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29 October 2020

Dear Secretary of State and Minister of State,

“Planning for the Future” White Paper consultation response

1. Thank you for your letter to me of 6 August 2020 where you set out the eight key aspects of your proposed reforms to the planning system contained in the “Planning for the Future” White Paper. Further to the meetings that we have had to discuss the planned reforms, please accept this letter as my formal response to the White Paper consultation, which I will be making public. Please read this letter in conjunction with my response to the consultation on the new Standard Method that I submitted on 1 October 2020.
2. As I made clear in my “Changes to the current planning system” consultation response, I welcome the Government’s manifesto commitment to deliver more homes across the country – and it is right that young people and growing families have an opportunity to own their own home, not just live with their parents or rent indefinitely. They must have the same opportunity to own a home that other generations already enjoy across the Havant Constituency and the country. But this must be done in a way that is both sustainable and deliverable with regard to local conditions and constraints.



3. The Local Planning Authority (LPA) that covers my constituency, Havant Borough Council (HBC), describes itself as a “pro-development local authority” with a pro-growth and pragmatic approach to delivering new homes for our area which is popular with young professionals, growing families and older people moving from other parts of the country to retire or downsize their existing home. HBC say they are progressing well with their new Local Plan, which was approved at Full Council unanimously in 2019 and most recently had proposed changes approved at Cabinet on the 9th September 2020 with a majority vote. HBC say they expect to be ready for submission to the Secretary of State by early 2021 following a consultation process which they say they are due to start this November.
4. In your correspondence to me setting out the planned changes in the White Paper, you summarised the key areas, and I set out below my response to each of these. I welcome your efforts to deliver “a more diverse and competitive housing industry, in which smaller builders can thrive alongside the big players” and “where planning permissions are more swiftly turned into homes”. To help achieve that ambition, I am an active founding member of a group of Conservative MPs that has a shared desire to shape the White Paper and the wider planning reforms. While we represent a diverse range of constituencies across the country, from urban to suburban and rural, we all recognise that reforms to the first draft of the new Standard Method and the White Paper are desirable.

A new role and form for local plans

5. I welcome the desire to make Local Plans produced by LPAs more accessible and map-based whilst also utilising the latest digital technology. Increasing local participation in their formulation and delivery will help further democratise the process and build on the principle that local people should play a role in deciding the areas for housebuilding, development and regeneration in their communities.
6. However, Local Plans must continue to be robust documents that are tailored and bespoke to the issues, challenges and opportunities of individual areas. In my constituency, Hayling Island, Langstone, Emsworth, central Havant, Bedhampton, Leigh Park, Purbrook, Widley and Stakes all have very different geographical and demographic features. HBC’s current Local Plan, with its methodical and evidenced-based approach, is tailored and bespoke to the issues and opportunities facing my constituency. Any changes to this system must ensure that while making the Local Plan easier to access it does not result in an inability to identify the right kinds of development for diverse areas inside LPA boundaries.
7. LPAs and local councillors should remain at the heart of the new planning system and they should continue to determine what goes where in the first instance. As local plans are prepared, it should remain the role of local authorities to decide how to use what land, where, and for which purposes. I agree that by adopting clear, map-based plans, local authorities should set the direction for a place early on.



A new 30-month statutory timetable for development of Local Plans

8. As you note in your letter to me, the length of time that it takes to produce a Local Plan is on average seven years – far too long. HBC in their response to this consultation assert that LPAs such as HBC that are proactive in developing Local Plans are not delaying the development process. They state that *“changes to the way in which Local Plans are prepared would slow progress, result in uncertainty for the development industry and local communities, and ultimately delay housing delivery. Essentially, it would penalise those LPAs working effectively to bring sound Local Plans and development proposals forward for adoption.”* The Government should consider changes to national processes, policies and regulations to ensure that the focus is on ensuring poorer performing local authorities are brought up to the correct standard rather than discounting the good work of pro-development authorities such as HBC.
9. While the length of time it takes LPAs in some parts of the country to agree Local Plans is undoubtedly too long, meaning planning policies are in danger of becoming obsolete as soon as they are approved, an accelerated timetable could have the adverse impact of reducing local participation in the process and local democratic scrutiny. Our 2019 General Election manifesto made clear we are committed to devolution and therefore we need to be strengthening local democracy. A more streamlined approach without the statutory timetable could be more suitable, but it must not come at the cost of weakening democratic engagement. The Government should therefore consider incentivising “pro-development” LPAs such as HBC that move forward quickly with Local Plans rather than imposing statutory timetables.

As part of the Local Plan, the principle of development will be agreed upfront for growth sites

10. Any change of the system to a “zoning” approach consisting of areas for ‘Growth’, ‘Renewal’ and ‘Protected’ must not penalise pro-development LPAs that have already agreed and implemented Local Plans. The new zoning approach would mean a revision of the work done to date by HBC on their Local Plan. Moreover, many sites included in the current Local Plan were voted upon on the basis that there would be subsequent consultation and work through the planning application process to make these sites viable. A transition stage might be necessary so that these sites do not become ‘Growth’ sites inadvertently.
11. The role of local councillors in the planning decision-making process is also of vital importance for the functioning of local democracy. This country has for a long time had a principle that planning decisions should, where possible, be taken by locally-elected councillors. Any new system for deciding locations for housebuilding must



still have a robust process whereby decisions on housebuilding locations are taken by local councillors.

A new binding housing requirement

12. While I accept that the housing target figures quoted recently in the media and by pressure groups are purely speculative given the new Standard Method has just finished its consultation phase and therefore has not been finalised, there has been concern expressed by some residents and community groups in my constituency and by HBC. Therefore, I believe that the finalised new Standard Method should not be blind to unique local factors and constraints. Every local authority area has different needs, requirements and constraints. Many of these local authorities from across the country will be raising these factors with you during your consultation phase and I hope that you take these into consideration when you finalise the new Standard Method. In particular, there are a number of improvements to the first draft of the new Standard Method that need to be considered and implemented to ensure the new system continues to be appropriate for HBC. These can be found in my consultation response on the new Standard Method that I sent to you on 1 October 2020. It is also published on my website at www.AlanMak.org.uk/PlanningConsultation

13. To address the under-supply of housing in some areas, the Government should incentivise building and disincentivise landbanking. For example, Council Tax could be levied at an agreed date after planning permission is granted to disincentivise landbanking of undeveloped sites with planning permissions. Alternatively, a plot tax may be levied on unfinished plots after a given date. This will either incentivise developers and speed up completions or offer financial compensation to an LPA. LPAs could also be empowered to withdraw permission if building progression and finishing dates are not complied with.

14. The Government can play a role in creating a more sustainable construction sector to allow for more sustainable housing delivery. There has been a significant decline in the numbers of SME building companies since the financial crisis¹. This causes a dependence on larger developers to meet the UK's construction needs, and gives larger developers more influence over housing supply. In addition, the construction industry needs investment in training to invigorate an industry with falling productivity and a declining workforce. The UK has historically faced low levels of investment in skills in the construction sector, which has contributed to skills shortages in the industry in some key trades and in some regions. This is due to worsen over the next ten years as a higher proportion of the construction workforce face retirement age in comparison to new joiners, and could result in even lower rates of housing delivery.

¹ Reversing the decline of small housebuilders, Housebuilding federation, 2017, https://www.hbf.co.uk/documents/6879/HBF_SME_Report_2017_Web.pdf (Accessed 19 October 2020)



A new Infrastructure Levy

15. As HBC state in their consultation response, in the Havant Borough they believe the Community Infrastructure Levy (CIL) has been successful, with HBC saying they have collected approximately £9,500,000 in contributions since 2013. Since then, HBC say they have spent and put back £1,520,060 into the Borough. HBC say that all but approximately £150,000 of the remainder is allocated to other projects within the Borough including coastal defences, a new railway footbridge and highway improvements. More recently, HBC say CIL funding has also been used as match funding for a combined bid to the Transforming Cities Fund in collaboration with Hampshire County Council, using CIL as a means of leveraging in further funding and maximising the benefits from both CIL and wider Government infrastructure funding. HBC say many of these projects rely on input/finances/infrastructure from other parties and therefore can take some time before the CIL money can actually be spent. Significant delays are caused by the timeframes and waiting for the commencement of development, something LPAs like HBC say they have no control over, and which is in developers'/agents' hands. This shows the extent to which CIL and other public funding sources can be leveraged together to create meaningful improvements to infrastructure for our communities.
16. The CIL is now a well-established and understood by housebuilders. However, a problem persists that not all LPAs have fully implemented the system. A National Infrastructure Levy could set back those LPAs that were the early adopters and implementers. HBC anticipate it would take a minimum of at least three years to introduce the new system. They argue that a better, cost-saving approach would be to retain the existing CIL regime, requiring and enforcing its rollout across the country. Implementing a new system that still delivers funding for local infrastructure if reforms to CIL are made remains vital.

Encouraging more beautiful development and places

17. I welcome the proposals to introduce locally set design codes based upon community involvement. With the right input this could ensure that any new development, especially in conservation areas, are in keeping with surrounding architectural styles. As this policy is developed, I hope that LPAs can prioritise local building styles and materials.

Modern, innovative uses of high streets and town centres

18. Regeneration of town centres to both make them fit for the future and to unlock additional housing is much needed. I commend the work being done by HBC to regenerate Havant's town centre, Leigh Park and Hayling Island seafront. The planning reforms need to continue to incentivise LPAs to regenerate town centres and high streets to make them attractive places to live and visit.



19. These brownfield developments should continue to be prioritised as residents across the Havant Constituency value the green spaces that are used for recreation or relaxation. Therefore, it is important that any changes to the planning system help to incentivise regeneration and deliver new housing on brownfield sites rather than in already-urban areas or environmentally-sensitive or constrained areas. Mixed residential and business developments such as the former Colt site in central Havant and close to Leigh Park is an example of how we can unlock brownfield developments. Rather than asking local authorities to simply increase housing supply by developing high housing-yield greenfield sites, further encouragement and incentives should be introduced to the new standard method to encourage more new housing to be located on brownfield sites.

20. More funding for loan/grant support for brownfield clean-up to unlock stalled sites and relieve pressure on greenfield sites should be considered. Regardless of the housing market strength, many brownfield sites fail due to high upfront pre-construction capital costs. This is either due to the site being on ex-industrial land which requires significant land remediation and extensive technical assessments, or requiring infrastructure upgrades to make the site attractive to prospective developers. These high upfront capital costs can result in the development being commercially unviable for the private sector.

21. The Government should support the creation of brownfield clean-up funds for smaller sites in suburban and rural locations, as well as cities. The brownfield register has been an excellent idea and the suggestion to consolidate it with enterprise zones and simplified planning zones is welcomed.

22. The White Paper should also create disincentives for empty homes. The UK needs an evolution in efficiency in land and housing use. Some 634,453 dwellings were vacant in England on 1st October 2018.² The Government should re-open the 'flats-over-the-shop' capital allowance scheme (Flat Conversion Allowance) to encourage investment in town and city centres. Redevelopment spaces in cities should be economically attractive to develop and live in, but economically painful to allow to sit idle.

Ensuring new homes meet climate change and environmental objectives

23. Rightly, at the heart of these reforms is the desire to build homes that will help deliver our world-leading commitment to achieve net-zero by 2050. We need

² Dwelling Stock Estimates: 31 March 2018, England, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/803958/Dwelling_Stock_Estimates_31_March_2018_England.pdf (Accessed 19 October 2020)



homes that do not need retrofitting and are going to make a real contribution to our efforts to tackle climate change through better insulation and green-building standards.

24. I also welcome the inclusion of street trees in the National Model Design Code. The planting of 30,000 hectares of trees per year across the UK by 2025 will be essential for not only improving our air quality but an important strand of our carbon capture and storage efforts. As new developments are built, especially in urban areas, I hope the planning reforms can encourage housebuilders to do more tree planting, creating new natural habitats and outdoor spaces for residents to enjoy. Locally I have started to partner with local schools and businesses to plant more trees and I welcome the opportunity to do more work in this area with interested local community groups and others.

Removal of statutory requirement to publicise planning applications in local newspapers

25. As the Coronavirus pandemic has shown there has been a clear shift online in the way that people of all ages and demographics access news and information. I believe that it is right to explore ways of publicising planning applications online. However, as a trusted source of information, local media should not be side-lined. The planning process should be both transparent and accessible for all and I hope that you take into consideration consultation responses submitted by editors of publications such as the “Portsmouth News” that make the case for the continued publicising of planning applications in local newspapers (either in hard copy and/or digitally).

Conclusion

26. This consultation rightly highlights the need for more housing so more people – especially young people and growing families – can own their own home. This strong desire to achieve home ownership is exhibited by many people that I meet across the Havant Constituency, including in areas such as Havant, Bedhampton, Hayling Island, Langstone and Emsworth where there are physical and environmental constraints on housebuilding. We must deliver on our manifesto commitment to level-up the country and provide more homes – but this should be delivered in a way that takes account of local needs and conditions.
27. As you develop your plans, I hope you will take into consideration the feedback provided and continue to work with Conservative MPs to develop and improve this first draft of proposals. In particular, the first draft of the new Standard Method for housing need is not appropriate for the Havant Constituency. I also hope you can refine changes to the Local Plan process and Community Infrastructure Levy so they are more appropriate for “pro-development” LPAs such as HBC.



28. In the coming months I will continue to engage with you both on this issue and would welcome further meetings with both of you as plans are progressed.

Yours sincerely,

Alan Mak

Alan Mak MP
Member of Parliament for the Havant Constituency