

National Planning Policy: DCLG consultation on proposed changes

Response of the Landscape Institute, 22 February 2016

1. Background

The Landscape Institute (LI) is the royal chartered body for the landscape profession. As a professional organisation and educational charity, we work to protect, conserve and enhance the built and natural environment for the public benefit. We represent over 5000 landscape architects, planners, designers, managers and scientists. We champion multifunctional and sustainable landscapes in both town and country. We believe that through careful and appropriate planning, design and management, it is possible to deliver a wide range of economic, social and environment benefits.

The planning system has a fundamental impact on both the functional and aesthetic qualities of all landscapes – urban, rural, outstanding or degraded. We therefore welcome the opportunity to respond to this consultation to set out our views on the proposed changes to national planning policy. In our response, we do not address every question in the consultation document. Only responses to those questions which are most relevant to us and our aims and objectives are detailed here.

Before providing our responses to the consultation questions, we wish to highlight the recent report from the National Policy for the Built Environment Committee¹ (House of Lords Select Committee), issued on 19 February 2015. The Landscape Institute wholeheartedly support many of the report's recommendations, and we feel that it is timely that, in introducing her Committee's report, Baroness O'Cathain said:

"It is increasingly clear that we need to build more houses in England and we wholeheartedly support that objective. However if we build those houses in the wrong place, to a poor standard, without the consent of local communities we are only storing up future misery for the people in those houses and others nearby...Spending a little bit extra on good quality design at the outset can avert massive costs to people, society and Government in the long-run.

"The Government should review the National Planning Policy Framework to make sure developers aren't using financial viability to play fast and loose with design quality and sustainability. If developers submit substandard plans local authorities should be able to ask them to think again without builders falling back on questionable viability assessments to get their way.

"Ensuring we have a better built environment in the coming decades is one of the key challenges facing government. It impacts on every area of our lives. The Government must now take that challenge seriously. We hope in responding to our report they will recognise that the drive for more homes must not come at the expense of quality. Everyone deserves a home but they also deserve a

¹ <http://www.parliament.uk/business/committees/committees-a-z/lords-select/built-environment/news-parliament-2015/built-environment-report-published/>

good quality home, in a good quality place, that meets their needs as individuals and families. We don't think the Government's policy as it stands will deliver that."

2. Responses to consultation questions

Question 3: Do you agree with the Government's definition of a commuter hub? If not, what changes do you consider are required?

We support the definition and the approach due to the ways in which it will help deliver sustainability objectives. However the reference within the consultation document to 'commuting hours' implies that there is only a link between housing and employment opportunities. It is critical that consideration is also given to the need to provide for community wellbeing outside of working hours / during weekends and we believe that integrating green infrastructure within and between higher density settlements is essential for this purpose, in addition to other benefits which are detailed later in our response.

Question 4: Do you have any further suggestions for proposals to support higher density development around commuter hubs through the planning system?

Higher densities must be supported by access to high quality green infrastructure to ensure that new communities reap the benefits of this multifunctional approach to land use. We have, for many years, advocated green infrastructure as a key way to ensure that interventions in the landscape deliver a range of benefits for communities, the economy and the environment². Green infrastructure can help meet an enormous range of policy objectives, including reducing flood risk, supporting older people, providing learning opportunities for children, adapting to and mitigating climate change to name just a few. Our recent work with the Department for Communities and Local Government has resulted in updates³ to the National Planning Practice Guidance (NPPG) which set out in greater detail the ways in green infrastructure should be considered as part of the plan-making and decision-taking process.

We recognise the benefits as set out of increasing densities around commuter hubs, wherever feasible. The 'wherever feasible' caveat is important and we consider this should be defined further to ensure that increased density does allow for rigorous assessment of ecological, landscape and heritage assets for retention and/or enhancement as a precursor to setting higher densities. The other point is the importance of good quality cycleways and footpaths through the higher density development linking the transport interchange to the areas of housing, to encourage walking and cycling to the hub. Increased densities should not lead to lack of access to public open space for residents. The local authorities' open space strategies or green infrastructure strategies should be instrumental in ensuring there is accessible high quality open space nearby, even if actual standards of provision are lower than might be required elsewhere. For this reason we suggest that higher density development near transport hubs should make financial contributions (via CIL or s106, whichever is in force) towards the provision, upgrading or enhancement of high quality green infrastructure which is accessible to residents.

² Landscape Institute (2013) *Green infrastructure: An integrated approach to land use*, Landscape Institute

³ <http://planningguidance.communities.gov.uk/blog/guidance/natural-environment/green-infrastructure/>

Question 5: Do you agree that the Government should not introduce a minimum level of residential densities in national policy for areas around commuter hubs? If not, why not?

We agree with this proposal, on the basis that how the character of a particular place, and how it would be affected by increases in density, ought to be set locally with local knowledge and experience informing the ways in which density can be 'place-sensitive'.

Question 6: Do you consider that national planning policy should provide greater policy support for new settlements in meeting development needs? If not, why not?

We support this proposal, on the condition that greater emphasis is given to high quality green infrastructure to secure the outcomes we need, and which will become increasingly important in the future. This will ensure that the House of Lords Select Committee's concerns (as articulated on page 1) are taken into account.

Question 7: Do you consider that it would be beneficial to strengthen policy on development of brownfield land for housing? If not, why not and are there any unintended impacts that we should take into account?

We believe that it would be beneficial to policy in this area, so long as due consideration is given to the wider social and environmental benefits to be gained from some brownfield land in urban areas.

Question 8: Do you consider that it would be beneficial to strengthen policy on development of small sites for housing? If not, why not? How could the change impact on the calculation of LPAs' five-year land supply?

Yes, we support this proposal.

Question 9: Do you agree with the Government proposal to define a small site as a site of less than 10 units? If not, what other definition do you consider is appropriate, and why?

Yes, we support this proposal.

Question 10: Do you consider that national planning policy should set out that LPAs should put in place a specific positive local policy for assessing applications for development on small sites not allocated in the Local Plan?

Yes, we support this proposal.

Question 13: What evidence would you suggest could be used to justify retention of land for commercial or similar use? Should there be a fixed time limit on land retention for commercial use?

The planning system ought to avoid excessive separation between living spaces and employment places in the interests of sustainability. At the same time where commercial use is both thriving and flexible to change including the need to expand, then reserving land for commercial use ought to be sustained. The Government ought to specifically encourage live/work units in the interests of sustainable growth.

Question 14: Do you consider that the Starter Homes exception site policy should be extended to unviable or underused retail, leisure and non-residential institutional brownfield land?

Yes, we support this proposal.

Question 15: Do you support the proposal to strengthen the Starter Homes exception site policy? If not, why not?

Yes, we support this proposal.

Question 16: Should Starter Homes form a significant element of any housing component within mixed used developments and converted unlet commercial units?

Yes, we support this proposal.

Question 17: Should rural exception sites be used to deliver Starter Homes in rural areas? If so, should LPAs have the flexibility to require local connection tests?

We believe that local planning authorities should be given the flexibility to require local connection tests. We also support the proposal that rural exception sites be used to deliver starter homes in rural areas, but only if local need and connections can be proved. One of the elements of justifying local need in rural areas is related to changing agricultural practice. The new mandate to transform agriculture to being more sustainable may generate the need for more employment in agriculture and subsequently more housing.

Question 18: Are there any other approaches to delivering Starter Homes in rural areas that you would support?

We support the use of the neighbourhood planning process to identify sites which might be suitable for starter homes in rural areas. However in following this approach we wish to emphasise the importance that should be placed on those neighbourhood plan site proposals being based on both landscape character, heritage and ecological evidence.

Question 19: Should local communities have the opportunity to allocate sites for small scale Starter Home developments in their Green Belt through neighbourhood plans?

We are not sure why additional measures are required which enable development in Green Belt and are unable to clarify this through review of the consultation document. The National Planning Policy

Framework already provides opportunities for built development in Green Belt in exceptional circumstances, including:

- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan;
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development; and
- Development brought forward under a Community Right to Build Order.

However, we support the notion that small scale starter home developments in green belt could come forward through neighbourhood plans. As above, we argue that any site brought forward in this way should be based on evidence which includes landscape, heritage and ecological assessment of the neighbourhood plan area.

Furthermore, any policy changes on this matter that arise from the consultation process ought to include a mechanism to support the optimal use of Green Belt land. Such a 'Green Belt levy' ought to form part of planning gain, and should be match by funding from Government. We fully recognise that Green Belt is a planning designation and not one based upon quality. However there is a new, and increasingly critical, need to make best use of our finite land resource and this includes Green Belt land. We believe that it is through a green infrastructure approach to land use, one that is multifunctional and that delivers a range of benefits for people, the environment and the economy, that this will be best achieved. The investment necessary to support delivery of this objective should be guided through a long-term management.

The introduction of such a levy would support the delivery of paragraph 81 of the National Planning Policy Framework which states that:

"Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as look for opportunities to provide access: to provides opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land."

We do however have concerns that the scale of development taking place as a result of this proposals will not generate sufficient S106/Community Infrastructure Levy contributions to make a significant difference to wider landscape quality and functionality and would welcome greater clarity from the Department as to how this might be addressed.

Question 20: Should planning policy be amended to allow redevelopment of brownfield sites for Starter Homes through a more flexible approach to assessing the impact on openness?

We can appreciate that in certain locations a more flexible approach to assessing the impact to on openness for potential small scale development would be appropriate. However we consider strongly that this must be based on a location-specific strong evidence base which includes a local

landscape character assessment and makes reference to broader landscape character assessments if in existence as well as heritage and ecological evidence. The second point is that the proposed development itself must be 'sensitively designed' as described above. We regard this as a crucial trigger for accepting development of this type in green belt. As this may prove a challenge for local planning authorities to negotiate and/or determine, we suggest that these developments be specifically subject to the design review process, so that the local authorities are able to satisfy themselves that the quality of the development is consistent with the intention of allowing the more flexible approach to openness.

Furthermore, our support is conditional upon the need to ensure that the Green Belt in question is reviewed as to how it meets the original criteria for designation. Opportunities to expand the Green Belt should be included to meet the loss from development at the same time as securing the best outcome to benefit the local communities through investing to improve the landscape quality and character along with improvements to biodiversity and access for health and wellbeing.

Ideally a consistent policy position should be adopted for all previously developed land in Green Belt, regardless of whether or not it will bring forward supply of starter homes.

For further information/to discuss this response in greater detail, please contact Stephen Russell, Head of Policy, at stephen.russell@landscapeinstitute.org or on 020 7685 2649.