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By recorded Delivery Mail to:

Ministry of Housing, Communities and Local Government (MHCLG)

C/o Planning for the Future Consultation

Planning Directorate

3rd Floor, Fry Building

2 Marsham Street

London

SW1P 4DF

29th October 2020

Dear Minister,

**RE: Comments in response to Government's August 2020 publication of the White Paper
"Planning for the Future"**

The **Kingswood Residents Association (KRA)** in Surrey is a voluntary organisation that aims to protect and promote the collective interests of around 1,200 local dwellings (of which more than 50% are fee-paying members). Much of Kingswood proudly carries a long-standing Residential Area of Special Character (RASC) designation, with large parts of the RASC being accorded Conservation Area (CA) status in 2009. This has been achieved by working with the Reigate and Banstead Borough Council (RBBC) and Surrey County Council (SCC) to ensure that our residents' needs and concerns in respect of planning applications, services, roads, public transport, parking and tree preservation are communicated. Our aim is to ensure Kingswood remains a unique and special place to live as we owe it to our local residents, who invest heavily not only in the architectural designs which precede bricks and mortar structures arising, but also in the aesthetic qualities of an environment which gives them a high quality of living in a beautiful neighbourhood and village – that small part of many which together, form the essential and globally-envied "soul" of the British residential landscape.

The KRA has very recently formed a Planning Policy Committee to interact with our residents, neighbouring Residents Associations, Local and National Government to play a constructive and critical role in how future planning policies evolve to enhance the development of our future urban environment, respond to changing work patterns, the growth of service industries and the resultant need to accommodate the realities of ever greater pressures on land for new residential accommodation – all while preserving and enhancing that essence of the beautiful, high quality residential landscape we have described above and of which we are a proud part.

The saying **An Englishman's Home is his Castle**, was established as common law by the lawyer and politician Sir Edward Coke in *The Institutes of the Laws of England*, 1628: "For a man's house is his castle, *et domus sua cuique est tutissimum refugium* [and each man's home is his safest refuge]."

It has been upheld as an ancient right related perhaps to times when the state was not meant to interfere in how children were disciplined or intruders dealt with within the confines of the home (as

most recently cited in the court case of Tony Martin in 2000). Today of course all citizens (men and women) are meant to obey the law of the land even when inside their “castle”.

That the saying survives in the modern lexicon is due in large part to the pride and particularly close emotional and economic relationship which the British public has with the home, evidenced by our origination and global export of many successful and enduring television series, media and published materials related to gardening (think Gertrude Jekyll to Monty Don), house design (think Edwin Lutyens to umpteen series of “Grand Designs” where individuals risk all to deliver grand visions), a bewildering variety of programming dealing with our love of sprucing up homes, DIY and much, much more – it does not surprise a British traveller to find strangely familiar programming appearing in an array of foreign languages when whiling away the time in a hotel room abroad. How many countries will claim to have originated distinct styles of built environment and architecture which have global recognition (and endurance through physical adoption/presence!) e.g. Georgian, Victorian, Edwardian, Arts & Crafts, “Country” styles and many more? Entire suburbs in Commonwealth, developing and developed countries globally are modelled on the British Village look and feel. Do not be surprised to see a brochure advertising idyllic living in a new Edwardian style village on the outskirts of Beijing.

It is fair to say that few expressions of local democracy and civic pride have been and continue to be so preciously and successfully exercised by its citizens as that evidenced by the generally beautiful cities, townscapes, villages, gardens, surrounding country and linked spaces which characterise the British residential landscape. It is a source of international envy, much tourism - and some mystery if you contemplate the roofless structures of Stonehenge.

While we thrive on and respect traditions, we do not turn on them or accuse them of holding us back – indeed, contrary to the accusation of being beholden to our traditions, we Brits are adept at “keeping the best and making the rest” (of traditions) as evidenced by new and modern building styles and techniques continuing to *evolve* alongside or incorporate elements of the old all the time, shaped by the creative soup of urbanisation, a mix of citizens of ever more diverse origins, new building standards, ideas, materials, city planning and infrastructure needs, and environmental demands.

Some of these elements are appropriately given structure and substance by Government’s central planners and Local Authorities working together as a team – with the NPPF and local DMP’s in evidence thereof. But they are substantially locally-driven “From the Ground Up” – as befits built residential environments - by the imagination, capital and drive of individual home owners, prospective landlords and developers of estates. Kingswood Village is no stranger to these realities and challenges. It shows much evidence of how heritage (evidenced by Arts & Crafts and Edwardian style buildings), beauty (RASC designations), development and innovation can co-exist.

This freedom of expression in a most fundamental arena of local democracy – the residential environment – is under threat from the proposals contained in the Government’s Planning White Paper (PWP). It is with some considerable bemusement that we learn of the opinions voiced by no lesser person than our Prime Minister, the Rt. Hon. Boris Johnson MP when setting the tone in the opening paragraphs of the PWP, describing the present Planning System as a relic from the past, as being “outdated and ineffective”. He continues to lay at its door the charge that it is responsible for not delivering enough homes, for not delivering them in the right places and (implausibly) for people being unable to afford to move where their talents can be matched with opportunity, for businesses being unable to afford to grow and create jobs. The PWP advances zero evidence for these fanciful and grandstanding soundbites - devolved planning systems have not held back the rapid evolution of

this country to a leading global provider of financial services, high tech manufacturing, low unemployment and we dare say, will not do so for the future economic and technological aspirations which it harbours for itself.

That such dynamism and growth of a nation exposes fissures in the availability and affordability of housing is a welcome challenge to be met with great resolution and leadership, not destruction in the name of disruption, and an eye on the finishing line of the next General Election.

This onslaught from within does not stop there. These accusations against our Planning System are apparently so grave as to warrant immediately carrying out the death sentence, with no option for reform. To quote the Prime Minister: “The whole thing is beginning to crumble..” (no doubt referring instead to the state of the Houses of Parliament or the under-funded, neglected and crumbling infrastructure and services of one of the largest contributor to the State’s coffers, Surrey) “... and the time has come to do what too many have for too long lacked the courage to do – tear it down and start again. That is what this paper proposes”.

The PM envisions “Radical reform” and “not more fiddling around the edges”, “levelling the foundations and building from the ground up...” something which delivers (and here’s the clincher) “...results in weeks and months rather than years and decades”. Even for a politician with the PM’s penchant for detail, this is a fanciful statement and (pardoning the multiple Asterisks above) one wonders whether the PM and his Secretary of Housing, Communities and Local Government, the Rt. Hon. Robert Jenrick MP envision themselves as a pair of indomitable Gauls high on magic potion, building Cleopatra’s palace in 3 months to lay bare Caesar’s challenge that the Egyptians no longer had it in them to construct such an edifice? A “..handful of massive corporations..” (i.e developers and house builders who have been particularly successful at mobilizing capital, have the capacity to deliver large housing projects, and whom the Government has not seen the need to challenge to face the scrutiny of a competition tribunal) do not escape his sights, and are blamed for SME builders departing the scene. Finally, citizens are promised a “...greater say over what gets built in your community”.

This latter statement is particularly disingenuous and dishonest when the most outstanding feature of the PWP is that it will so very clearly deliver quite the opposite, i.e. central Government planning and the issuance of planning Dictats as to how much of *what* gets built and *where* (and we know the “*when*”, which is “*now*”), with local communities being left to pick the colour of the paint and cosmetic design features of pre-approved, fast-tracked and potentially ill-conceived large-scale developments. How do we reconcile “We will set out general development policies nationally ...” (PWP page 20) and “A new nationally-determined, binding housing requirement that local planning authorities would have to deliver through their local plans” (PWP page 23) with “Communities will be reconnected to a planning system that is supposed to serve them, with residents more engaged over what happens in their areas” (Rt Hon R. Jenrick, PWP page 8) and “We have democratized and localized the planning process by abolishing the top-down regional strategies and unelected regional planning bodies and empowered communities to prepare a plan for their area...” (PWP page 16).

With the greatest respect, the current Planning System is already well-democratized and connected to its citizens and stakeholders. When considering the carefully-crafted detail and vision encapsulated in 240 pages of the September 2019 RBBC Local Plan Development Management Plan (DMP) – and similar documents nationally no doubt – which has been painstakingly created with the cooperation and input of residents, Residents Associations, RBBC planning officers, local Councillors and other stakeholders during the course of the past decade, it is difficult to imagine clearer, more structured or more substantive evidence of local citizens having a say over *what* gets built in their

communities and *where* i.e. by communities that are connected to the Planning System. It also stands as irrefutable evidence of a process which says that, the more people you intend to house in ever-closer proximity together, the greater the degree of forethought required to consider, weigh and accommodate all the variables – from building standards, available land, supporting infrastructure investment, public services, concern for the environment, quality of living, the unique circumstances of the local economy, affordable housing needs, housing density, geography and demography and of course, the Build Beautiful standards we all aspire to for our residential and public buildings. And it does so by carefully and respectfully examining the capacity and potential of each distinct area of the Borough. Not a “one formula fits all” piece of desktop work devised from within the confines of an office in Whitehall or if self-isolating, the home library of one’s constituency residence.

There is simply no quick fix of the kind being promoted by the PWP for delivering quality work at scale and the PWP leans over dangerously like the famous tower of the same colour, in the direction of expedience, grasping desperately for the delivery of new housing numbers at all cost, with planning approvals to be delivered thick and fast in “Growth Areas” first, sweeping pre-conditions aside with Permission in Principle approvals, a presumption in favour of development to guide land availability criteria, and a technical stage following later to catch up on standards (“Delivering Change”, PWP Page 68). This process is more likely to lead to stop-start initiatives, delay and increased cost, commenced but not completed large-scale developments and in the face of the uncertainty, who will mobilize the capital or financing to build, deliver and sell these structures?

For our planning system to stand accused of so many failures and sentencing to be pronounced without a proper hearing based on the facts, seems an unimaginable occurrence in a modern liberal democracy which is characterized by the rule of law. It obliges us to pause and critically examine the justifications for these accusations as well as to critically examine the PWP proposals.

In making this submission the KRA is not seeking to copy or repeat many of the considered responses to the Government’s Planning White Paper (PWP) made by the Reigate and Banstead Borough Council, fellow Residents Associations and the National Organisation of Residents Associations (N.O.R.A.) which we have endorsed by reference in the Annexure enclosed with this submission.

Let us consider the following:

1) The Planning System is NOT guilty of under-delivering on new houses:

The role of the Planning System is not to deliver built structures, but having regard to the policies of the DMP, to apply high standards in a consistent pathway for regulating the use and development of land and delivering planning approvals. Of course during construction there is a control and monitoring function being carried out by Borough Planning Departments but its impact on holding up building completions, if any, will more likely be an austerity-induced lack of resources to control and enforce previously-approved plans more rigorously.

If the Government accuses the Planning System of a failure to deliver enough - or affordable - housing, then it should not be silent on evaluating the impact of stamp duties on the liquidity of the property market, the regulatory barriers which prevent banks from lending for buy-to-let purposes or tax penalties which make it unattractive for individual investors to invest in making more tenanted property available. The extent to which Business and Council taxes once deemed local (in order to fund local infrastructure, housing and services) are increasingly diverted to

Central Government coffers has not been addressed for its impact on housing shortages and crumbling, inadequate local infrastructure.

2) 300,000 new housing units per annum is a crude and unsubstantiated target:

Arising from the ashes of the demolished old, is a central and dominant new foundation stone representing a single-minded obsession to deliver 300'000 housing units per annum and a million by the end of this Parliament – while most informed observers will not doubt that a shortage of housing in England exists, the origins or computations of this number have not been revealed. Yet it informs and justifies the radicalism of the new plans (“Radical reform unlike anything we have seen since the Second World War” – P.M., PWP page 6). Surely the starting point of any rational plan to increase the availability of housing (i.e. *owned and tenanted, private and public*) analyses the nature and locations of the greatest shortages, the economic cycle, regional industry growth trends (services and manufacturing), urbanization trends, changing work patterns, the need versus capacity of different Boroughs to accommodate and promote growth and so on?

In seven decades since 1949, O.N.S. records show that there have been only 7 years in which more than 200'000 newbuilds p.a. have been delivered (N.O.R.A.). Yet nowhere within the 82 pages of the PWP, is any table, statistic or analysis of this nature presented to put in perspective delivery of the Prime Minister’s Great Leap Forward by the end of the current Parliament.

3) Our Local Authority (RBBC) already delivers approvals at the required rate:

- a) Evidence available (RBBC Housing delivery Monitor 31 March 2020) clearly demonstrates that Planning Departments of many Borough Councils are approving plans at, or in excess of the required (agreed) rates to significantly alleviate shortages. What is not under their control, is the rate at which parties holding these approvals are able or obliged to convert them to built structures and Councils have few tools available to ensure that these approvals are expedited or actualized. To those who have achieved a value-uplift from approved plans, there are no costs of holding on to or on-selling such a property to a 3rd party for profit. In the decade since 1st October 2010, 27% of planning permissions granted by RBBC were not started and of those not started, 37% had lapsed (i.e. 10% of planning permissions granted). In spite of this, the Borough met – and exceeded - the newbuild targets agreed with Government. *There is no foundation in fact for the accusation that not enough plans are being approved.*

If we may quote the N.O.R.A. to illustrate the national picture: Evidence in the public domain from the Local Government Association shows that 90% of planning applications are approved, while there are more than one million homes with planning permission that are still to be built. The LGA analysis found 2,564,600 units had been given planning permission since 2009-10 and that 1,530,680 had been constructed and the number of granted planning permissions for new homes in England almost doubled between 2012-13 and 2018-19 from 198,800 to 361,800. We refer back to the heading at paragraph 1 above.

- b) Algorithms: It seems perverse to perpetuate Government’s blind love of algorithms and introduce simplistic formulas which re-base new targets on past performance, with the outcome being that under-performing Boroughs and Counties are rewarded with lower future newbuild targets and Boroughs such as RBBC – who exceed their targets – are penalized with ever-higher ones. Added to this, a Council’s very success in delivering targets

will increasingly limit and finally exhaust the residual potential for all or certain types of new housing. In terms of regional development, applying the new formulas will see the Government's "Northern Power House" achieve lower housing development and already expensive property in the South East, be driven up further by increased demand for new housing. This is an example of the simplification objective of the PWP being too simplistic and delivering discriminatory outcomes.

It is to be doubted that the Government's much-trumpeted HS2 (or H2S in consideration of the heady stink following in the wake of its latest budget over-runs) will alleviate property imbalances and/or connect people to jobs (and lower-cost housing in the North) more effectively or cheaply.

4) The Planning System should be streamlined and improved, not destroyed and replaced by an unproven model:

Residents Associations countrywide are likely to agree that the process and cost of formulating, submitting and receiving approval of plans can indeed be simplified, sped up and modernized. The PWP raises valid objectives of achieving clearer planning rules, publishing standardized construction codes and delivering greater digitization – albeit that who will pay for all this is and how Council planning teams decimated by austerity will be restored to full complement and trained in time to deliver the ambitious roll-out of the PWP, is not spelled out. Is the answer to tear down the old, rather than reforming and improving – even transforming - it in these respects? Is there a role for a Planning Transformation Tsar/Tsarina?

Streamlining and simplifying the Planning System may well do more to encourage the emergence and/or return of SME builders and developers to the scene, than any direct subsidy or Government initiative to achieve the same.

5) Affordable Housing (AH) should be targeted and provided where it is needed, not universally:

Government leaders, contrary to the ruling party's traditions, seem keen to provide a dose of in situ social engineering through Planning Policies – the pipet is primed to carefully dose 25% of the colours from yellow to red (which indicate an acidic solution not favoured by the present Government) within a solution consisting of the more favoured dominant alkaline blue (associated with home ownership) - to avoid any areas becoming purely red or yellow.

Would the analysis referred to at paragraph 2 above have delivered the conclusion of a constant 25% affordable housing requirement across the country, within each Borough or development?

It makes no sense to apply a same-size-fits-all formula for in-situ AH – the numerical value of the "value uplift" (capital gain) arising from developments in high-cost areas such as Surrey which is "shared" by developers through payment of a new infrastructure levy will be greater than that achieved in many other counties. Surely more "bang for the buck" suggests that the objective of delivering AH can be better achieved through siting more such development in lower-cost areas and/or where careful analysis shows it to be most needed? Where essential service workers (Police, nurses, fire services and others) are required to live in higher-cost areas, their remuneration should be adjusted to cater for calculably higher living costs, if or to the extent that Government-owned accommodation is not available. And why not allow the circumstances/needs/opportunities of each Borough (as amply described in the DMP) to determine whether local AH potential or needs demand that perhaps 15% AH is appropriate in

situ, and the balance of 10% be transferred to another Borough in need of addressing an AH deficit? Exploring a mechanism which allows Boroughs to “trade”/exchange the AH needs and entitlements may lead to a market-driven approach for directing where AH objectives are best achieved.

The drive for AH is both laudable and necessary but compromised by another large and seemingly immovable foundation-stone of the PWP – that of home ownership. The PWP fails to address the potential role of Government housing – perhaps anathema to the current Government – or more tenanted housing to alleviate the difficulty of access to decent accommodation or first-time ascent onto the property ladder as well as where such housing is made available in the first place.

There is no evidence to support the PWP statement that more planning approvals will deliver lower house prices.

6) The provision of mortgage funding needs fundamental reform:

It may appear odd to post observations in connection with the state of the UK mortgage market in the context of commenting on a PWP, but having conflated the role of the Planning System with accusations of its negative house price, AH and home ownership impacts already, the PWP’s fervent promoters have sought to give conviction and finality to their accusations by closing their case with a silent *ceteris paribus*. As we will note i.r.o. stamp duties and taxes elsewhere in this paper, such levers in the hands of Government represent significant other variables that are at play in shaping price, affordability and access to housing.

One such significant variable is the means by which individuals realise their dreams of home ownership – *competitive mortgage financing*. If in the midst of the heady red, blue and white mist of Brexit we dare propose that our policy planners look across the channel to our erstwhile EU partners for ideas, we would suggest that the prevalence of tenanted property in a country such as Germany seems not to have stunted that country’s economic growth, harmed the dignity of the inhabitants of such property or led to fewer socially-conscious, tax-paying and upstanding citizens of the type (blue) that we assume is assured through home ownership. However in a PWP which links the scarcity of housing to high prices and drives a “home ownership trumps all” model, availability of finance is certainly a key enabler for the aspirations of a new generation of home owners.

Following on the excesses of the 2008 global financial crisis, high deposit requirements and limited LTV ratios were meant to test affordability for applicants even if interest rates were 3 percentage points higher. Given the prevalence of variable interest rates in the UK, these stress tests may be sensible but do indeed provide a barrier for first-time buyers. If the exposure to variable interest rates were to be eliminated then so too, the need for such onerous stress tests? In circumstances where British Government longer-term bond yields are in the region of 0.9% (in Germany they are negative), it would make sense for the Bank of England and other regulators to facilitate the entry of pension funds and insurance companies into the consumer mortgage finance market – at least it provides an opportunity for the maturity profiles of assets & liabilities on their balance sheets to be matched– and for home owners to capitalize on historically-low fixed interest rates to ease the first step onto the property ladder. (Extracts from The Economist, Oct 10th 2020 – “Mortgage Market: Fixing It”).

Consider LTV ratios in Germany approaching 100% and the ability of its prospective home owners to minimise risk by fixing interest rates for 5-15 year periods to safely consign a known element of the family budget to paying the mortgage.

Perhaps the Prime Minister will rail against the “handful of massive corporations” (in this case banks) who dominate the limited range of mortgage products available to prospective home owners today and suggest that the (now near-extinct) SME lenders should take their place – remember the much-vilified Buy-to-Let landlord as a feature of the capital and property-providing scene - and the limited availability of mortgage financing and tax reliefs for their ventures which have been legislated against. They too were blamed for pushing up property prices, found guilty as charged and the sentence carried out hastily with evidence later emerging that over-optimistic property valuations, “imaginative” securitization practices on the part of some major banks and insurance companies and poor regulatory oversight by the FCA, were the real culprits. SME finance providers may never be exhumed to become a feature of the property financing landscape again.

7) There is scant evidence that the current Planning System harms mobility of labour:

The PWP appears to imply that the Planning System is failing to connect lower-paid workers and/or employees to jobs. What about the mobility of highly-paid managers or entrepreneurs and business owners, i.e. the mobility of the employment/jobs and/or the employer? Service industry jobs are increasingly mobile and those seeking to fill them are increasingly connected to their jobs via the internet. In terms of physically connecting someone to a remote job, the PWP fails to address the impact of the exponential scale as well as historically high stamp duties incurred when homes change hands – and the impact is greater the more home ownership you encourage, with concomitant effects on connecting people to new jobs in particularly non-service industries. Connecting a home owner to a new job implies a huge sacrifice of wealth through taxes.

The liquidity of the property market as well as the mobility of its resident home-owners (some of whom are job providers), and their families is thereby limited. Alternatively, the need to leave the owned home, rent it out and become a tenant elsewhere causes increased complexity due to involuntarily becoming a landlord - perhaps not what is desired by most.

We turn again to the example of Germany where, if anything, connecting its inhabitants to jobs wherever they may occur is enhanced by greater availability and prevalence of tenanted property. German tenants enjoy strong protection in law from unscrupulous landlords as well as rights to continue uninterrupted enjoyment of long-term tenancy. Renting is not perceived to be a source of Angst, dispossession or a signal that red or yellow categories of residents will start to pervade and destabilise society.

8) The Planning White Paper proposals seriously reduce local participation while shamefully claiming the opposite:

We quote (*our italics*): “Our reforms will *democratise* the planning process by putting a new emphasis on engagement at the plan-making stage. At the same time, we will *streamline* the opportunity for consultation at the planning stage because this adds delay to the process and *allows a small minority of voices some from the local area* and often some not, *to shape the outcomes.*” (PWP Page 20).

Two of the most incredible sentences appearing in the PWP: There appears to be deficiencies in the extent of local residents' participation in planning matters, as it deemed necessary to "streamline" and "democratise" it. Imagine a situation where, on a low or <50% voter turnout the Government were to be elected to office but refuses to take up the levers of power on the basis of flawed legitimacy of process evidenced by too small a majority of voices who could have cast their vote doing so, and therefore insisting that a referendum be held to validate the result.

That the "...small minority of voices" is dismissively referred to as being "...allowed to shape the outcomes" (in recognition perhaps that they have), is particularly insulting and instructive of the true intent of the PWP, which is patently to silence the local voice in planning. It is in the nature of democracy that if the majority chooses to say silent, they allow themselves to be exposed to the decision and "tyranny" of those who (care to) speak. For perspective, this "small minority of voices" more often than not will consist of Residents Associations, membership of which is subscribed to by substantial numbers of local residents paying annual membership fees. The small minority of voices will often put their hands deeply in their pockets and fund professional inputs to evaluate planning applications or policies and shape the commentaries which they post in Borough planning portals. Residents convene annual AGM's and elect from amongst their number, capable, public-spirited and committed individuals who without payment and motivated by public service, fill portfolios of activity related to i.A. Planning, Security, Road Safety, Social Care, Charitable Giving and many of the features found in Local Government, alongside their day jobs. Their Resident Associations create websites on which matters of local importance and interest – including planning – are brought to the attention of local residents. And they do indeed voice opinions which sometimes challenge Government's participation, role or interference in local affairs. This is democracy, n'est-ce Pas?

Consider the statement on page 72 of the PWP (our italics): "As local planning authorities are *freed from* many planning requirements through our reforms, they will be able to focus more on enforcement across the planning system". In simple English, this says there is to be less of a local say in planning and more to do in enforcing government's plans and decisions.

Only this Government can be so far removed from, and take its regional voter base so for granted as to suggest that its residents, whether acting as individuals or through the organisations they create and empower to act on their behalf, should be denied a democratic voice in local planning affairs. And what about the Localism Act of 2011? There is no way that the plans set out in the PWP could become Law without being in conflict with the Localism Act and perhaps its repeal is the "streamlining" referred to in the PWP?

9) It is an entirely inappropriate time to tear down the existing Planning System when the economy is facing major challenges from the pandemic and Brexit:

It is too early to quantify and fully understand the longer-term dual impact of Brexit and Covid 19 on our country and economy. It is fair to say that they will rank up there with major events of the past Century or so such as the 1920's Great Depression, two World Wars, the oil (price) crises of the 70's and 80's, the 1997 Asian Financial Crisis, the "Austerity Decade" following on the 2008 exposure of the shenanigans of many in the financial sector and (on the positive side), the 1980's Big Bang, and the impact of computer, mobile telephony and internet technologies that have occurred since the 1990's.

The P.M. is proposing to "tear down" and demolish a Planning System and bring forward the delivery of massive housing projects in designated Growth Areas at a time when we are experiencing alternative demands on the public purse, and a major and potentially long term

shape-shift of work-life patterns, commuting and jobs. Is it wise to lavish massive amounts of Government subsidy on large, fast-tracked developments which re-key the location of labour in relation to where jobs are for the next 25-40 years? Will work patterns change such that the design of particularly smaller housing units in large-scale developments, change fundamentally and come to accommodate the new future reality of greater work-from-home for many?

10) The proposed categorisation of three types of area lack clarity, definition and consideration of established local planning (Page 20 PWP):

Government's plans are presented as a cure-all silver bullet for under-delivery of built residential housing units, whereas it is our view that the more difficult but ultimately longer-term prospect of applying a silver buckshot approach in addressing and reforming many of the varied facets of the current planning system, will yield the more enduring and successful outcomes. We examine the key elements of the PWP proposals.

In February 2020 the MHCLG published the results of its 2019 Housing Delivery Test (covering new homes delivery by Local Authorities over the previous 3 years). For those LA's who failed to achieve respectively 95%, 85% or (in the worst category), 75% of their targets, different responses were required to address the situation. Of those who achieved 75% or less of targets (i.e. 8 – nationally - of the 108 "under-performing" LA's), the Government's response was to apply a presumption in favour of sustainable development. Punishment and pressure indeed.

Compare this to RBBC hitting 119% of its agreed action plan in spite of maintaining significant tracts of RASC and CA designations in the midst of Greenbelt land – an astounding achievement that ought to be applauded and rewarded, not punished. This is proof of what is possible and should set the bar for others to reach higher.

Instead the PWP "reaches" for the more expedient lowering of the bar by deploying a no-aim-required 42cm mortar, a kind of Big Bertha "presumption in favour of development" across the overwhelming swathe of town- and country landscapes nationally to which development of any kind could in future be applied.

The PWP's essence is that a (centrally-determined) formula ranks the priority and prospects for land being made available to satisfy the demand for new housing in three categories:

a) Growth Areas: For "Substantial Development":

- Of the three categories outlined in the PWP, the definitions and intent of Growth Areas is at least the clearest. Precisely this clarity gives rise to much concern;
- The problem is not with identifying areas or zones which could be suitable for such development. Permission in Principle to secure the principle of development "... without having to work up detailed plans first" (PWP Page 68) and speed of delivery intended, will work against quality of delivery and relevance of design (see paragraph 9 above);
- We see a significant risk of future landscape blight arising from the kind of intense development which lacks planning and forethought, duly aided and abetted by said presumption in favour of development;
- Governments globally share a poor track record in the "Build Beautiful" or Build Quality" arena when considering the soulless and grim tower blocks which blight the landscape and have - often unsafely – continued to house their reluctant occupants since the 1960's.

b) Renewal Areas: For “Gentle Densification”:

- As with so much in the PWP, the lack of definition around the casual use of terminology obscures the real intent and breeds suspicion. Think of the greater local democracy vs nationally-determined plan-arguments raised in paragraph 8 above;
- If we assume that gentle densification is not a reference to the preferred mindset or intelligence of the inhabitants of renewal areas, then quite what is meant is not clear. Does it suggest a “ladling in” of the presumption in favour of development?
- Where do Residential Areas of Special Character sit in relation to Renewal Areas? Lacking statutory recognition or definition, the logical conclusion is that they are unlikely to be given “protected” status as envisaged at (c) below and therefore a presumption in favour of development will apply to RASC’s too. This risks taking a wrecking ball to the British residential landscape;
- Is there for once a sensible role for a formula keyed off the existing neighbourhood ratios of built structure (H/D/W “massing”) in relation to landscape to guide “relative densification” for respectively, built townscapes, RASC areas, higher density developments (>40 dwellings per hectare), or will this become another nationally-determined formula as with so much else proposed in the PWP, with some areas accordingly experiencing “severe densification” and other “de-densification”?
- Consider the March 2020 RBBC Housing Monitor the 105 pages of which provide a detailed accounting of performance in relation to key aspects of the local DMP, including reference to housing density at pages 16 and 26. While the Borough (and no doubt many others) has no existing density policy, a reform or augmentation of the existing Planning System to give expression to density policies as a new triangulation point for navigating towards successful planning policy outcomes could be considered? It is worth noting that 75% of Reigate and Banstead Borough completions covering the 3 year period of monitoring, were on sites with less than 40 dwellings per hectare – densification indeed.
- But was it “gentle, moderate or radical”, and compared to which (regional and national) standards or benchmarks?

c) Protected Areas: For “Restricted Development”:

- Reference has been made already in the opening paragraphs of our submission to the admirable features of the British residential landscape. It is therefore fitting and re-assuring that recognition appears to be given to the need to protect some areas and more strictly guide the kind of development which takes place there. However, there are already significant shortcomings in the process, criteria and standards by which areas become designated as Conservation Areas. The NPPF and references to the role of English Heritage is relegated to a few simple paragraphs (i.e. Clause 16: Conserving and enhancing the historic environment at paragraphs 186, 187 and 188);
- What is appropriately clear is only that, what constitutes a CA in any one location is unique. These cannot by their nature be “rules-based” determinations, so clearer and more comprehensive criteria for designation need to be set, in keeping with “Keep the Best and Make the Rest”. The same could be said for RASC’s;
- In the absence of more robust designation criteria and enforcement standards, we risk having just another Planning Policy ideal which succumbs to the pressures of property development and the random walk of Planning Inspectorate decisions to which no right of appeal exists, as we have seen evidenced by many breaches of the DMP standards in Kingswood’s RASC/CA;

- Residential Areas of Special Character: In contrast to policy definitions at the national level, and weak CA criteria referred to above, the RBBC DMP at page 27 and 28 (Policy DES3: Residential Areas of Special Character) sets out 9 principles by which development applications in RASC areas are to be considered, as well as at 2.1.14 – 2.1.16 giving expression to what a RASC means. Clearly-drawn maps provide visual identification of the location of RASC and other designated areas in the Borough in relation to the surrounding landscape. It is to be doubted whether such granular clarity of communication can be driven by a centralized approach to Planning;
- *It is our view that, provided clear criteria are applied and substance of definition is given, a bias should exist as to the inclusion of RASC and Conservation Areas within the definition of “Protected Areas”.*

11) The terms and practice of enforcement need radical reform which will yield more and better housing:

This brings us to the final and arguably most important aspect of a forward-looking change to Planning Policies, whether the reformed existing or the radically new. The topic is in our opinion, central to the success of any Planning Policy. It is fair to say that clearly written – and communicated - laws will *encourage* compliance, however if you don’t also have *control* over their compliance or the *will and means* to consistently enforce or punish transgressions, you will not get respect for the law. As with all rules and laws, policies, principles and ideals, their achievement will come to naught without first setting out and communicating clear consequences of breach and secondly providing (in the case of Planning) Councils the means (and support) to enforce.

The RBBC Local Planning Enforcement Plan 2018 appropriately quotes at paragraph 1.1: “The National Planning Policy Framework states that: Effective enforcement is important as a means of maintaining public confidence in the planning system”.

The PWP at page 72 makes welcome mention of stronger enforcement but in its 82 pages, dedicates all of three brief paragraphs to the subject and thereby immediately fails to:

- Propose any specific analysis as to what may be wrong with the current system of enforcement;
- Advance specific plans as to how such failings may be reformed - do the current planning laws lack clarity with regards to the consequences of breach, are the consequences in need of review, is there a problem with the means available to control and enforce approvals and finally, are the powers available to Councils sufficient and/or not being used?

Instead the PWP tables further evidence of its authors residing on an entirely different planet with more grand-standing soundbites such as “...we want to see local planning authorities place more emphasis on the enforcement of planning standards and decisions. Planning enforcement activity is too often seen as a ‘Cinderella’ function of local planning services”. And “...local communities want robust enforcement action to be taken if planning rules are broken”.

Really? We refer the reader to the past 10 years’ history of the RBBC planning application entitled “Kings Barn” and wonder whether a clearer example of the impunity with which a developer can with premeditation and intent continue to show disrespect for planning laws, proceed to demolish without approval, build in breach of approvals, be the subject of a Stop Notice and fail to comply with an Enforcement Notice while in the process consuming extraordinary levels of public resources through unlimited appeals (the latest being an appeal - Planning Inspectorate Reference APP/L3625/C/20/3252951 - to the EN, which is auspiciously due

for commentary to the Planning Inspectorate on the same date as these comments on the PWP). It is not the only example.

We refer to the House of Commons Library Standard Note SN/SC/1579 of 2 July 2014 entitled “Enforcement of Planning Law (applicable to England only) and quote certain key comments, though this is no substitute for reading it in its entirety:

- It is not generally an offence to undertake development or make changes to a building without planning permission;
- It is a criminal offence to fail to comply with an Enforcement Notice (EN) or a Stop Notice (SN) or to perform illegal work to listed buildings or protected trees;
- Local authorities have discretion whether to take enforcement action (Town and Country Planning Act 1990 Part VII) even when an application to retrospectively regularize an unauthorized development has not been forthcoming within the prescribed period, but cannot normally be taken to Court for a failure to use these powers;
- There is a right of Appeal to an EN to the Secretary of State (i.e. a Planning Inspector appointed by the unelected Planning Inspectorate) albeit that an Appeal must be lodged before the EN comes into effect;
- Failure to comply with a breach of condition notice within the period specified is an offence under Section 187A of the 1990 CP Act;
- Failure to comply with the requirements of an EN or a SN is a criminal offence and liability is limited in most cases to a fine of £20’000 – which may have little bearing on the value of the transgression to the guilty party;
- Section 171BA of the Town and Country Planning Act of 1990 allows a local planning authority that discovers an apparent breach of planning control to apply to a magistrate’s court for a Planning Enforcement order within 6 months of discovery;
- An appeal by residents to the Local Government Ombudsman that a Planning Authority has failed to take enforcement action results in potential payment of compensation to the plaintiff, but the planning decision is not overturned;
- Many councils issue their own planning enforcement charters, as has RBBC;
- The Localism Act 2011 made some changes to the enforcement regime where in certain circumstances the right of appeal to the Secretary of State against an enforcement notice and/or application for retrospective planning consent, is removed;
- Planning Authorities have the power to decline to determine retrospective applications after an enforcement notice has been issued.

From this it would appear that an ample body of legislation deals with the consequences of breach, though we would argue needing review and updating to secure greater clarity and relevance to the value of development. We have to question whether Councils are using the powers available to them and if not, why? We have many examples of developments continuing to breach planning approvals in the potentially high-caution arena of the Government’s proposed “Protected Areas” designation, which Kingswood represents in both RASC and CA terms and if that is possible here, we shudder to think of the potential for breach in “Growth Areas” and “Renewal Areas”. Why is this?

- Are the fines, penalties or sentences involved in need of “radical” review (increase) in the light of the significant “value uplift” achieved from successful developments? Is an amendment of the Town and Country Planning Act required whereby it is made an offence to carry out work without planning permission (unless it is a Permitted Development) and levy mandatory fines even when the work is regularized through a

retrospective planning application? It may not prevent all actionable development but will discourage cavalier attitudes towards planning and reduce the incidence of breach, as well as contribute to the costs of better detection, investigation, processing and remediation or actioning of breaches.

- The abuse of the unlimited right to appeal: It makes no sense for Councils to expend the resources to enforce if there are limited costs and almost no limits as to the number of times that a developer can appeal a Council's decision to decline the application in the first place, or issue a SN or EN, to the Planning Inspectorate;
- Government has often vented its frustration at Councils by suggesting that fines should be imposed on Councils where too many planning applications are turned down, or are overturned on Appeal. This however masks the reality that ONLY 5% of planning applications are turned down by RBBC and of the 30% of these that are appealed, 30% are allowed on appeal – i.e. less than 0.5% of total planning applications. Across all Surrey LPAs, 504 appeals were decided of which **148 (29%)** were allowed (data published at LPA level for 2019/20). This is scarcely evidence of Council-led NIMBYism or the voices of the few acting as a spoiler for newbuild development. Many of the remaining appeals relate to breaches and enforcement;
- Ought the Planning Inspectorate route to be an option for parties to submit to by mutual agreement in the nature of an Arbitration Proceeding, with the freedom by prior agreement to abide by the PI decision without recourse to the Courts of the land?
- Role of the Planning Inspectorate: Where the PWP sets out dramatic centralization of Planning Policy, is it appropriate for Government to also be the final arbiter of compliance by appointing members of a Planning Inspectorate from whose decision there is no practical right of Appeal?
- The KRA wrote to the Prime Minister earlier this year to express its grave concerns over the Planning Appeal process and suggested that submission of planning appeals should be permitted the same recourse to competent courts as all other disputes, to avoid the seemingly random walk of Planning Appeal decisions such as we have experienced in the Kingswood RASC/CA. The response – a request delegated by the PM to the Planning Inspectorate - addressed not the fundamental principles raised, but sought instead to justify that the individual Appeal decisions raised as examples in our letter, had been correctly decided.

12) Summary:

The reader can be forgiven for wondering whether the central objective of the PWP's 82 pages, is to drive at two fundamental objectives:

- i) Centralising power in the planning arena rather than democratizing it in the manner encapsulated in law through the Localism Act;
- ii) Securing a long term tax base through stamp duties, development value-uplifts, council and inheritance taxes on the back of greater home ownership.

By the nature of its long term cycle, Planning Policy ought to be a bipartisan affair which looks beyond the next election cycle. We endorse the N.O.R.A. observation that the implementation and imposition of centralized policies along with the removal of community involvement from the key stages of Planning is in breach of the Localism Act (which seeks to give effect to the Government's ambitions to decentralize power away from Whitehall and

back into the hands of local Councils, Communities and individuals to act on local priorities) and is therefore fundamentally undemocratic.

The proposals contained in the PWP should never be permitted to see the light of day. Nothing would more fundamentally undermine democracy more where it matters – in our residential, town and county environment. This needs to be protected and preserved with great determination.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Val Evans', written over a light blue rectangular background.

Kingswood Residents Association

Valerie Evans, Chair

ANNEXURE

Responses to the Questions:

PILLAR ONE - PLANNING FOR DEVELOPMENT

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

Response: *Flexible, Responsive (to Innovation), though in need of modernisation/systemization.*

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

Response: *Yes. The KRA and its resident members are actively involved and its Planning Team tracks all new planning applications and makes comments where appropriate, on individual Planning Applications on behalf of its residents.*

Question 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?

Response: *We endorse the Tadworth and Walton Residents Association inputs. Our experience is that we can count on speedy advice from our LPA of new applications in the Kingswood area to one of their registered Consultees and strikes us as being not capable of improvement. We do not see that proposals of posting notices in the local area would have much effect but would welcome a wider direct notification to say 10 or so neighbours on each side of the application site and on both sides of the road. It would certainly be beneficial to improve the response levels from immediate neighbours and the wider community.***Question 4. What are your top three priorities for planning in your local area?**

Response: *(1) Protection of Green Belt Land. (2) Modernisation and development of the built environment in alignment with the RASC and CA designations of the area. (3) A high quality of living in owned and tenanted property through adequate, well-maintained supporting infrastructure.*

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

Response: *No. They are already very detailed and clearly communicate the reality and challenges of well thought-through development planning in the context of the existing built environment and potential for development. Government's zonal approach lacks definition, represents an over-simplification and will yield unintended and discriminatory consequences.*

We endorse the responses of the Tadworth & Walton Residents Association (T&WRA) and of RBBC on this question, in particular the extent to which RBBC has flagged an erosion of local democracy.

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

Response: *No. We endorse the N.O.R.A. and RBBC responses. There is a great diversity of environments and therefore, it would be inadvisable and unworkable to impose a standard, "one size fits all" LP across the board.*

Proposal 3: Local Plans should be subject to a single statutory "sustainable development" test, replacing the existing tests of soundness

Question 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?

Response: Not Sure. We endorse the RBBC response. As with much of the PWP, the definition of “sustainable development” is not clear.

Question 7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Response: We support the RBBC position, i.e. that the removal of the duty to cooperate is sensible.

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.

Question 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

Response: No. We support the reasons tabled in the N.O.R.A. and T&WRA submissions.

Question 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?

Response: Yes. We support the response given by RBBC.

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.

Question 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?

Response: No. This is a key Faultline proposal in the Planning White Paper. The RBBC and T&WRA responses are supported.

Question 9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

Response: No. We support the T&WRA submission.

Question 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

Response: No. This is seen as an expedient means of circumventing the potentially negative responses the Government may receive from the PWP consultation. We endorse the N.O.R.A. opinion that this would furthermore be a breach of the Localism Act.

Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology

Question 10. Do you agree with our proposals to make decision making faster and more certain?

Response: *Not sure. We support the RBBC response as well as the cautions raised in the N.O.R.A. response.*

Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

Question 11. Do you agree with our proposals for accessible, web-based Local Plans?

Response: *Yes. We support the RBBC and N.O.R.A. responses.*

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.

Question 12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?

Response: *No. Having played an active part in the productions of a high quality DMP such a delivery time scale is our experience unrealistic and doomed to fail.*

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

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

Response: *Yes. We support the N.O.R.A. response.*

Question 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?

Response: *We support the N.O.R.A. response.*

Proposal 10: A stronger emphasis on build out through planning

Question 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?

Response: *No. We support the T&WRA response.*

PILLAR 2: PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES GOOD DESIGN

Question 15. What do you think about the design of new development that has happened recently in your area?

Response: *We support the N.O.R.A. response. A developer-driven design code is responsible for a lack of architectural diversity in new builds.*

Question 16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

Response: *We support the N.O.R.A. response and would add the reduction of GHG emissions.*

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.

Question 17. Do you agree with our proposals for improving the production and use of design guides and codes?

Response: Yes in relation to building and materials standards and provided they do not lead to greater uniformity in the design and appearance of new homes.

Question 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?

Response: We support the T&WRA and qualified N.O.R.A. responses.

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.

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.

Question 19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Response: Yes. We support the T&WRA response.

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.

Question 20. Do you agree with our proposals for implementing a fast-track for beauty?

Response: Yes, but not if that is a disguised way of delivering Government's real objective of fast-tracking development in the name of beauty. The local DMP and RASC/CA designations cannot be diluted or undermined in the process. Beauty is in the eye of the local beholders...

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.

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.

Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century

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.

Question 21. When new development happens in your area, what is your priority for what comes with it?

Response: To encourage development however with the benefit of better-defined standards and criteria as to the maintenance of the RASC and CA status of the area. The high value nature, geography and present footprint of property in the Kingswood Village provides relatively little

opportunity for AH and “Gentle Densification” has already occurred through plot splits and flatted development/conversions – given large plots, one-for-two housing developments have been generally workable in the context of maintaining the RASC and CA status. Flatted development (almost always approved at the Planning Inspectorate level), has caused a significant risk of degradation of the RASC and CA principles applicable to the neighbourhood. It has caused a cumulative and exponential increase in traffic on local road infrastructure which is under strain from a decade of poorly-funded basic maintenance.

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.

Questions 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?

Response: No. We endorse the N.O.R.A. response

Question 22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

Response: Locally.

Question 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?

Response: No. See 22 (a) above.

Question 22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

Response: Yes, provided that sensible borrowing and solvency ratios, annual stress tests and other oversight criteria are set to avoid a financial blow-out by one Borough to the detriment of many others. Look what a tiny country like Greece did for the EU’s finances.

Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights

Question 23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Response: Yes. We support the RBBC response.

Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision

Question 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?

Response: No. We endorse the RBBC and N.O.R.A. responses. We have also commented in our covering response letter on the flaws of a constant in-situ AH application.

Question 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?

Response: *The latter – a “right to purchase”. We support the RBBC response.*

Question 24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

Response: *Yes. We support the RBBC response.*

Question 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?

Response: *Yes. We support the RBBC response.*

Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy

Question 25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

Response: *No. We support the RBBC and N.O.R.A. responses.*

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:

Proposal 24: We will seek to strengthen enforcement powers and sanctions

Comment: *We have outlined the KRA’s position clearly at paragraph 11 of our submission. We endorse the N.O.R.A. observations on the abuse of the Appeals process. We do not however support or endorse the view that the Planning Inspectorate should be the final arbiter of planning appeals. This becomes especially dangerous and prejudicial to local democracy in a highly-centralized planning system as is being proposed in the PWP.*

Question 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?

Response: *We endorse the N.O.R.A. response*