



The  
countryside  
charity

Worcestershire  
From the chairman

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Rt. Hon. Angela Rayner, MP  
Secretary of State for Communities

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Dear Ms Rayner,

### **Your planning agenda**

This is **not** a constituency letter, but I hope you will at least read this. I am sending a copy of it to my own (new MP), who will no doubt pass it on to your department in the usual way.

I write to welcome you to your new role as Secretary of State for Communities. I have been involved in planning for about 25 years. I therefore have views on what is wrong with the present system. In some cases, to make my points brief, I have left some of the detail and cautionary examples of what has gone wrong in the past to endnotes and an appendix.

#### **Housing targets:**

- The current standard methodology does not work. It is based on 2014 housing targets, which are hopelessly out of date. You need a completely new formula that has some hope of meeting the aspiration of 300,000 houses per year.
- The 35% uplift for major cities causes a distortion. It is supposed to direct additional development to brownfield land, but West Midlands cities have no capacity, so that in practice (contrary to intention) it has been driving development into the Green Belt around those cities.<sup>1</sup>
- The price adjustment is also a distorting factor, because houses in the countryside near urban centres have a premium price, because of their rural surroundings.
- Targets probably need to be set at a sub-regional level, according to objectively determined housing market areas, which may also be travel-to-work areas. Your manifesto invokes using city mayors and the like, but this will not currently work in the West Midlands (see endnote).<sup>2</sup>

#### **Housing crisis:**

- I do not believe there is a crisis in market housing. The builders build what they can sell, but not necessarily houses of the sizes that are needed. In my parish, there is a need for smaller houses for new families and into which empty-nesters can downsize, not large houses for people moving out of Birmingham and the Black Country.

- The **real crisis** is a shortage of houses to rent. The solution to this is to have ambitious targets for such housing. About 15 years ago, Birmingham City Council said it was achieving 40% affordable housing, as long as a proportion were of intermediate tenures. Most councils around here have a target of at least 25%. This minimum should be the norm, unless local circumstances require otherwise. Birmingham's is currently 35%.
- Meeting the rented housing crisis requires new sources for investment in this. You need to find ways by which institutional investors will be attracted to investing in rented housing. This ought to provide a steady reliable income stream and should thus be attractive to pension funds and the like, but there must be regulatory barriers; if so, reformation is needed.
- The recent threshold for affordable housing targets was 10 houses (with 5 in rural areas). This encouraged developments of 9 houses (none affordable), rather than one of 10, delivering one affordable. If the target is 25%, the threshold should be a site of 4 affordable houses; if 35%, it should be 3 affordable: each delivering one affordable.
- Currently, it is too easy for developer to promise much and then wriggle out of those promises on viability grounds. If he overpays for the land, he ought to bear the consequences of that by only making a small profit (or even a loss).

#### **Green Belt:**

- Grey Belt made a good election slogan, but my experience is that there is little that will qualify. It is better called brownfield land in the Green Belt. In my experience it already has little difficulty in getting planning consent, unless it is deep in the countryside where local services are lacking.
- Green Belt is supposed to be permanent, but the pressure for development land has led to local plans nibbling away at it. Green Belt should only be reviewed (as a whole) on a regional or subregional basis with land removed from the Green Belt on its inner fringe being replaced by new Green Belt on its outer fringe. This is usually beyond what any one Local Planning Authority (LPA) can do on its own.

#### **Local Plans:**

- The current system is a charter for speculators to develop unsustainable housing in the wrong place, because a council does not have a five-year housing land supply. Planned development on sites allocated in a Local Plan is almost always better than random applications from speculators. It should be easy for LPAs to reject applications for unallocated sites. Further suggestions on this appear in an appendix.
- I would urge you not to seek to revisit Michael Gove's Levelling Up and Regeneration Act. As I understand it, this requires all LPAs to have a new plan within 30 months. You may have voted against aspects of this Act, but it will be better than nothing. Efforts by central government to modify the system delay the adoption of Local Plans, because the planners sit on their hands awaiting detail of new government requirements.
- **Do not meddle** from the Centre in the development of local plans. You will only cause delay, leading to more random unplanned (and less suitable) speculators'

developments.<sup>3</sup> It is usually better to have a less-than-satisfactory plan than no plan. If it has defects, the best solution is to adopt it, but with a policy requiring an early (even immediate) review to resolve outstanding issues. If the government does not like a plan, it is better that it objects (like anyone else) and that the issues are dealt with by the Inspector in the course of his Examination of the plan.

### **Housing land supply issues**

- The requirement for councils to have a five-year housing land supply is good in principle, but too much effort is being wasted at planning appeals, on arguments as to whether an LPA does or does not have a five-year land supply. LPAs provide an assessment of this annually through their Monitoring Report, and I would suggest that should be conclusive.
- Whether has a five-year land supply depends on how fast house builders are prepared to build, which in turn depends on what they can sell. That is not in the LPA's control. Yet if it does not, local people are penalised by having speculators foist less suitable sites on them, because the LPA is obliged to grant planning permission for anything offered (see also endnote 4).

### **Solar generation:**

- In an increasingly unstable world, we need to protect our most productive land to produce food that we can eat, not cover it with glass panels. We need not only to protect Grade 1 to Grade 3A land, but also Grade 3B, which my Devon colleagues call "Prime Pasture".
- The right place for solar panels is on roofs, above car parks and on otherwise undevelopable brownfield land, for example contaminated land, not on productive land.

### **Sub-regional planning:**

In the foregoing, I have at two points suggested planning at a higher level than the LPA.

- In South Worcestershire, this is already done through a joint South Worcestershire Development Plan. It was happening in the Black Country, but Dudley withdrew, and the joint plan consequently collapsed. Where there is no Mayor with wide-enough authority, the simplest solution may be for the matter to be determined by an *ad hoc* conference of all the relevant local authorities.
- This can deal with a strategic review of Green Belt boundaries and with housing allocations where there are cross-boundary issues.
- Sub-regional planning bodies (unless itself preparing a Joint Local Plan) should refrain from providing detailed guidance on other matters. This was the flaw in the former Regional Planning Guidance, then Regional Spatial Strategies.

I am a branch chairman in CPRE. The views expressed in this letter are those of my branch's committee. They are not necessarily shared by the national CPRE The Countryside Charity.

Yours Sincerely,

*P.W. King*

Chairman, CPRE Worcestershire

## **Appendix**

### **Prioritising allocated sites:**

1. If an LPA has potentially deliverable allocated sites, it should not be obliged to grant planning consent for unallocated sites. Where a developer has a large site, it is partly in the developer's gift how fast the site is developed. A developer will of course not build houses faster than he can sell them, so that whether there is a 5-year housing land supply is partly dependent on the state of the housing market.
2. If there are sites proposed for allocation in an emerging plan (normally one that has had a Preferred Options consultation), an LPA should be able to reject applications for unallocated sites.
3. If an LPA has Safeguarded Land for housing, it should be able to reject applications for unallocated sites, unless the Safeguarded Land is undeliverable or in a remote part of the area from where there is demonstrated need.
4. An LPA should be able to reject applications that are functionally to provide housing for a place outside its district, if that place has an adequate housing land supply.<sup>4</sup>

1 Wolverhampton recently consulted on a Plan where over 10,000 houses had to be exported beyond its boundary. The position with Birmingham was similar, but we consider it was grossly overestimating its needs and underestimating windfalls, but it is now consulting on a new plan. I hear that in Bradford, the delivery of the 35% uplift is impossible.

2 At present, the West Midlands Combined Authority Mayor has no planning powers. Even if he did, it would be undemocratic for him to become Regional Planner for the West Midlands Housing Market Area, because this includes the whole or parts of at least another seven district councils, as well as the seven metropolitan boroughs that are voting members of the combined authority and whose electors elect the Metro Mayor. The adjacent shire districts are non-voting members of the Combined Authority, and their voters have no say in who should be the Metro Mayor. This is because the surrounding shire districts also have a county council.

3 In about 2007, Baroness Amos (a Labour planning minister) wrote to the West Midlands LGA (which was working on the Phase 2 revision to WMRSS) to say that she thought their housing target was inadequate. The result was to delay the process by a year, while WMLGA reconsidered and reconsulted. If she had not written that letter, the Examination would have taken place a year sooner and WMRSS Ph2 Revision would have been adopted before the 2010 election. As it was, it was still an unadopted draft awaiting a further (and probably unnecessary) Environmental Impact Assessment on the Inspectors' changes to the plan. It would probably have been better if WMRSS Ph2 Revision was adopted, before incoming ministers abolished regional planning.

4 In referring to need arising in an adjoining district, I am thinking of an application on land adjoining Stourport (in Wyre Forest, where there is an up-to-date plan with ample housing land). However, the application site was mostly in Malvern Hills District (MHDC). This was clearly for additional housing land for Stourport, not for Worcester (which has split over its boundary into MHDC) or for MHDC's own Malvern or Tenbury Wells. MHDC thought it had a 5.3 year's land supply, but the speculator successfully argued that this included one undeliverable site (perhaps two), taking the land supply down to a little below 5 years, perhaps as low as 4.5 years. This was for land included in a larger SHLAA site that was not included in the existing or emerging South Worcestershire Development Plan (which applies to Malvern Hills).