

# Campaign to Protect Rural England

## South East Region eBulletin: News for February 2010

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### Election News

#### 1. Conservative Planning Green Paper

The Conservative Party published its long awaited green paper on planning on 22 February, claiming the current system is "broken" (<http://is.gd/9qjhl>). The policy champions local involvement in planning but there remains a strong centrally imposed national planning regime, including a Major Infrastructure Unit which will continue the role of the Infrastructure Planning Commission. The policy has a strong presumption in favour of development, restrictions on appeals, and a regime of tariffs and compensation to ease the path of development. The headlines are:

- ◆ More planning power to be given to local communities, who will develop modules of the local plan through unspecified processes of collaborative democracy.
- ◆ It will be unlawful for a planning authority to reject an application that conforms with the local plan.
- ◆ Regional planning, including the Regional Spatial Strategies will be abolished.
- ◆ National and regional building targets will go.
- ◆ Appeals against planning permission will be extended to local communities, but all appeals will be restricted to "abuse of process or failure to apply the local plan".
- ◆ A local tariff will replace S106 agreements and the Community Infrastructure Levy.

The Royal Town Planning Institute denied the planning system was broken: "The system itself is basically sound, but has been over-engineered and centralised". Fiona Howie for CPRE said: "We welcome the aspiration to get more people involved in shaping the communities that they live in. The current planning system is by no means perfect but there are elements of it that we do not want to see lost in a hasty and sweeping reform". The British Property Federation said: "Targets have failed and it's clear we need to try out new innovative ways of making things happen, but while there are some excellent ideas here, third-party right of appeals would be a recipe for chaos" (Planning Portal: <http://is.gd/9d7tm>; CPRE: <http://is.gd/9n24T>). The National Housing Federation said: "The proposal to scrap Section 106 and replace it with a tariff system requires a leap of faith... If a new planning system operates as the Conservatives envisage, all will be well; if it doesn't, we could lose up to 64,000 new affordable homes over three years" (Times: <http://is.gd/9de4H>). The CBI said: 'Given the natural tendency of constituents to oppose development, it is doubtful that even these incentives are enough' (New Start: <http://is.gd/9dfis>).

#### 2. Conservative Farming Green Paper

High-quality farmland will no longer be available for putting up houses, and farm produce will be clearly labelled as British, if a Conservative government takes power, the party promised (<http://is.gd/9otED>). It promises cuts to bureaucracy and better labelling of country of origin. Spokesman Nick Herbert said: "Labour has persistently under-valued British agriculture, failing to understand that we all depend on the production of food, while the countryside relies on farmers' stewardship of the environment". The RSPB said the proposals to reform the Common Agricultural Policy (CAP) will be a boost to countryside wildlife (<http://is.gd/9mL7s>). CPRE said "the Conservatives rightly say that conserving the natural environment and producing food must happen together. But they will need to be very careful to prevent deregulation damaging the countryside" (<http://is.gd/9n3xk0>).

#### 3. Other Election News

CPRE issued its general election manifesto: "This year's General Election is a critical moment for England's countryside. The promises politicians make now will determine whether the countryside becomes a better, more beautiful and more inspirational place, or is condemned to death by a thousand cuts" (<http://is.gd/8QJIQ>). Writing in the Yorkshire Post, CPRE's Ben Stafford said "we need the next generation of politicians to fly the flag for strong planning" (<http://is.gd/9n2Qi>).

The **Liberal Democrats** launched plans to revitalise high streets, including a Post Bank and a fairer competition test to protect small shops (<http://is.gd/8yQqz>).

**Charities.** A useful article in the Guardian summarises the position of charities and politics, including during the election (<http://is.gd/8WcvB>).

## Planning & Environment News

### 4. Planning

**National Policy Statements.** The RTPI slammed the government's draft NPS for ports as not fit for purpose because it lacks a spatial element (<http://is.gd/8KamI>). The RPTI was equally condemning of the energy NPS: "The draft national policy statement on energy is not fit for purpose. It makes no attempt to translate the national need for energy infrastructure into guidance on where such development should be located and so provides no reassurance for either potential investors, or indeed local communities" (Planning: <http://is.gd/9d8eU>). CPRE issued a news briefing "Do we have the energy? The future for energy generation and the countryside" (<http://is.gd/9n3h8>). The government said the energy NPSs are due to be adopted in the autumn (PP: <http://is.gd/9mYAw0>).

**Community Infrastructure Levy.** The government has published the latest regulations, which will allow for suspension of the charge if development would not otherwise proceed, payment in kind, and 100% relief for affordable housing (PP: <http://is.gd/9mWOe>; NHF: <http://is.gd/8KCxv>)

**Regional planning.** The government has issued guidance on preparing Regional Strategies, replacing PPS11. It makes clear that an EiP will normally be necessary. The strategy will be signed off by the Secretary of State. The policy also insists that Local Development Framework documents must be "in general conformity with the Regional Strategies" (<http://is.gd/9d9JZ>).

The **South East England Partnership Board** is consulting its project plan for developing the region. The immediate focus is on six topics it says are crucial to the South East's success over the next 20 years: economic growth and technological innovation; climate change and a low carbon society; funding for infrastructure and investment; housing affordability; demographic change; and an ageing population (SEEPB: <http://is.gd/9mZzY>).

**Rural planning.** Seven projects in the South East have secured small-scale funding under the Rural Masterplanning Fund. They are Milton Keynes: leadership capability; Winchester and East Hampshire: assessment framework for rural development; Shepway: project management; Oxfordshire: Grove airfield; East Hampshire: quality places; Isle of Wight: rural housing; Shepway: Sellindge strategic masterplanning (<http://is.gd/8Kwjv>).

**Chilterns Buildings Design Guide.** New buildings must be designed to withstand extreme weather events, says a new guide from the Chilterns Conservation Board. Houses will need a low carbon footprint and should be fitted with bigger gutters and drainpipes to cope with heavy rain. Local materials like wood and flint and renewable fuel heating systems such as woodchips from local woods will help to reduce a building's impact on the environment (<http://is.gd/9mz3a>).

### 5. Housing

**Eco-towns.** Whitehill Bordon and the controversial North West Bicester eco-town will receive government funding of £9 million each for 'eco show homes', which will meet at least level four of the Code for Sustainable Homes (BBC: <http://is.gd/8KTNV>; GW: <http://is.gd/9mILI>). Whitehill Bordon is to hold an architectural competition to design pilot homes (BD: <http://is.gd/9mJaX>). A decision on whether Shoreham has been successful with its eco-town application is still some way off (Argus: <http://is.gd/9mIwi>).

**Zero carbon.** Scottish and Southern Energy is to build its own development of 10 zero carbon homes to assess what they are like to live in. The homes in Slough will meet level six of the Code for Sustainable Homes (Inside Housing: <http://is.gd/8UirW>).

**Demand** for housing in rural areas will outweigh that in urban areas over the coming decades, according to a report by the Commission for Rural Communities. The report claims that between

2006 and 2031 demand for new housing will grow by 35% in rural districts and 27% in urban districts (Planning: <http://is.gd/9ndeM>).

**Affordable housing.** The government has published an update of its actions in response to the Taylor Review (<http://is.gd/8Ky18>). Homeownership has become steadily less affordable over the past decade according to the National Housing and Planning Advice Unit (<http://is.gd/9mG3X>). A Liberal Democrat bill to improve provision of affordable housing through S106 agreements has received its second reading (Planning: <http://is.gd/9nef3>).

**Around the South East.** Rapturous applause followed a decision to throw out plans for up to 750 homes on the edge of Reading (RC: <http://is.gd/9dcLW>; <http://is.gd/9dcSx>). A Reigate farmer who built a 'castle' and hid it under straw bales for four years has been given one year to demolish the building (Planning: <http://is.gd/9ncqV>).

**Brownfield and green belt dwellings.** The 2008 Land Use Change Statistics for England (<http://is.gd/8Qkxa>) reveal:

- ◆ 80% of dwellings (including conversions) were built on previously developed land (77% in 2007)
- ◆ new dwellings were built at an average density of 43 dwellings per hectare (unchanged)
- ◆ 2% of dwellings were built within the green belt (unchanged since 2004) and 7% of land changing to residential use was within the green belt (up from 5% in 2007)
- ◆ 9% of dwellings were built within areas of high flood risk and 6% of land changing to residential use was within areas of high flood risk.

## 6. Landscapes and Environment

**Land Use Futures.** Mass migration to new towns in Scotland, Wales and northeast England may be needed to cope with climate change and water shortages in the South East, a report from the government's Foresight project said. Chief scientist John Beddington called for the UK to fundamentally reform the way it plans and manages land. He said that while planning and land-use management had served the country well by preventing urban sprawl, these systems needed to be reformed to meet the challenges over the next 50 years. The Foresight study predicts severe pressure on water supply, biodiversity, carbon sinks and urban green space. Climate change, an ageing population and the low-carbon agenda will also be major challenges during the next 50 years. The population is expected to increase by nine million by 2031, with the South East projected to grow by 39,000 households a year compared to the North East's 8,000. Climate change is expected to result in significant reductions in river flows and groundwater recharge. And Increasing population and housing growth will increase demand for water by 5% by 2020, with the greatest changes in the South East. The report suggests those who live and work in the South East should bear the full costs of their footprint from housing, congestion, pollution, water resources, and on the natural environment. A choice will need to be made in the South East between higher densities and making more land available for development. "Decisions will be needed on what types of land to release, in which areas, and what this implies for the present location and use of green belts". A major shift will be needed in granting planning approval for on-shore renewables and transmission lines if the UK is to meet its EU 2020 Renewable Energy Targets at reasonable cost. This is a detailed report, even the Executive summary runs to 40 pages, and it is backed up by 35 detailed studies of land use, housing, urban and rural planning and the environment (Report: <http://is.gd/9msVV>; Times: <http://is.gd/9mSQP>). The RSPB and the CPRE broadly welcomed it, but said that sections of the report assume that a conflict between the value of undeveloped land, and the value of built development in the South East, is inevitable. They believe the analysis of the costs of development undervalues the environmental goods that the countryside provides, such as an accessible natural environment rich in biodiversity (<http://is.gd/9n1E0>).

**Biodiversity.** The National Ecosystem Assessment has published a progress report. Its final report will be published in February 2011 (<http://is.gd/9mDpa>).

**South Downs.** The South Downs Campaign has disbanded and environmental groups have joined forces to create the South Downs Network (SDL: <http://is.gd/9n36p>). Appointments to the new South Downs National Park Authority have been announced (<http://is.gd/9mAum>).

**Minerals.** The North Downs are under threat from plans to dig up 30 million square feet of the Surrey Green Belt for mineral sites and quarries (Telegraph: <http://is.gd/9mJNI>). CPRE Sussex are reviewing an extensive list of possible mineral sites, many of them in the new South Downs National Park in the West Sussex 'pre-consultation' for the development framework.

**Green belts.** Prince Charles has been condemned for planning 2,000 homes in Bath's green belt (Daily Mail: <http://is.gd/9mK5H>)

**Town greens.** In the latest attack on town green law in advance of a promised government review, the NHF claimed NIMBYs using the law are costing taxpayers millions of pounds in red tape and delaying new affordable housing schemes for several years (<http://is.gd/8KBt9>). The status of Warneford Meadow in Oxford as a town green is being challenged in the High Court by NHS which plans to sell the site for development (OM: <http://is.gd/9mrrs>). The Government has delayed its plans for a comprehensive record of common land and town or village greens (PP: <http://is.gd/9mZRa>).

**Light pollution.** The annual international "Globe at Night" survey is from 3 to 16 March (SaT: <http://is.gd/9diZF>). CPRE Shropshire's Andy Boddington explains the thinking behind #darks skies2010 on 20 March (SS: <http://is.gd/8NpKR>).

**Litter.** Over the last year, the quantity of cigarette butts and food packets discarded has decreased, but dog mess, tag graffiti and chewing gum staining has increased (Telegraph: <http://is.gd/8QX50>).

## 7. Climate Change & the Carbon Economy

**Climategate.** Climate science chaos is the only way to describe the last month's press on revelations that mistakes were made in the details of IPPC reports and behaviour of UEA scientists. The IPCC Panel errors analysed (<http://is.gd/8ySel>). Yvo de Boer, executive secretary of the UN Framework Convention on Climate Change and a passionate supporter of carbon reduction policies quit after the failure of Copenhagen (Times: <http://is.gd/8QHdQ>). IPCC chief Rajendra Pachauri has resisted pressure to quit (Times: <http://is.gd/8QI1m>). Professor Phil Jones at UEA, who has stood down for the time being, accused climate sceptics of a coordinated attempt to interfere with the work of the Climatic Research Unit and revealed he had received death threats (Times: <http://is.gd/8QIIS>). "Shoot the messenger – not the message" was the unfortunate headline in the Independent (<http://is.gd/8QojS>). UEA is conducting an independent investigation into the scandal but it will not examine the accuracy of the data (Independent: <http://is.gd/8QOMA>; Guardian: <http://is.gd/8QRoh>). The Guardian has completed its investigation into the UEA emails and has made a public appeal for its manuscript to be checked and annotated (<http://is.gd/8QQnH>). An independent board of scientists is to review the work of the IPCC and the Met Office is proposing that an international group of scientists re-examine 160 years of temperature data (Reuters: <http://is.gd/9mKUE>; Times: <http://is.gd/9mTu10>; Independent: <http://is.gd/9n9tu0>).

**CO2 targets.** The government admitted Britain will fail to meet its 2010 target for cutting CO2 emissions by 20% on 1990 is likely to be missed by a wide margin (Times: <http://is.gd/8QilE>).

**Copenhagen.** The latest Inside Track newsletter from the Green Alliance takes a positive look at the outcomes from Copenhagen (<http://is.gd/9n4VN>).

**Economy.** The Green Alliance claimed that the government can save £12 billion over four years by "eliminating damaging government spending on road expansion, tax breaks for high carbon industries and other spending that increases carbon emissions. It's an important ingredient of the transition we urgently need to a low carbon recovery" (<http://is.gd/9n5Mn0>). The Environmental Audit Committee published a report on carbon trading. Friends of the Earth said: "This report is yet another nail in the coffin for the Government's deeply flawed reliance on carbon trading to tackle climate change" (EAC: <http://is.gd/9n6NQ>; FoE: <http://is.gd/9n6qs>).



## 8. Energy, Waste and Water

**Sustainable Community Infrastructure.** A report from the UK Green Building Council and the Zero Carbon Hub called for a future in which community scale heating, water harvesting, waste disposal and waste re-use all have a key role to play. "Our homes and buildings cannot be sustainable in isolation. It makes sense to join up delivery of infrastructure such as energy, water and waste at a community scale" (<http://is.gd/9mzOd>). Southampton's pioneering geothermal district heating network is to be expanded (Inside Housing: <http://is.gd/9mAXa>).

**Supplies.** Ofgem said the UK must secure huge infrastructure investment to ensure energy supplies beyond five years' time. It is calling for £200 billion to be invested by 2020 (<http://is.gd/9mLDq>). The head of Gazprom said the UK should ignore wind power and replace coal plants with gas plants that produce half the CO2 (Guardian: <http://is.gd/9mHJe>).

**Renewables generation falters as carbon price drops.** Drax is withdrawing a pledge to cut CO2 emissions by 17.5%. It will burn coal instead of biomass, and accused the Department of Energy and Climate Change of lacking the skills to develop a successful biomass policy and focusing too heavily on expensive and unreliable wind turbines (Times: <http://is.gd/8JHFN>). The Renewable Energy Association accused the government of setting the price it will pay for electricity generated from organic waste too low. "All the momentum has been knocked out of the system... the new tariffs are not high enough to support any of the small plants" (Independent: <http://is.gd/8QNZ7>).

**Renewables.** UK wind turbines operated at just 16% capacity through the cold spell. The Renewable Energy Foundation said: "it's an energy source which provides very little reliable capacity. It's not a problem at the moment because we have supplies of oil and gas from the North Sea, but further down the line, when 20% of all our energy is being produced by renewables and we hit a similar weather pattern, then we will have a problem" (YP: <http://is.gd/9dolq>). A Severn Estuary Barrage would have devastating impacts for wildlife, the RSPB said (Planning: <http://is.gd/9mLiQ0>). The British Wind Energy Association's pro-wind campaign has been re-launched with a wider remit for all renewables (NEF: <http://is.gd/9ncYD>). Jatropha, an alleged 'miracle' biofuel alternative to fossil fuels is driving farmers in the developing world into poverty (Independent: <http://is.gd/8QPi1>). CPRE Cornwall is calling for a moratorium on the development of wind farms in the west because "irrevocable harm" is being wrought on the natural environment (WNN: <http://is.gd/9n63g>). CPRE Sussex has met the development team for a proposed 18MW Biomass Gasification/gas engine powerplant proposed near Polegate in East Sussex (<http://is.gd/9qbwU>). CPRE Sussex are seeking more information and challenging the location because there is no beneficial use for the 18MW of heat which will be created on site.

**Waste.** CPRE Sussex has submitted a comprehensive 50 page response to East Sussex County Council demanding they 'go back to the drawing board' with their waste strategy, and in particular delete any 'Landraise' proposals (<http://is.gd/9qb1T>).

**Water.** CPRE Sussex and CPRE Kent are jointly working towards the Inquiry regarding the South East Water Strategic Plan due to open in May. The venue has been moved due to public pressure from Ashford in Kent to Gatwick in Sussex, which is more central to the South East Water region.

## 9. Transport

**Aviation.** The government decision in favour of a third runway at Heathrow airport was flawed by conspicuously unfair public consultations, the High Court was told by a coalition of local councils, green groups and residents, including CPRE. Shaun Spiers said: "Proceeding with the third runway would destroy not just a village and a large swathe of Green Belt, but also tranquillity over a much wider area. Countryside, parks and gardens in and beyond north and west London would fall under the shadow of new flight paths and the din of thousands of extra flights" (HC: <http://is.gd/9ddbK>; Politics: <http://is.gd/9mBVy>; CPRE: <http://is.gd/9n3Mj>). Protect Kent has made a final appeal to prevent the expansion of Lydd airport, urging Shepway District Council to vote against the plans (BBC: <http://is.gd/9d6Rs>). The London Assembly called on mayor Boris Johnson to review the decision by Newham Council to boost flight numbers at London City Airport by 50% (Planning: <http://is.gd/9daVO>). The new owners of Gatwick Airport have ruled out building a second runway for the foreseeable future (PP: <http://is.gd/9mYUP>).

**Rail.** The Tories have refused to back the government's proposals for High Speed Two, amid fears of a backlash from voters along the route and concerns about a lack of connection to Heathrow (Guardian: <http://bit.ly/d1nMii>; Telegraph: <http://is.gd/8KDK2>; Today: <http://is.gd/8KE4q>; NCE: <http://is.gd/9ddJL>; Times: <http://is.gd/9mKdx>). The line could cost £27.5 billion (Times: <http://is.gd/9n2At>). CPRE has set out five tests for HS2, including protection of the landscape, heritage and tranquillity (<http://is.gd/9n18p>).

**Roads.** Protect Kent is objecting to a new park and ride site for Canterbury (TiK: <http://is.gd/9mV3X>). Protect Kent has launched a new website to support its campaign against the Borough Green freight depot (<http://www.stopbig.org/>).

## 10. Rural Affairs, Farming and Food

**Farming.** British farming soil could run out within 60 years, leading to a catastrophic food crisis and drastically higher prices for consumers (Telegraph: <http://is.gd/8QWo0>). Environment Agency Chairman Lord Smith said that GM crops and new technologies to support 'precision farming' could both have a role to play in helping the UK cope with climate change (EA: <http://is.gd/9df2W?>)

**Food.** Martin, a village on the western fringes of Hampshire, is well on the way to becoming the first in England to defy the power of the supermarkets by achieving communal self-sufficiency in food (Guardian: <http://is.gd/8Kpoy>). Following its successful allotments scheme, the National Trust is to look at promoting Community Supported Agriculture and community farms (Telegraph: <http://tinyurl.com/yzvlpz7>).

**Recreation.** Middle class parents are too afraid to take their children rambling because they struggle to map read and are reluctant to let them get muddy according to Hertfordshire University research (Telegraph: <http://is.gd/9mDCI>). The Ramblers called for greater public involvement in the routing of the Coastal Path (Grough: <http://is.gd/9mI80>). Ramblers secured a notable legal victory when a judge told a landowner he must remove an iron gateway across a footpath (Planning: <http://is.gd/9mEQN>). Sport England has awarded £10 million to rural sports projects (<http://is.gd/8KzRa>).

**Broadband.** Arguments over the roll-out of super fast broadband to rural areas continue, with the CLA accusing the Tories plans as being too slow (RSN: <http://is.gd/8QdyK>).

## CPRE South East eBulletin

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## Conservative Green Paper: Open Source Planning

The Conservative Party published its long awaited green paper on planning on 22 February (<http://is.gd/9qjhl>). The underlying metaphor for the green paper comes from computing software, where large scale "open source" cooperative projects are commonplace. The metaphor is not carried through consistently and there remains a strong centrally imposed national planning regime, including a Major Infrastructure Unit which will continue the role of the Infrastructure Planning Commission. There is a strong presumption in favour of development, restrictions on appeals, and a regime of tariffs and compensation to ease the path of development.

### 1. Ambitions

The paper champions the role power of local communities in the planning system, in the belief that people are involved in planning decisions they will welcome development and promote economic growth: "Our conception of local planning is rooted in civic engagement and collaborative democracy as the means of reconciling economic development with quality of life... [We] reject the Government's centralising, corporatist attitude and instead to adopt an approach we have called Open Source planning."

The green paper promises "a basic national framework of planning priorities and policies, within which local people and their accountable local governments can produce their own distinctive." The planning system will be simplified and become more accountable. "Whole layers of bureaucracy, delay and centralised micro-management will disappear as planning shifts away from being an issue principally for "insiders" to one where communities take the lead in shaping their own surroundings."

There will be a presumption in favour of development. "We believe that the country needs to see a major upswing in development and construction as soon as possible, and we will enact policies to make it happen".

### 2. Regional Government

Regional Spatial Strategies will be abolished and there will be no statutory plans between national and local level. This will be achieved through a Local Government and Housing Bill, and the Conservatives are considering revoking RSSs by executive order before the legislation is passed. There is no mention of the Regional Development Agencies. The party earlier denied reports that it has ordered a review to decide whether the RDAs should be scrapped (R&R: <http://is.gd/9nbLx>).

### 3. Local Plans

Local authorities will have a "Duty to Cooperate" with communities, developers and neighbouring planning authorities. Local plans will be developed "from the bottom up". The green paper suggests that local authorities should hurry to complete their plans so that they can guide neighbouring plans. If a local planning authority does not finalise its local plan in a reasonable time, it will be deemed to have an entirely permissive planning approach.

Communities will "be able to specify what kind of development and use of land they want to see in their area". Local plans will be developed through a process of collaborative democracy. The Tories plan to consult widely on the models of collaborative democracy best suited to local planning. "The local plan will be truly local. It will define what the people of a given locality – through a process of collaborative democracy – mean by sustainable development for their area." There will be a presumption that modules of the local plan drawn up by each neighbourhood will be incorporated in the final plan unless there are strong grounds for modifying them.

The Tories will remove the "power of planning inspectors to rewrite local plans", but the green paper qualifies this commitment: "so long as they comply with national standards, are sensibly related to neighbouring communities, and have been developed by a fair and proper process". The local plan will be signed off by the Secretary of State and cannot be challenged in the courts, except for judicial review of the Secretary's decision.

When determining what is sustainable development for their area, councils will draw on the environmental, architectural, economic and social standards set out in the national planning framework, though councils will provide their own definition of sustainable development.

#### 4. Housing

National and regional housing targets will be abolished and the "Secretary of State will not have the power to... change the magnitude of any locally derived housing targets included in local plans". Nevertheless, "planning inspectors will have to consider whether the local authority has conducted a professional assessment of the housing need for their locality", and if the assessment is deemed inadequate the local plan will be rejected. The estimates developed by local authorities for housing needs (Option 1) will be used as the base-line for local authorities and neighbourhoods at the start of the collaborative planning process.

Affordable housing will also be free of national targets. It will be promoted by giving local authorities 125% of the council tax raised for each affordable unit for six years, and exempting affordable housing from the local tariff. Communities will be able to bring forward small-scale development within their own area "on a limited basis outside of the local planning process" through the creation of Local Housing Trusts. It will be unlawful for a local planning authority to refuse an application from a LHT that has the required level of local support and conforms with the national planning framework.

#### 5. National Infrastructure

The Infrastructure Planning Commission will be "abolished... whilst retaining its expertise and fast-track process within government." It will be replaced by a Major Infrastructure Unit, "with its own special character", within a revised departmental structure that includes the Planning Inspectorate. Decisions will be approved by a minister, not the commissioners. Two weeks ago shadow planning minister Bob Neil said that the Infrastructure Planning Commission "will not be kicked out of the door on day one", but would be "folded back" into the Planning Inspectorate (<http://is.gd/8Z4uV>).

"National government has the right and responsibility to determine and define the economic and environmental priorities for the country", the green paper asserts. This will be through a simplified and consolidated National Planning Framework (NPF), which will incorporate the emerging National Policy Statements. The current Planning Policy Statements will be evaluated, and where retained, simplified and aligned with the NPF, which will be approved by parliament.

Linear projects, such as High Speed Two, will be promoted through private or hybrid bills in parliament. All other major infrastructure projects will be decided by short planning inquiries carried out by the Major Infrastructure Unit, with the final decision made by the Secretary of State.

#### 6. Development

There will be a presumption in favour of development. "Individuals and businesses [will] have the right to build homes and other local buildings provided that they conform to national environmental, architectural, economic and social standards, conform with the local plan, and pay a tariff." Developments that raise few objections will be fast tracked, giving "developers a strong incentive either to design buildings in ways that do not adversely affect immediate neighbours". Larger developments will be "designed through a collaborative process that has involved the neighbourhood."

The green paper promises to reverse the classification of gardens as brownfield land and stop 'garden grabbing'. The definition of brownfield land will be extended to include land previously occupied by agricultural buildings.

If more than a small minority of residential neighbours in the immediate vicinity of a new development of any type raise any objection, then the conformity of the planning application with the local plan must be formally assessed by the local planning authority. In many cases developers will choose to avoid the need for formal assessment of the application, and hence speed up the planning process by reaching voluntary agreements to compensate nearby householders for the impact of the development on their amenity, in return for their support. It will be unlawful for a planning authority to reject an application that conforms with the local plan, pays the local tariff and, if large, is subject to public consultation.



Appeals against local planning decisions will be allowed from local residents as well as developers, but only if they involve abuse of process or failure to apply the local plan. Appeals made on grounds of abuse of process will be dealt with by the Local Government Ombudsman, whereas an appeal concerning the local plan will be handled by the Planning Inspectorate. Decisions perceived to be in contravention of national planning policy will not be grounds for appeal.

The green paper proposes flexible zoning. People will be able to use land and buildings for any purpose allowed in the local plan without planning permission, and the Use Classes Order will be modified to this effect. Where councils do not specify types of development, any development will be permitted. Schools are to be given special priority. Change of use of an existing building to a school will be classed as permitted development and that planning applications to build new schools will be assessed by the Planning Inspectorate and the Secretary of State. The needs test will be reintroduced for out of town retail development.

## 7. Incentives, Compensation and Tariffs

The Community Infrastructure Levy and S106 agreements will be swept away and replaced by a local tariff. "We will simplify the system by returning planning obligations to their original function by limiting their use to stipulations relating directly to site-specific remediation and adaptation." A single unified local tariff will apply to all residential and non-residential development (even a single dwelling), but at graded rates depending on the size of the development. Each local planning authority will set its own local tariff rates and will publish them in its local plan. A percentage of the money raised by the tariff from each building constructed will be passed down to the community in which the development takes place. Affordable housing units will be exempt from paying the tariff, as will all development by Local Housing Trusts and all self-build housing.

Communities that choose to host wind farms will keep the business rates from them for six years.

## 8. Environment, Green Space and Biodiversity

"We will maintain national Green Belt protection, Areas of Outstanding Natural Beauty, National Parks, Sites of Special Scientific Interest and other environmental designations which protect the character of our country's landscape, stop unsustainable urban sprawl and preserve wildlife."

A system of conservation credits all be introduced. The scheme will mean that housing or public infrastructure projects are required to factor in the loss of biodiversity and provide for new habitats or restore existing fragile ecosystems so that local biodiversity is maintained or improved as a minimum requirement. After an assessment of biodiversity loss, a developer would agree to generate credits to at least an equivalent value. An accredited 'habitat bank' – run by a local community, voluntary group or private enterprise – would then use the credits to create or manage new conservation schemes such as a wildlife reserve, country park or new woodland creation. By pooling credits the environmental outcome can be improved and larger conservation projects can be established such as wetlands or peatland restoration.

## 9. Reaction

The green paper received a lukewarm reception. The Royal Town Planning Institute denied the planning system was broken: "The system itself is basically sound, but has been over-engineered and centralised". Fiona Howie for CPRE said: "We welcome the aspiration to get more people involved in shaping the communities that they live in. The current planning system is by no means perfect but there are elements of it that we do not want to see lost in a hasty and sweeping reform". The British Property Federation said: "Targets have failed and it's clear we need to try out new innovative ways of making things happen, but while there are some excellent ideas here, third-party right of appeals would be a recipe for chaos" (Planning Portal: <http://is.gd/9d7tm>; CPRE: <http://is.gd/9n24T>). The National Housing Federation said: "The proposal to scrap Section 106 and replace it with a tariff system requires a leap of faith... If a new planning system operates as the Conservatives envisage, all will be well; if it doesn't, we could lose up to 64,000 new affordable homes over three years" (Times: <http://is.gd/9de4H>). The CBI said: "Given the natural tendency of constituents to oppose development, it is doubtful that even these incentives are enough" (New Start: <http://is.gd/9dfis>).