

Assessment of housing provision has to take account of BOTH projected demand AND the capacity in multiple aspects of a town to accommodate new development. Centrally-set numbers alone may well fail to address the second factor.

It remains unclear whether automatic approval in Growth zones would precede assessment of, for example, flood risk or damage to underlying archaeology and unique ecosystems. Moreover, automatic approval for proposals based on greenfield sites on the outskirts of towns too far to walk to shops, schools and employment will add to car use, increased emissions and attendant health issues. In Castle Cary this would undermine our environmental target to be carbon neutral by 2030.

In cases where the Town Council would continue to have an input we would be very concerned if extensions of time to consider development projects and make observations were unavailable. Our Council and its Planning Committee meets monthly: without short time extensions we foresee weekly Planning meetings which would represent an onerous burden on our volunteer Town Councillors. It would also add unnecessarily to the workload of the Council's staff.

**2** The role of Neighbourhood Plans (on which we have lavished a good deal of thought and input by dedicated volunteers) is unclear in the White Paper: we welcome their retention but fear they may in fact become of little or no effect.

**3** While the concept of zoning is well-established in some places (e.g., Germany, New York) it is informed there by a good deal of sub-zoning and regulatory control. The use of only three categories seems to us oversimplistic. Castle Cary is a case in point: we have a town centre largely in Conservation areas and thus likely to be in a Protected zone but we have at least one brownfield site worthy of Renewal status. How does the White Paper intend zoning to work without creating a complicated patchwork? And our uniquely preserved historic countryside which is threatened by present and potential greenfield development surely deserves Protected status.

**4** The focus of the White Paper on housing underplays the need for commercial and industrial development to provide jobs and services for people who will live in new houses. In Castle Cary we want to preserve to some degree the 'self contained' nature of the town and its employment opportunities rather than encouraging commuting out from houses built on peripheral greenfield sites. The White Paper does not mention the location of waste and recycling sites of which we have one in Castle Cary.

The White Paper's emphasis on 'build beautiful' and good house design (which we welcome if it takes full account of locally sensitive factors, vernacular design and local materials) unfortunately obscures the importance of 'place making' – the provision of community facilities, open spaces (increasingly important if Covid-19 is with us for some time) and infrastructure. We want good quality housing in Castle Cary but we also want to retain an attractive environment with good community facilities.

**5** Densification can have unacceptable consequences. In Castle Cary a brownfield development was refused by South Somerset DC with our support because the housing density proposed by the developer was too high. It would have led to overflow car parking in nearby, historic streets, possibly pavement parking and traffic problems in the narrow high street.

Another problem with densification is it leads to smaller living space: teenagers spend less time in the home and congregate elsewhere. Lack of community provision (e.g., the run down of youth services) leads to acting out frustrations and anti-social behaviour. Minimum space standards should be adopted. We need to ensure adequate amenity space for new houses and extra indoor space to meet working from home requirements which seems to be a likely future need.

Councils should retain local discretion on housing density to take into consideration local context, especially in rural market towns like Castle Cary.

**5** It is doubtful in our view that any development levy will adequately supply enough affordable housing to meet demand. The White Paper makes no comment on the role of local authority-led housing delivery and fails to respond to the Royal Town Planning Institute's April, 2020 paper calling for a major grants programme to bring about house building by councils, housing associations and SME builders.

**6** Social housing and a mix of housing is important in towns like Castle Cary. The White Paper envisages removing the requirement for developers to build social housing if the site is for 10+ houses. It raises the threshold to 50+ houses on a temporary basis. Developers will no doubt welcome this but the White Paper fails to explain how the resulting shortfall will be addressed.

**7** The White Paper suggests removing the Duty to Cooperate. At our lowly level we cooperate as a matter of course with our nearby parish of Ansford to mutual benefit. Surely upper tier local authorities at District and County level need to take account of each other's planning so as to dovetail their provisions in the interests of economy and much else. The White Paper offers little in the way of a strategic framework within which local planning authorities might participate in shared projects.

**8** We are doubtful that new Local Plans can adequately be prepared and adopted in the 30 or 42 months envisaged by the White Paper. Moreover, we think this overly ambitious timescale will significantly reduce the opportunity for our Town Council and the public to make representations to the District Council, especially as community engagement is ‘front loaded’.

**9** We consider the right to be heard in person and to be able to question witnesses (section 20 of the 2004 Act) as critically important. The White Paper envisages an Inspector being able to have discretion over how that right is exercised and (at para. 2.48) that the right to be heard might be removed entirely. That would be a seriously backward step in democratic participation.

**10** There are several areas of the White Paper on which we have concerns but do not wish to comment as they are largely outside our experience as a Town Council.

These include considerations affecting District Councils such as the internal effort and cost involved in preparing the new Local Plans, the question of fees, penalty arrangements, the transitional arrangements from the present planning system to the proposed new system, the costs of implementing new IT systems, the extent to which professional planning officers require upskilling, and so on.

