



Central Swindon South Parish Council

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Planning for the Future A consultation by the Ministry of Housing Communities and Local Government

Please find the below comments from Central Swindon South Parish Council –

Overall, we are concerned about the proposed changes to the current planning regulations. The building regulations and planning process might need to be updated, but not in the way proposed. The changes seem to seek removal of local determination and hand it to central government, which cannot be expected to understand the nature of each area, its communities and street scenes, its architecture and conservation sensibilities.

In this Parish we have not been very successful in appealing decisions which have been in direct competition with building regulations, design codes, frameworks and supplementary planning documents.

There are numerous and repeated references in the white paper to terms like 'data', 'digital', 'tech', 'digital-first' et. These terms, however, are never defined. With such a heavy reliance on new tools and methodologies to deliver the aims of this white paper, this approach is untenable. The appropriate tools to deliver and manage a digitised planning ecosystem must be identified before any rule changes that depend on their functioning in order to be implementable. The emphasis on jargon and the lack of concrete proposals for specific digital solutions significantly impacts the credibility of the document and of government policy based on it.

There is a fear that removing the need to apply for planning permission in most instances could remove scrutiny of adherence to regulation in regards to room sizes, car parking, cycle provision and storage etc, and the requirement on builders/developers to provide safe, warm, energy efficient and accessible homes. For instance, allowing a wider range of commercial buildings to be converted to residential without planning permission and without protections in place may lead to substandard housing and lack of local amenities e.g. doctors' surgeries, local shops. and adequate school provision.

It is disappointing to see the prospect of listed buildings not being subject to additional environmental approval. We may build fewer houses than many European countries, but that is not the fault of the current planning regulations. This is a result of developers and builders trying to push the envelope and then having to redraw because of resultant planning objections. Where reference is made to 'Newt-counting delays' these are actually very necessary protections, there to preserve and support our wildlife and biodiversity, and therefore must remain intact.

Extension of existing homes without the need of planning permission could cause great upset in local communities. Neighbours to these properties would not know what was being

planned and how would they object to blockage of light and overlooking of their habitable rooms and their gardens? There is no transparency here. At the moment residents are advised in many ways of what is being planned for their neighbourhoods. These proposals, if they go ahead, would remove transparency, not enhance it.

Additional storeys on purpose-built blocks of flats without the need for planning permission could increase the number of residents without increasing appropriate infrastructure and make strategic development difficult for planners.

No consideration is being given to residents of large developments that are built in phases, if construction hours are able to be increased Monday to Saturday unless there are very 'compelling reasons' not to. Loud noises up until 9pm and increased large vehicle movement around the streets would negatively impact on residents' quality of life. And what is meant by 'areas without residential properties'? This is very vague. How far away do the residential properties need to be to justify 24 hour building? What is 'sympathetic site management' and how would it be judged?

New "Infrastructure Levy"

In light of the fact that different councils in different parts of the country have devolved different levels of infrastructure to their parishes, how will this percentage be calculated to take into account appropriate need?

As IL is calculated against house prices (but infrastructure cost is largely uniform across the country), this means by default that localities with higher house prices will receive more money for infrastructure than places with cheaper houses.

Spending IL is proposed to be fully at the discretion of the local council, including on non-infrastructure (such as "lowering council tax").

IL will be paid "on occupation". Some developments are likely to fill up or complete slowly over time. This will prevent Local Councils being able to spend on provision of infrastructure e.g. building schools, community centres if they need to wait for the entire development to be completed before full IL payment is received.

We believe that the suggestion that councils should be able to "borrow against" future IL payments is an unacceptable risk considering the possibility of market value falls, developments reducing in size or scope, etc or not going ahead at all.

Affordable housing can be offset against IL. This risk causing some developments from paying little or no IL in cash towards infrastructure provision. The previous position (affordable housing was related to S106, whereas CIL was flat rate and separate) ensured that a predictable minimum amount would be available for infrastructure and a negotiable amount on top; new position is that an unknown, potentially zero amount could be available for local infrastructure at some unknown future point.

Will Parish and Town Councils continue to receive a proportion of IL. Currently we receive 15% rising to 25% with an adopted a neighbourhood plan and it is suggested that we will continue to receive these levels.

We note that bringing Permitted Development into scope of IL is a good thing and should be supported.

Renewal areas

There is no clarity on what the process would be for development in these areas (likely to cover overwhelming majority of our parish). It explicitly covers infill sites; will this

resist inappropriate developments which interfere with the amenity or accessibility of nearby properties? Without a formal planning process, the views of neighbours will not be able to be taken into account (who generally know the local topography better than developers or architects).

We believe there still need to be mechanisms to resist garden / back alley developments, inappropriate garage conversions etc. These are developments which would normally be refused in principal.

Growth areas

There is a suggestion that the process could be automatic permission in principal, followed by "reserved matters" application. It isn't clear what legitimate grounds for refusing a reserved matters application would be and a suggestion that it'll be focused around "good design", in which case a lot of what we currently object to would probably still be valid.

Neighbourhood Plans

It is stated that they should be retained, but unclear what purpose they will serve. Assuming zoning is dealt with at the Local Plan level, the original concept of using NPs to indicate where development should take place would appear to be superfluous. Unless NPs can bring in zoning which overrides zoning in the LP. There is a suggestion that they could be used to create Design Codes (presumably which supersede Design Codes in the LP). Considering the complexity of designing beautiful and functional homes, good urban planning etc., is this practical for small local groups. How will local Design Codes be validated against broader standards and expertise across the sector.

Local Plan changes

How will they change and how enforceable will they be? What happens with regard to HMOs?

Is there scope to continue to allow for separate local policies e.g. HMOs and self-builds?

Will the responsibility of setting parking, cycling and refuse standards still fall with the Local Authority or will this be replaced by national standards.

Sustainable Development

This is tied to the Government's "Future Homes Standard" which has been criticised by the Parliamentary Committee on Climate Change as not going far enough. Although Swindon Borough Council's own standards are poor, many councils have more stringent policies and this would represent a backwards step. We believe this will prevent councils mandating hyperlocal solutions as part of new developments (such as district heating or ground-source heat pumps in areas with access to standing bodies of water).

Design Codes

We believe these are a great idea but implementation in principle has not been successful.