

## **Joint Response on behalf of the North Craven Heritage Trust, the Friends of the Dales, the North Craven Building Preservation Trust and the Craven Community Land Trust**

We welcome the opportunity, presented by this consultation document, to respond on behalf of our local communities in Craven, to the White Paper 'Planning for the Future'. We summarise our main comments below, in addition to submitting our replies to the 26 questions posed in the White Paper itself.

**We would appreciate an acknowledgement that our responses have been received and will be taken into account.**

### **Summary of our Key Points**

- provision of truly affordable housing, including rental properties and social housing for young families, older people and those working on our farms must be closely tied in to appropriate infrastructure, together with job opportunities, suitable workplaces and support services
- protection and restoration of our heritage buildings and the continuation of good management of our conservation areas is vital
- our Green Agenda must be included in all planning decisions
- methods of planning and delivering change must remain fully consultative and democratic
- need for a mix of non-digital and digital communication methods to be maintained
- control must not lie in the hands of developers; partnerships between LPAs and developers often lead to poor outcomes
- build first on sites for which permissions have already been granted, rather than allowing developers to 'sit on' land and inflate their profits
- Finally, we believe that there is little reason to suppose that that the White Paper's rules-based system, as opposed to the current, more discretionary one, will automatically produce a better outcome for any part of this country, i.e. a more sustainable environment, economy and society, as opposed to the mere accumulation of planning permissions

### **The Yorkshire Dales National Park**

The Yorkshire Dales National Park covers most of the Yorkshire Dales, the majority of it lying in North Yorkshire; following expansion in 2016, it now has a sizeable part in Cumbria and a smaller part in Lancashire. It encompasses over two thousand square kilometres and is home to over 20,000 residents who live and work in the Park. The Park attracts over eight million visitors a year who come to enjoy the many well known beauty spots, and experience the wide range of activities available. The Yorkshire Dales National Park Authority conserves and enhances the natural beauty, wildlife and cultural heritage of the Yorkshire Dales, promoting opportunities for public understanding and enjoyment of the area. A highly successful recent project, 'People and the DALES' run by the Yorkshire Dales Millennium Trust, has provided life-changing opportunities to disadvantaged people from urban areas to access and experience the Dales countryside, often for the first time.

The Friends of the Dales organisation is the leading voice campaigning for a sustainable future for the Dales, including the National Park and closely surrounding areas. Members are very much concerned that all planning development in this area is in compliance with National Park purposes in accordance with the Environment Act 1995.

## **Chief Characteristics of the Craven District in the County of North Yorkshire**

Craven lies at the extreme north-western limit of the County, bordering closely onto Cumbria and Lancashire, parts of which were included in Yorkshire until local government reorganisation in 1974. The boundaries between these areas are very artificial and communication links remain stronger than those to the County's administrative centre in Northallerton, which is about 55 miles away, with a road journey time of just under 2 hours and no viable public transport. Moreover, the situation is presently compounded by the current discussions about the devolution of government to a unitary authority, which remain unresolved. The central and eastern sides of the County have a completely different set of needs and circumstances from our own.

Craven is an historic area, where the underlying geology has shaped the way of life and occupations of its inhabitants. Running from north to south, the North and Mid-Craven Faults determine the present-day landscape features which dominate the whole of this beautiful region. On one side, lies one of the most important upland limestone landscapes in Europe and the largest in England, attracting thousands of tourists annually to explore its many remarkable features both above and below ground; on the other, lies the gritstone, with its wetter soils and seams of clay and coal which have enabled different occupations to develop and thrive. Village patterns and the priorities of individual communities vary enormously, especially in North Craven, which includes many scattered farms and dwellings.

## **The Planning Process**

The Craven District is sandwiched between the Yorkshire Dales National Park on the one hand and the Forest of Bowland AONB on the other, so parts of the district are subject to three separate planning authorities, working to different sets of guidelines. This is further complicated by the fact that some towns and villages are partly within the Park or AONB and partly outside it. When considering the needs of our local population, these boundaries are of course completely artificial, leading to bizarre situations where one side of a road can be within the National Park and the other outside it, which reinforces ever more strongly the necessity for planning applications to be dealt with on a case-by-case basis. In this context, it is of particular concern that the present 'Duty to Cooperate' could be abandoned.

The priorities of individual communities vary enormously and this makes the White Paper's presumption in favour of development, guided by a set of 'Codes', completely unacceptable. There is simply no 'one-size-fits-all approach' for our area and to allow it would be to completely disenfranchise those people who best understand their own situation. In our area, key priorities are the simultaneous provision, on equal terms, of the necessary infrastructure to support affordable housing (including rental and social housing) and business land, linked to job opportunities, improved public transport, health and social care and education, against the existing backdrop of depopulation and withdrawal of services. The future of many of our local communities is hanging in the balance as many new homes are being bought up by people moving from the big cities as a result of the pandemic; others are bought as holiday homes or rental properties, pricing local families and young people out of the market.

## **Heritage Buildings and Conservation**

It is vital that decisions about the protection and development of historic and/or listed buildings and landscape features are made by local people, including those with the requisite professional

knowledge and understanding of their design and significance. We therefore we strongly oppose the suggestion of employing pre- approved consultants. Local distinctiveness is paramount and the idea of adopting a national or even regional pattern-book approach, directly contradicts the positive promotion of Local and Neighbourhood Planning. This process seeks through consultation with the community, at the very earliest stage, to understand the reasons for a given application and to enable, sometimes competing views about the use of a building or piece of land to be heard and discussed. This democratic approach reveals what is distinctive about the architecture and context of a particular area or parish, where the character of the buildings has been determined by availability of local materials, their specific function and their setting within the landscape, which in turn directly relates to the economy and infrastructure of the area. This process is further strengthened through continuing consultation at the development stage, recognising that each site or building has its own additional and specific constraints that must be properly considered in order to fulfil its basic purpose and function. Too often, changes are made at the development stage which are not properly discussed or approved, leading to unsatisfactory outcomes.

Craven District Council is about to launch a new Conservation Area appraisal exercise this autumn and it is important to await the results of this before making any radical changes to boundaries or permitted criteria for development. Whilst we fully recognise the importance of mitigating the risks from climate change in the restoration of historic buildings, any proposed alterations should be reviewed on a case-by-case basis.

### **Environmental Issues and Climate Change**

The Yorkshire Dales and the Craven Area are rich in ancient landscapes, e.g peat bogs, limestone pavements, upland pastures and native woodland, together with their associated flora, fauna and bird life and it is essential to consider the protection of these in every aspect of planning, including reducing the risks associated with climate change. North Craven Heritage Trust and Friends of the Dales have recently organised a highly successful online conference, '*A Green New Dales*', considering a range of measures being trialled/adopted in the Yorkshire Dales, and proposing actions to assist taking them forward. These include taking a responsible and highly cooperative attitude to carbon emissions, reducing the use of plastics and artificial fertilisers and planting trees in the right places for the right reasons. Several of these actions are already well under way and already delivering very positive outcomes.

### **Delivering Change**

We are strongly opposed to 'speed' being the main driving force in bringing about change, and the extremely poor planning decisions that can result from this approach. Permitted development rights of any kind have no place in a rural area such as ours, as we have demonstrated above.

We are in full agreement however with the statement that local planning authorities remain at the heart of any reforms, provided that they can be given the right people, with the right skills and training, as well as the necessary resources to implement any improvements. They certainly need to be more outward looking and engage proactively with their local communities at every level, including parish level. Smaller planning authorities such as our own are in particular need of funding and encouragement to work more collaboratively with local organisations and with highly experienced and knowledgeable professionals.

## RESPONSES TO WHITE PAPER QUESTIONS

**Our main concern must be that “National Parks” do not feature at all in this White Paper. Is this a mistake or deliberate? See para. 2.8:**

“Areas that are Protected – this would include sites and areas which, as a result of their particular environmental and/or cultural characteristics, would justify more stringent development controls to ensure sustainability. This would include areas such as Green Belt, Areas of Outstanding Natural Beauty (AONBs), Conservation Areas, Local Wildlife Sites, areas of significant flood risk and important areas of green space. At a smaller scale it can continue to include gardens in line with existing policy in the National Planning Policy Framework. It would also include areas of open countryside outside of land in Growth or Renewal areas. Some areas would be defined nationally, others locally on the basis of national policy, but all would be annotated in Local Plan maps and clearly signpost the relevant development restrictions defined in the National Planning Policy Framework.”

**Question 1: What 3 words do you associate most with the planning system in England?**

The current planning system is undoubtedly in need of change and three words to describe it might be **complex**, **time-consuming** and **opaque**. The last decade has seen planning deregulation which has led to bad planning decisions and a gradual erosion of democracy. However, the pressure to change the existing system appears to be purely commercially driven by developers who, unfortunately, seem to exert undue influence both at national and local level. The proposals in this White Paper seem to be a wasted opportunity to shape a system fit for the 21<sup>st</sup> century and are perhaps the wrong answers to the wrong questions.

**Question 2a: Do you get involved with planning decisions in your local area?**

Yes, constantly – the Friends of the Dales, North Craven Building Preservation Trust and the North Craven Heritage Trust monitor planning applications and decisions carefully.

**Question 3: How would you like to find out about plans and planning proposals in the future?**

By all these methods; it is important that everyone is able to access information in their preferred manner and often different methods provide supplementary information, e.g. a newspaper article will lead to further correspondence, which is not automatically captured electronically. We also support the placing of notices on lamp posts, even though the Rt. Hon. Robert Jenrick M.P. seems rather dismissive of the practice, as this is a very effective way of bringing planning applications to the notice of those in the immediate neighbourhood.

**Question 4: What are your top three priorities for planning in your local area?**

We believe that in an area such as ours there are more than three priorities to consider. The environment, biodiversity and action on climate change, especially promoting zero-carbon buildings are very important. We must also increase the affordability of housing for young people and families on limited incomes working in the area, provide smaller houses so that older people can downsize but still remain in the local community and allow the building of modest properties on farms to help farming families continue their business. It is imperative that any planning decisions take into account good design and protection of our built heritage, all whilst improving local infrastructure and supporting our local area.

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

No. The zoning of areas is completely inappropriate and potentially damaging to rural areas such as ours, where a holistic approach to planning is vital. Local plans, developed by means of widespread consultation and strong local knowledge, supplemented by neighbourhood plans where possible, provide the best method of achieving sustainable outcomes. For example, it is essential to factor in the protection and provision of employment land to mitigate the imbalance between housing and employment. The evidence from other countries with a zoning system shows that it does not improve efficiency and can lead to some very bad decisions because it is inflexible when circumstances change. Experience here already suggests that simplified planning zones create a risk for local democracy. We do not agree with the proposal whereby democratically-elected local representatives will be unable to scrutinise actual schemes in the ‘Growth and Renewal Zones’ (other than simply laying down crude guidelines to apply in the new zones). Likewise, we disagree with the proposal that public involvement in the planning process will be limited to the drawing up of local plans, and will no longer be part of the earlier decision-making process on individual applications. People rarely show an interest in the plan-making stage of the process because they cannot easily envisage the impact of a local plan on their daily lives.

**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?**

No. For the reasons laid out in Question 5, we believe that it is essential for Local Planning Authorities to determine policies based on local need, including provision for rental and social housing. There must be the ability to have policies in plans which reflect local circumstances without repeating the NPPF. The transparency of government data is essential, and it must be relevant to rural areas rather than a standard ‘fit all’ more suited to urban areas.

**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?**

No. Insufficient detail is given about the proposed sustainable development tests to enable a proper evaluation of whether the new process would provide at least the same level of protection as the current system.

**Question 7b: How could strategic cross-boundary issues be best planned for in the absence of a formal ‘Duty to Cooperate’?**

In our large and very diverse rural area, which encompasses several planning authorities – several District Councils and the Yorkshire Dales National Park Authority – the resolution of local cross boundary issues is best served by the continuation of the present method of consultation and well-informed discussion. This is encapsulated within the Duty to Cooperate process and the commitment to cooperation needs to be retained in order to produce the best and most easily deliverable results.

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

No. This method is not appropriate to our deeply rural area. The imposition of mandatory local housing targets by central government, using an opaque process which could be subject to behind-the-scenes lobbying by powerful interest groups, represents a major shift in the democratic balance within the planning system which is totally unacceptable.

**Question 8b: Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?**

No. 'Blanket' indicators of this type can never be appropriate to our area, where recommendations must always be proposed on a case-by-case basis, taking account of individual situations and constraints.

**Question 9a: Do you agree that there should be an automatic outline permission for areas for substantial development (Growth areas), with faster routes for detailed consent?**

No. The White Paper states (1.16): "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 application 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 outcomes." We agree that local plans should be made more visual and accessible and that engaging more people in plan-making would be positive. This should not be at the expense of democratic processes, however, and in an extensive rural area such as ours, it is necessary to adopt many different methods of public consultation, for example the organisation of meetings and exhibitions in many venues.

**Question 9b: Do you agree with our proposals above for the consent arrangements for renewal and protected areas?**

No. As we have already stated in our response to Question 5, the zoning of areas is entirely inappropriate and detrimental to our situation.

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

No. We are concerned that such a proposal focuses on speed rather than recognising the importance and value of a truly democratic planning system.

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

No. Decision-making on planning in the Yorkshire Dales National Park is already fast and efficient for most cases. There are just a few special and unusual planning applications which do need local scrutiny. They rightly take longer but have no effect on housing, for example.

We welcome the aspiration to involve more people in planning and to focus on delivering better outcomes. We are concerned, however, that the specific proposals focus on speed and certainty for developers rather than demonstrating a real commitment to working with local communities.

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

Yes, in part. We need both digital and non-digital methods to engage positively with the public, especially in the early stages of the plan-making process, where it is important that people of all

ages can contribute their knowledge and ideas. We are also concerned about the proposal in paragraph 2.45 to make a shift from document to data-driven local plans. Little detail is provided about what this would involve.

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

No. We have concerns that the 30 or 42 month deadline for the production and adoption of a new Local Plan is unrealistic for our area and question whether a Plan prepared within this timeframe would be fit for purpose and democratically acceptable. People's right to be heard in person by a planning inspector must be retained. It is not sufficient to propose that inspectors will have discretion about how citizens can be involved in the examinations of local plans. This becomes even more important under the new proposals because this would become the only meaningful opportunity for community engagement. The 30 month statutory timescale is also unrealistic if it is not properly resourced at local government level which requires adequate funding from the Government.

**Question 13a: Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**

Yes, but they must be properly resourced so that Neighbourhood Planning groups can be adequately supported in their preparation by the Local Planning Authority or other suitably-qualified individuals. It is important for Neighbourhood Plans to identify the particular issues that are crucial for their own parishes, so that they can contribute effectively to the Local Plan at an early stage.

**Question 13b: 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?**

Parish councillors are volunteers and will require training in the use of the required digital tools and, as we have already made clear in 13a above, it should be acknowledged in this document that these are not to be the only methods employed in gathering community preferences.

**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?**

The White Paper makes no mention of the gap between obtaining planning permission and build out. There are currently more than 600 valid planning permissions in the Yorkshire Dales National Park which have never been implemented. If they were they would satisfy the annual quota expected for new builds for almost a decade.

There is also a significant gap between housing completions and the amount of land allocated to development. There is nothing in these proposals that could guarantee quicker delivery of the much-needed housing, nor any acknowledgment that there is a shortage of skilled labourers – particularly builders, bricklayers, stone masons and roofers – that SMEs find accessing funding much harder than the big developers and that the provision of infrastructure such as utilities and transport inevitably also takes time to be put in place. What is proposed would be a major and wholly unacceptable shift in the democratic balance within the planning system whilst failing to consider other factors. As Oliver Letwin warned ‘...the policies that emerge should not “throw the baby out with the bathwater”.’

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

In Craven much of the new development is ugly, poorly designed, takes little account of vernacular styles and materials and is therefore at odds with its surroundings whereas within the National Park, which requires higher levels of design to enable it to blend with the landscape and existing buildings, new development is of a higher quality.

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

We are fully supportive of the need to keep the 'green agenda' at the heart of all planning decisions and recently the North Craven Heritage Trust and the Friends of the Dales, organised a two-day conference on this subject. The Friends of the Dales have also published policy statements on 'Built Heritage', 'Heritage' and 'Sustainable Development', which can be found on the website [www.friendsofthedales.org.uk](http://www.friendsofthedales.org.uk).

However, as we have already stated in our response to Question 5, we need a fully holistic approach to planning in our area, undertaken by locally knowledgeable people, to take account of the varying needs of our different communities, which are constantly shifting according to rapidly changing circumstances, e.g. the impact of Covid-19 and Brexit on the demographic of this area.

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

Yes, in principle, with regard to the production of Local Design Guides, but there is insufficient information in the White Paper to understand how these Guides will relate to the National Design Guide, in terms of both content and implementation. It is essential that implementation should remain under local control. Local design codes should not be seen as a 'twin track' approach alongside national design codes. Further thought needs to be given on how to make sure that local design codes carry sufficient weight in the planning system.

**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?**

In relation to the first part of the question we do not agree with establishing a new body which would be an unelected quango. However, we agree with the second part of this question, relating to local authorities. We believe that our local planning authorities need adequate support to deal with the change in design skills that will be required and the extra time involved in ensuring that the general public can be fully engaged in constructive discussions of local priorities, including social housing.

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

Good design is not about an aesthetically pleasing, nationally set, 'kit of parts' that are imposed upon a location. Good design should be something that responds to and is informed by understanding its setting in both form and scale.



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

No. These proposals are not applicable to our area because they are totally incompatible with our need to consider each planning application on a case-by-case basis. Our approach is far more about fulfilling the overall requirements of the people who will occupy a new or converted building, together with a detailed understanding of its individual location. The settlements in our area have so much history and must reflect, in their layout and design, the use of natural materials available and the shape of the landscape of which they are a part. The use of pattern books and style guides is simply not relevant to this approach. If design guides are to be used they should be locally developed from the bottom up and not imposed from the top down. We should not be compromising by having to adapt a national standard to fit local distinctiveness. Unfortunately, housebuilding in this country seems to be concentrated in the hands of just a few large developers who build to a limited pattern book designed to develop standard houses with predictable prices, building houses at the rate that they choose to maximise profits. We cannot see anything in these proposals which changes this and pre-approval of 'popular and replicable' designs through permitted development further undermines local democracy.

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

The priorities listed as options are all inter-related in an area such as ours. Without employment young people are not able to stay in the area, but they need affordable housing and a good infrastructure such as transport, schools and health provision. One of the current planning system's key purposes is to mediate between competing legitimate claims on the way that land should be used – housing, industry, transport and recreation – but the White Paper has little to say about how such a balance should be struck in the national and local interest. Any new developments have to take all these matters into consideration which is why it is important that decisions are made locally and housing targets are not decided by some algorithm worked out by PropTech companies nationally.

**Question 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 set above a set threshold?**

As this seems to provide more certainty for developers along with the ability to deliver the infrastructure our area needs, we welcome part of this proposal. However, Section 106 agreements do more than just secure payment of contributions and delivery of a specific affordable housing percentage; in an area like the Yorkshire Dales National Park, Section 106 agreements are absolutely essential to guarantee compliance with certain conditions that ensure adherence to national park purposes. Unfortunately, this has not been addressed in the White Paper.

**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?**

The Infrastructure Levy should be flexible enough to reflect local circumstances. Any rates should reflect the needs of the area and should be set locally as land values vary significantly across the country.

**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?**

We believe the value should be at least as much, if not more.

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

Within the Yorkshire Dales National Park this would not be appropriate, but for the areas covered by the district councils we would agree, on the basis that the knowledge of local infrastructure requirements is vested across a range of departments in local authorities. Making funding available will encourage greater coordination of infrastructure planning and enable decisions about expenditure to be made at an early stage in the planning process.

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

Yes – whilst we believe that there should only be permitted development, where appropriate, in the already built-up areas of a district such as ours, we think it is important that all homes contribute towards delivery of infrastructure, including affordable homes.

**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?**

Yes – whilst section 106 has had some success in delivering affordable housing developments, any new levy must ensure that developers are no longer able to find loop holes to avoid meeting their responsibilities; there is still a lack of detail about how this commitment will be met. Any new system must be able to deliver at least the same amount, if not more. It must be recognised that affordable housing and social housing are not the same thing – indeed in areas such as Craven and the National Park, where local wages are often below the national average, there is a considerable gap between the two.

**Question 24 b: Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as ‘right to purchase’ at discounted rates for local authorities?**

No – it should be provided on site.

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

Yes.

**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?**

Not sure. The proposals outlined in the White Paper are not clear enough to come to a definite judgement.

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

There would have to be ring-fencing to ensure that spending on affordable housing and on core infrastructures were met, but its use for enhancing community facilities and improving services would be welcome, even though experience has shown that this does not always work.

**Question 26: Do you have any views on the potential impact of the proposals raised in his consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?**

We feel the government should have undertaken an impact assessment on any potential impact of these proposals before publishing the consultation.

Submitted by:-

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29<sup>th</sup> October, 2020

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North Craven Building Preservation Trust is a registered charity no. 505438 and Company no. 01265072

Friends of the Dales is a working name of the Yorkshire Dales Society, a registered charity no.515384 and Company Limited by Guarantee no. 1822908

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