

Planning for the Future Consultation
Ministry of Housing, Communities and Local Government
3rd Floor, Fry Building
2 Marsham Street
London
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By Email

29th October 2020

Dear Sir / Madam,

'Planning for the Future' White Paper.

I am writing on behalf of the London Borough of Newham to submit our consultation response to the 'Planning for the Future' White Paper.

A full response, to all questions posed and all proposals (including those without specific questions), is attached as Appendix 1. I trust that all our comments, including those we have provided regarding omissions from the Paper, will be taken into consideration. This response is also based on feedback we have had from the Elected Mayor and Elected Councillors particularly those involved in planning and infrastructure.

I have also attached, as Appendix 2, a summary of a session we held with residents regarding the White Paper. Our commitment as a Council is to ensure that residents are involved in, and engaged on, any changes which effect their lives. The significance of the proposals outlined in the White Paper are such that we felt it crucial for residents to also be able to inform our response.

As these detailed responses make clear, the Council has a significant number of reservations regarding the proposals outlined in the White Paper. Some of these stem from the broad principals of what is being proposed, while others are a result of inadequate detail provided at this stage. We would therefore like to make clear at this stage that we would expect further significant consultation on many of the proposals in this paper once further detail has been developed.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Nick Fenwick".

Nick Fenwick

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Appendix 1 – London Borough of Newham’s Response to ‘Planning for the Future’ White Paper

Proposal no. & pg.	Question	Draft response
PILLAR ONE – PLANNING FOR DEVELOPMENT		
n/a pg. 22-23	<p>1. What three words do you associate most with the planning system in England?</p>	<p><u>Under-resourced, essential, multifaceted</u></p> <p>The LB Newham (LBN) response to the White Paper acknowledges that the current planning system has significant scope for improvement. This is particularly true within a Newham context, while significant improvements have been made, LBN remains amongst the 10% most deprived local authorities in the country and we have the 2nd highest number of children living in poverty in the UK. 30% of jobs in the borough are not paid the London Living Wage and we have a lower than London average number of residents in Employment (70%). Housing affordability has worsened significantly over the last ten years.</p> <p>In the context of these challenges, we are a borough which welcomes development and investment – we have the second highest housing target in London and are committed to delivering it, including through the direct delivery of new council homes; we are home to Europe’s largest regeneration area in the Royal Docks and we have one of the most significant supplies of vital industrial land within inner London.</p> <p>But we are clear that this growth is welcome only where it brings significant benefits to all our residents – delivering high quality and truly affordable housing, local jobs, training and apprenticeships, spaces for local entrepreneurship and which shares our commitment to tackling the Climate Emergency.</p> <p>The Planning system has a significant role to play in achieving this and delivering improvements for Newham residents; and we have had many successes. However much of what has been achieved has been despite the national planning system and not because of it – instead of empowering local authorities to deliver their objectives and improvements for residents, the plan-led system has been systematically undermined though permitted development rights, the punitive housing delivery test, a focus on viability rather than land value suppression and a standards regime which has focused on speed and numbers and not quality and affordability.</p>

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		<p>Any wholesale reform of the planning system must address these shortcomings and it is our view that that the proposals outlined within the White Paper do not do so, and in many cases may worsen the challenges. Our responses to the questions provide further detail on our concerns.</p>
<p>n/a pg. 22-23</p>	<p>3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?</p> <p>[Social media / Online news / Newspaper / By post / Other – please specify]</p>	<p><u>Other – please specify.</u></p> <p>LB Newham (LBN) consider that while it is extremely positive that this consultation seeks to make the planning system more inclusive and for it to be easier for residents to contribute their views, the examples outlined in this question suggest an extremely restricted form of engagement which doesn't sufficiently recognise or respond to the requirements of resident engagement and involvement in hyper-diverse borough contexts. LBN is committed to working with residents to shape the future of the borough, through engagement and co-production, not simply reductive call and response style consultation. To do so we use a range of tools to engage with residents including citizen assemblies, digital platforms, workshops, consultative panels, open-mic sessions, videos and radio programmes. As part of our commitment to resident engagement we worked with residents to develop our response to this consultation. Their views and comments are included within this document and a summary of the full session is provided as an appendix to our submission.</p> <p>The consultation states that the government 'wishes to' give communities an earlier and 'meaningful voice' in the future of their area. For this to work and to include groups of residents who may have limited experience of engaging with the planning system, will require well-resourced and active engagement with residents, through workshops and face to face discussions. Simply making it easier for residents to read plans via their mobile phones will not ensure that developments in their area are developed with their active participation.</p> <p>Residents highlighted to us that we need a mixture of consultation methods – i.e. lampposts (and other tried and tested methods) and digital methods. It is not possible to replace one with the other as each method suits some people. The more methods used, the more inclusive any consultation will be.</p> <p>Inclusivity and a recognition of the wide diversity of backgrounds, views and experiences is key to LBN's approach to engagement and consultation. LBN is the second most ethnically diverse authority in London and within this inter-cultural and multi-religious and ethnic context, it is vital that we understand how different communities engage and interact with space and place. Without such an understanding, policies and developments will inevitably only work for a small portion of the population and may even exclude or alienate other communities. In order to have this understanding, we need proactive, innovative and varied methods of engagement. For example, the use of ethnography to explore the lived experiences of residents in order to use this nuanced understanding to shape policy-making.</p>

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		<p>Indeed, while the role of digital in this process was seen as a positive step to improve some aspects of consultation [particularly in light of Covid-19 and advancements in technology], residents raised concerns that this risks excluding and disenfranchising people from the planning process. For some of the poorest boroughs like Newham, where basic access to a computer and/or the internet may be limited or unaffordable, this is particularly pertinent. There was also caution expressed about online methods, due to the ease with which misinformation can also be spread online.</p> <p>The need for simpler planning language was also stressed by residents. This should be a key consideration for the proposals in this White Paper for simpler assessments and national policies.</p> <p>A further point emphasised by residents was that they appreciated being able to provide live feedback on planning applications, many of which would have a direct influence on their neighbourhoods and lives. This form of local scrutiny and input was seen as vital to delivering high quality applications. While they were supportive of also being more involved at the Plan making stage, they did not see this as a replacement for involvement at application stage but should be complementary.</p> <p>Finally, residents wished to see more detail, in an easier format (for example an online map) on what is being built or proposed to be built in their area. This should include more publicly available, standardised, data around scheme status and progress (including after consent).</p> <p>Our further views on this are laid out in response to questions 9a, 9b, 10 and 20.</p>
n/a pg. 22-23	<p>4. What are your top three priorities for planning in your local area?</p> <p>[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local</p>	<p>LB Newham consider it concerning that any consultation regarding a wholesale reconfiguration of the planning system would start from the suggestion that the objectives of planning can be narrowed down to 3 priorities. Fundamentally the role of planning is to ensure a sufficient balance in the use of land to support the social and economic development of communities, while protecting the scarce resources of the natural environment.</p> <p>For example, increasing the affordability of housing is of course a key priority locally, but this should not be at the expense of high quality design, supporting the local economy or action on climate change.</p> <p>Paragraph 8 of the NPPF states: ‘Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): an economic objective... a social objective... an environmental objective...’</p>

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	infrastructure / Protection of existing heritage buildings or areas / Other – please specify]	Any planning system which seeks to deliver this aim, and the consultation document states that sustainable development remains the aim of the new proposed system, should be able to balance the delivery of all the priorities listed.
1 (Zoning) pg. 23-25	<p>5. Do you agree that Local Plans should be simplified in line with our proposals?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No</u></p> <p>As outlined in relation to Question 1, while we consider that improvements to the planning system are needed to deliver for our residents, we do not consider that the simplified approach, as proposed, will ensure that developments responds to Newham’s unique challenges and opportunities.</p> <p>The proposals seeks to set out 3 broad land ‘zonal’ categories [Growth, Renewal & Protect]. We recognise that such an approach does have significant potential benefits, including providing LPAs and the communities they serve to develop more detailed plans for developments in their area by effectively handing over early design from developers to the public sector. In addition, there is the potential that the certainty for developers established through the zonal plan may reduce land speculation, enabling an optimisation in community benefits.</p> <p>Recent resident engagement highlighted that a simplified zonal system was broadly seen as having some benefit by making it easier for the public to understand the role and function of land. However it was clear from residents that the proposed approach requires further detail and clarity as noted below.</p> <p>It must also be noted however, that there are significant trade-offs associated with this style of plan, most notably in relation to flexibility. With greater certainty on acceptable uses, how do plan-makers ensure the plan is sufficiently flexible to respond to changing land use needs e.g. employment and homes. How do zones respond to monitoring evidence e.g. too much of a specific Use. What mechanism is there to restrict an established ‘in principal’ use that isn’t responding to demand /new evidence? This is of particular interest within our current context, given the need for flexibility within planning to respond to changes such as Covid-19.</p> <p>In relation to the 3 categories of zones, resident engagement highlighted some concern that the three proposed zones are too rigid and broad in scope to reflect the detailed characteristics of the built environment. Residents sought clarity around the practicalities of drawing up these zones as well as on how areas that have hybrid characteristics of the zones (e.g. areas which are predominantly areas for growth, but which also have</p>

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		<p>heritage assets or Green Space and should be planned for holistically), should be zoned, without risking losing the heritage value / green infrastructure or any other unique characteristics of a site. Discussions with residents on design and place-making noted the importance of heritage and access to green space as key components of the existing character/usability of places which add to their value. The discussion highlighted that these detailed nuances need to be clearer and will need to be a key consideration when drawing up these zones, particularly in areas of Growth.</p> <p>Residents also raised pertinent queries regarding how these zones will evolve e.g. when does a Growth area become Renewal? If, as is suggested in the White Paper, this is only during a Local Plan review, how does this manage long term phased developments. For example, phase 1 of a 20 year scheme in a growth area, delivers housing and a park. Residents want to ensure that the park would be protected, irrespective of economic factors which may cause a reconsideration of later phases. Could the delivered area be re-zoned? Would this be secured via the masterplan? And if so, what procedures would there be to vary such a masterplan - what policies would it be judged against and how would residents and councillors be involved in such a decision? There is also the concern that there should be a presumption in favour of building out a masterplan if significant Council and resident time and resource has gone into developing it.</p> <p>As such, while we may consider there to be significant benefits of a zonal system, we are not in full agreement with the proposals outlined. In particular, as support for this proposal depends on any forthcoming detail. This need for further detail reflects the particular requirements of an area like Newham. Our comments below highlight a number of areas where further clarity is required across key areas of the proposed zones.</p> <p>First, the White Paper is silent on the size of zones and level of detail these zones should include. The effectiveness of any future Zone based plan will be reliant on their granular detail, however this creates particular resources constraints, especially in urban areas such as Newham, which have numerous site allocations as well as complex spatial designations and areas which will require their own guidance.</p> <p>In addition, drawing up these zones will require significant emphasis on masterplanning to ensure they are developed holistically and effectively [including how multiple land ownerships are addressed]. LBN has particularly emphasised masterplanning and partnership working in our Local Plan Policy (S1) to realise objectives and optimise development opportunities and this approach has had significant benefits for development in the borough. We are supportive of the proposal for masterplanning to be a key requirement for sites in growth areas, but further detail on how this would operate in other zones is required. In addition,</p>

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		<p>we would be interested in what mechanisms are proposed for sites which may come forward to work with adjacent landowners within the same zone to enable comprehensive development.</p> <p>We are also concerned about the relationship between developing zonal plans and the proposed design-codes and masterplans. We would like further clarity and detail in relation to the suggestion that site specific codes/masterplans could be drawn up subsequent to Plan adoption with the expectation for these to be in place prior to a detailed proposal coming forward [para 3.18]. It is considered that this could potentially risk leaving an awkward ‘gap’ between zonal plan and masterplan, and create potential conflict between plans and applications, resulting in increasing uncertainty around plan expectations and proposals coming forward.</p> <p>As further outlined in relation to question 12, this is particularly concerning due to the proposed timeframes for this process. Drawing up new zonal plans, in an untested process, in 30 months will be challenging; developing masterplans and design-codes for all potential growth sites, as well as draft a new zonal plan, will be extremely resource intensive. For the purposes of plan-making the resource and timing of drawing up subsequent design-codes is critical. While masterplans will reduce some uncertainty for those bringing forward development, it remains unclear how such an ambitious level of detail can be achieved within the 30 month timeframe. It is noted that other zonal systems have longer processes which enable greater engagement E.g. New York has a long engagement process on zones about acceptable uses and interplay between land use categories.</p> <p>LBN remain unconvinced that the proposed separation of in principle matters and subsequent technical details can be as clear-cut as suggested in the White Paper. Please see our responses to question 9 for further details on this.</p> <p>We also have the following issues to raise in relation to the proposed approach for different zones.</p> <p><u>Renewal Zones:</u> With the significant emphasis on housing delivery in this reform, LBN consider it crucial that it is clear that zonal plans can ensure the provision and delivery of sufficient employment floorspace, to meet diverse needs are. If not this will become a barrier to support/deliver economic growth [NPPF requirement] with housing dominating the delivery of development and tipping the balance between jobs and homes.</p> <p>The proposed reforms places significant emphasis on delivering homes within Renewal areas [as signposted by PiP consent process], and there seems to be a lack of recognition of the wider crucial functions of Town Centres, particularly their role in supporting economic, social and civic functions. It is well documented that in the light of economic uncertainty, changes in shopping behaviour and the present health threats from Covid-</p>

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		<p>19, reform of this scale needs to look at how designated town centres can be supported within the planning process. As we look forward in this planning reform and to the recovery from Covid-19, emphasis on the local and recognising the important role of local centres to support people's needs is critical. What commitments [other than the problematic relaxation of PD rights outside of this reform] are there in Renewal zones to ensure Centres can thrive during these challenging times. LBNs Recovery Strategy recognises the critical social role of town centre network to provide communities with local access to goods and services with commitments to ensure that during these challenging times centres remain at the heart of places and play a key role in supporting communities and businesses.</p> <p>This is particularly important in relation to Newham's priority to delivering the principles of '15-minute' neighbourhoods. This requires subtle plan making to ensure the delivery of a mix of uses around easily accessible high streets. Key to delivering this is enabling mixed use, higher density developments around town centres. Current planning policies, including Development Management Policies and Site Allocations encourage this approach and the Development Management processes ensures that the correct mix of uses and types of employment, housing and retail space is included. Extremely detailed zonal plans would be required to replicate this approach and we would welcome further guidance on how this could be achieved and how to avoid largescale single use plots, which characterise zonal plans in many countries.</p> <p><u>Growth Zones:</u> The reform proposes that these sites may consist of large former industrial sites. It is critical that risk to health and potential environmental considerations are considered as part of this reform. For Boroughs like Newham with large former industrial sites proposed for large scale mixed use redevelopment [and likely to fall into this category] it is essential that the existing requirements in the planning system to ensure that land will not present a risk to health is factored in. This is particularly pertinent as these sites are highly likely to have considerable environmental factors such as contamination associated with them. In areas with significant land pressures, the present system that ensures risk to health is duly considered; with policies to ensure new and existing development is neighbourly, as supported by the NPPF through the Agent of Change. This is critical to successful delivery and integration of homes and jobs in areas with significant land pressures such as Newham. Should this not be factored in, then this potentially would add to already established challenges under statutory nuisance and only add to increasing conflicts in land uses and subsequently impacts on communities quality of life. In the light of Covid-19 the emphasis on health and risks to health need to be at the core of evolving these zones to create successful places and high quality environments.</p> <p>LBN do not support alternative option to amalgamate Growth and Renewal areas into one category. Notably as the characteristics and expectations of each zone are significantly different e.g. Renewal areas have complex</p>

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		<p>existing land ownerships, differing townscapes and particular local functions e.g. local employment locations which will need to be assessed comprehensively to ensure local objectives are met. We consider this would only further exacerbate our concerns regarding a separation of in principal and technical matters, and would limit much needed assessment and scrutiny of more complex sites.</p> <p>Finally, there is some concern that the Permission in Principle process moves the resource requirements of designing up a site from the private sector to the public. With the proposed onus on the LPA to draw these design details up, this would have some significant resource and funding implications for the Council. For Boroughs like Newham which have numerous very large strategic sites, this could present significant resource and potential time delays to draw these up. Further detail is required on the financial and resource support available to councils to support such a process.</p> <p>Whilst the emphasis on engagement at the Local Plan stage was strongly supported by residents, given the scale and nature of these zones it was clear from the local residents that the frontloading of engagement should not be at the expense of engagement at the application stage [input on detailed proposals within the zones]. Residents shared their interest in continued engagement through the planning process, noting that the proposed reform seeks to remove the ability for communities to influence/modify or comment at the application stage. Further to this, residents valued the important role of Councillors to articulate key local issues and comments as a mechanism for community input in the planning process [particularly for applications] and to reflect the community voice as applications come in. Local Councillors shared these concerns and highlighted the key role that local scrutiny and advocacy could have on improving schemes and ensuring they delivered local benefits.</p>
<p>2 (DM policies) pg. 25-26</p>	<p>6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Not sure</u></p> <p>LBN consider the standardisation of some of the Development Management policies to be a potentially good idea, however we do have concerns regarding the implementation of this.</p> <p>Local Plans cannot be completely “generic” or “standardised”, the needs of communities across the country are very different. The ability of the Local Plan to tackle nuanced, local issues particularly at the DM stage allow them to be innovative and effective, particularly for residents, members and communities.</p> <p>We welcome the consolidation of some Development Policies at a national level, preventing duplication in Local Plans. This could include broad design policies, daylight/sunlight standards and flood risk policies. An</p>

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		<p>example of a specific policy that could easily be mandated nationally is the National Space Standards for all new dwelling houses, rather than being added into Local Plans as at present.</p> <p>However, we feel that some degree of flexibility is necessary for Local Plans to address local issues, as while some DM policies are generic, many policies have been written to address specific, unique and local issues that concern local residents.</p> <p>As an example, Newham has specialist issues for which there aren't national needs for such policies – e.g. an overabundance of hot food takeaways and betting shops. We also feel that there needs to be continued freedom to address local issues in terms of spatial distribution as well as quality criteria (appropriate building heights, cumulative impacts, local employment, student accommodation etc.).</p> <p>The difficulty is where the balance between generic and specialist policies lies.</p> <p>We also have concerns regarding Development Management policy changes occurring solely at the national level. For one, an innovative clever idea or proposal would not be able to be implemented if it was against the adopted national policies. In addition, unilateral policy changes at the national level could lead to a weakening of certain policies, such as the National Space Standards or daylight/sunlight policies without LPA's being able to challenge this. The prevention of such unilateral changes to national DM policies in the legislation or an ability within the legislation for national policies to be varied within Local Plans, if sufficiently justified by local evidence, could go some way to mitigate this.</p> <p>We are also concerned by the lack of reference in this section to the London Plan and the unique benefits such a strategic planning document has for consistent and high-quality developments which respond to London's unique economic, cultural and physical characteristics. The London Plan already seeks to reduce duplication of policies across London and, in accordance with the principle of subsidiarity, consideration should be given to allowing the provision of unique Development Management policies at National, Regional and Local scales, each of which respond to the key issues at each spatial tier.</p> <p>We address machine readable Local Plans and planning applications in our response to Question 10.</p>
<p>3 (Sustainable</p>	<p>7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable</p>	<p><u>Not sure.</u></p> <p>LB Newham agrees that the current legal and policy tests for Local Plans are cumbersome and technocratic,</p>

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<p>development test) pg. 26-27</p>	<p>development”, which would include consideration of environmental impact?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>however without further detail on the nature of what any ‘consolidated test’ would involve, it is impossible to know whether any replacement would be an improvement.</p> <p>We would like to provide the following comments and suggestions in relation to specific proposals in the White Paper to help inform the development of the proposal, with the proviso that we would expect to be consulted on any further developed proposal.</p> <p>In relation to abolishing the Sustainability Appraisal system:</p> <ul style="list-style-type: none"> • LB Newham has declared a climate emergency and is committed to tackling the climate crisis. Our view is that all new development in the borough should meet the highest possible environmental standards. • In addition, we have a number of significant environmental impacts – including poor air quality, noisy and polluting industrial uses, flood risk, urban heat-island effect and contaminated sites in close proximity to existing residential areas. Covid-19 has further highlighted the significant impact such environmental factors can have on the health and wellbeing of residents, and the disproportionate impact these have on poorer communities. It is vital that all new development must mitigate and manage such environmental impacts to the greatest degree to ensure the protection of the environment and human health. <p>Finally, the statement that the proposals will ‘protect and enhance the most valuable and important habitats and species in England’, causes some concern. In an urban area like LB Newham where there are limited areas of biodiversity, all areas which support wildlife and provide residents with access to nature are precious. The idea that only the most important and valuable should be protected is problematic and may reduce the protection of such areas in locations where they are most beneficial.</p> <p>Therefore, while we would support a simplified framework, particularly one which would be a more uniform approach, be easier to understand and be scrutinised by residents and, interested but non-expert, stakeholders, we would require any replacement to be a robust, evidence-based, comprehensive process which adequately addressed these complex and important environmental issues.</p> <p>In relation to a slimmed down assessment of deliverability: The proposals make no mention of development viability, which is currently a key component of deliverability tests. LB Newham would support an approach in which policy requirements became embedded in the value of land and were no longer subject to negotiation. However our concern remains that if the Housing Delivery Test is to remain, there is a risk that were policy or design code requirements to have a significant impact on the</p>

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		<p>viability of delivering homes, this would potentially only be revealed through a failure to deliver against housing targets, at which point the Plan-led approach is presumably undermined. This would also result in land value speculation, as landowners bank on potential future lower policy requirements. It is unclear how deliverability will be measured, how this will play out in relation to individual applications and ultimately link to the housing delivery test. Without further detail we are unable to provide further commentary.</p> <p>It is also unclear how the alternative option would work in an urban area, like Newham, where the majority of the borough is already considered suitable for development, apart from areas of open space and of significant heritage value. Sites are either allocated for a specific land use, considered necessary to meet specific economic or infrastructure needs, or are considered suitable for housing (subject to any environmental factors). Policies already require sites to optimise the use of land within appropriate design parameters and the borough works proactively to unlock sites which have infrastructure requirements or other constraints slowing down delivery. There are no 'reserve sites'.</p>
	<p>7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?</p>	<p>An overarching concern is that the planning reform is particularly silent on how strategic and cross boundary issues are to be dealt with, coupled with no ambition or suggestion on the role of regional planning e.g. GLA. As such the reform risks creating a strategic 'void' in the planning system. In a London context, the strategic position of the GLA is critical to growth ambitions and co-ordinating/realising the objectives for 32 Boroughs. Additionally the GLA provides guidance, resource and funding [particularly important in the light of a challenging financial climate for LPAs] to support the implementation of policy to meet significant growth needs. In relation to the proposed role of Mayoral Authorities, further detail would be welcomed on strategic planning beyond just housing [employment provision, transport and other infrastructure] – and if it is expected that this level will deal with all cross-boundary matters at a more regional level.</p> <p>In relation to cross-boundary Borough matters, LBN would want to see an effective DtC replacement which promotes positive planning encouraging Boroughs to engage constructively and actively engage on an ongoing basis. As this reform is drafted, it is difficult to envisage how sustainable patterns of development and significant growth can be met by sufficient infrastructure, without any cross boundary mechanism. LPA's rely on cross-boundary evidence [e.g. SHMA] to support growth and tackle key issues in a joined up way to deliver objectives supported by up to date evidence.</p> <p>With anticipated [binding] housing targets, this increases the need for greater strategic planning including, from a London perspective, with the wider South East, to support growth needs. Without any ambition to</p>

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		<p>replace the DtC this will become increasingly more problematic for Boroughs to meet identified needs supported by adequate infrastructure.</p> <p>Further to this, National planning will be critical to rebalancing the economy and housing need across the country. The White Paper is silent on the implications of Covid-19. However, this has exacerbated and created new spatial challenges which will require national and regional responses. Considering the changes in working patterns, the need for a green economic recovery and changing living preferences, national planning is required to consider what a sustainable distribution of people and the economy look like.</p>
<p>4 (Housing need) Pg. 27-29</p>	<p>8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No.</u></p> <p>The London Borough of Newham (LBN) does not consider that a standard method is able to establish an accurate housing requirement for the Borough. LBN's objections to the proposed amendments to existing methodology, set to form the basis for calculating housing requirement figures, are discussed as part of the Borough's response to the 'Changes to the current planning system' consultation, which closed on 1st October 2020.</p> <p>In short, LBN consider that the extant standard method for calculating housing need has exposed the numerous flaws in attempting to apply a 'one size fits all' approach to very diverse planning contexts. Perhaps the most obvious example of this is the dramatic reduction in housing need figures for many authorities in the north of England, where needs figures fall well below the numbers of homes being built each year as a direct result of market demand. Such concerns have not been overcome through the methodological changes proposed under the 'Changes to the current planning system' consultation, set to form the basis of these White Paper reforms.</p> <p>The proposed factoring in of land constraints (i.e. National Parks, Green Belt, flood risk zones etc.) when calculating housing requirement figures appears likely to push densities significantly upwards on identified 'growth' and 'renewal' areas; however, failure to consider the attainability of requirement figures, through the identification of sufficient available land, is expected to place other existing land protections (for example designated employment sites and neighbouring heritage assets) at risk through increased appeal challenges. Instead of pushing for potentially harmful densities on brownfield land (particularly within the south-east), MHCLG should explore alternative options to allow Local Planning Authorities greater flexibility to identify suitable and sustainable land for the delivery of housing, including through supporting strategic Green Belt Reviews.</p>

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		<p>The binding nature of the new housing requirements also fails to allow sufficient flexibility to adapt to market trends and public-health awareness in the wake of the COVID-19 crisis. For example, increased flexibility in working from home, demands for external amenity provision and greater emphasis placed on convenient access to local amenities may translate into demand for housing outside traditional employment locations. The fixed nature of housing requirement figures as proposed would not allow authorities the flexibility to amend their housing targets if such trends emerge in the wake of the pandemic.</p> <p>We would also like to highlight that residents we engaged with regarding this White Paper, felt that creating nationally set binding housing targets combined with reduced resident engagement at the development stage, risked creating a very top-down system which undermined local democracy and accountability. Residents particularly stressed the importance of housing delivery [namely providing genuine affordable options for residents], emphasising that the deliverability of targets was critical and should be determined via a methodology that recognises the unique attributes of local areas and the needs of their communities.</p> <p>Furthermore, the proposed standard method would be impaired by its simplicity. The failure to account for the myriad of factors which determine suitable housing targets, namely land availability, is likely to result in housing requirements which for many areas will be unachievable, and result in long-term harm through unsuitable and unsustainable densities, homes which fail to align with local housing needs and lack adequate supporting infrastructure.</p> <p>LBN maintain that determination of a housing requirement figure should instead be considered in the round as part of a plan-led approach to density, ensuring housing delivery is aligned with up-to-date evidence around local needs, land capacity and broader housing market trends. Such an approach can factor in the numerous interconnected variables that determine suitable densities on land, including local housing needs, neighbouring built forms and character, the appropriateness of tall buildings, land availability, migration and work patterns and other land-based constraints (i.e. flight paths, protected green spaces, strategic industrial land etc.).</p>
	<p>8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?</p>	<p><u>No.</u></p> <p>In isolation, affordability and the extent of existing urban areas are too narrow to accurately indicate the quantity of development required to be accommodated by Local Planning Authorities (LPAs). Such variables overlook more detailed nuances of an area's housing market; for example, in London, broad travel to work patterns and impacts of overseas investment are unlikely to be captured through Borough-level statistics analysed in isolation.</p>

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	<p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>As outlined in the response to 8(a), land availability (determined through a Strategic Housing Land Availability Assessment - SHLAA) should be the key driver for determining appropriate quantities of development. A SHLAA can factor in a variety of planning policy, environmental and delivery-based constraints, including designated open space, strategic industrial land and local industrial locations, protected industrial and employment sites, safeguarded wharves, flood risk, aircraft noise pollution, Health and Safety Executive consultation zones, pylons, land ownership, infrastructure sufficiency and land contamination.</p> <p>Data obtained around land availability should work in tandem with detailed evidence of housing needs, typically considered through a Strategic Housing Market Assessment (SHMA) informed by a variety of variables including housing projections, population projections, migration patterns, demographic change, the needs of different groups (including those requiring affordable homes) and evidence of demand. In this way, a robust and evidence-based approach to determining housing targets can be achieved, ensuring targets are deliverable and avoiding omissions which are likely to occur if data variables are too narrowly defined.</p> <p>LBN also seek clarity around what is meant in practice by brownfield land being “utilised fully” prior to housing requirements taking constraints into consideration. If this were to translate into minimum density thresholds then the concerns raised in response to 8(a) around harmful densities will be even more relevant, noting in Newham many brownfield sites are located in proximity of sensitive residential receptors.</p>
<p>5 (Automatic permission s) Pg. 29-30</p>	<p>9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No.</u></p> <p>As outlined in relation to question 5, we consider that the proposed automatic permission route is problematic insofar that it prevents any flexibility and innovation and fails to recognise the intrinsic link between outline and the detailed aspects of applications.</p> <p>The “decision by detailed application” presents quite a restrictive process for site allocations, particularly in areas of significant land use change, and restricts both the Council’s ability to shape policy to meet a variety of evidenced as well as limiting the nuanced decision making required to support this. This is critical to innovative and effective policy making in Local Plans to support a wide range of objectives. For example, while we may wish to zone for mixed use development, it may be inappropriate at plan making stage to detail the exact proportions of different land uses. We would expect however to then be able to scrutinise this at the stage of a detailed application to ensure it met local needs as established at that point in time. This is exacerbated as the</p>

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		<p>current list of technical detailed matters appears extremely limited and could helpfully be widened to allow for a better balance between plan making and permission processes.</p> <p>We also consider that the separation between in principal matters and technical details is arbitrary and simplistic. Assessments of the 'in principle' acceptability of developments are often contingent on many factors that cannot be separated from technical details of a scheme. This is particularly applicable in the case of major developments. For example, a development's mix of uses can often be impacted by what constitutes an appropriate scale of development, which in turn is informed through both design policies and viability constraints. Equally, the quality of a development's design - its daylight, sunlight and overshadowing implications and placement of blocks - may impact the acceptability of a scheme's broader scale. The release of part of a site's industrial land for housing may be contingent on demonstration of managed intensification on another site.</p> <p>Good design means understanding not just the physical aspects of what a building looks like, but also the way a site, its buildings and spaces function (both within the site and as part of the wider neighbourhood) in terms of housing quality, amenity, access to open space, daylight/solar access, servicing, parking/cycle parking/refuse, sustainability, landscape. The emphasis on 'beauty' in the White Paper, appears limited and cannot be restricted to consideration at the technical detail stage, but requires holistic consideration of aspects currently separated between plan making and permission process.</p> <p>This process also prevents crucial, site-specific, trade-offs to be considered i.e. where what could be considered excessive massing for the local context was justified by other public benefits (affordable housing provision and public realm enhancements) that necessarily require discretion and negotiation in decision-making, e.g. Stephenson Street (17/01847/OUT). This would be prevented if the heights were solely established at the Plan Making stage.</p> <p>Of most importance to the Council, is the suggestion of who is involved in decisions regarding the 'outstanding [detailed] issues' e.g. transport, mix, design, affordable housing. We consider it deeply undemocratic to assume this should be through a Reserved Matters stage, with limited opportunity for existing communities to shape the key issues that matter to them. We object to both local councillors being removed from this process (and by extension their constituents whose views they represent) and to local residents having a reduced level of engagement on final proposals. This was a key concern raised by residents particularly at the application/detailed stage of the planning Development Management process.</p>

Proposal no. & pg.	Question	Draft response
		<p>One of the key objectives for Newham council is to build capacity of residents and community groups to actively engage in shaping their environment through co-design processes. In places like Newham, the socio-economic profile, including high transience of population, have historically meant that engagement of residents with the Council, on planning or shaping other services, has been low. In order to change this and to reactivate local democracy, the Council is leading by example through Council-led projects where residents work alongside professionals to shape development from the early stages of design all the way through to consideration of the final proposals, and even in the very development of the scheme.</p> <p>Therefore, while we support the principal of front-loading the development process and ensuring more local voices are heard at the earlier stages of development such as plan-making, masterplanning and design code writing stages, this should not be at the expense of involvement further down the line in the process – experience suggests that people respond better to development when they know what’s coming and they have had a chance to shape it throughout the stages, from brief to detailed design and implementation.</p> <p>This is particularly important in the case of complex sites where there can be a significant time lag between the policies and design codes being prepared and start on site. In urban areas like Newham, with a large number of residents moving in and out of the area, the communities impacted by these proposals could have changed significantly. Newer communities should not be excluded from this process and best practice dictates it is important to keep all stakeholders engaged at all stages, and this takes commitment and resources.</p> <p>Finally, we note the suggestion of Local Development Orders, but highlight that they are time consuming and resource intensive and an ambitious expectation for Boroughs like LBN who have numerous very large [strategic] ‘Growth’ sites. There is consideration additional risk with schemes coming forward prematurely ahead of finalised masterplans for the area and potential duplicate workloads.</p>
	<p>9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No.</u></p> <p>Renewal areas in urban areas have complex land matters - use, townscape and purpose - of particular local interest. Notwithstanding issues around ‘fast track for beauty’ [see question 20] no details are provided as to what a faster application would be? – is it the expectation that all schemes must be in conformity with the zone and design code and any deviation would be refused? Or would there be a higher threshold for beauty to be met?</p>

Proposal no. & pg.	Question	Draft response
		<p>Whilst this may make the process in theory faster, with greater certainty for the development sector, this process is putting significant reliance on design discussions to be straight forward and agreed. If the system is to speed up the time frame for decision making, we would welcome limited time to secure improvements [by the applicant].</p> <p>Noting the complex characteristics, as outlined above, of Renewal Zones, coupled with a shift towards national DM policies, [see question 6] this approach significantly waters down the ability for detailed policy assessment and scrutiny. This would limit the LPAs ability to address particular, local, issues with a comprehensive policy framework. As such, the limited scope for assessment and scrutiny is at odds with ambitions to emphasise the innovation and effectiveness of plans [as noted in para 2.33].</p> <p>This is of particular concern in Renewal zones, as due to their nature, characteristics and size, Renewal zones are likely to attract small/medium builders. Any uncertainty around the policy requirements, coupled with a reduced role for the pre-application process, could create significant uncertainty and high barriers [adding to existing barriers around land value] to entry for these sized businesses to develop schemes. To overcome this, will require extremely detailed zonal plans and design codes, which would be extremely resource intensive.</p> <p>We consider the more effective alternative to be the role of pre-application design advice. The Renewal process fails to recognise the strength of LPAs detailed design knowledge and local understanding of process. It does not utilise this valuable service to improve schemes to the highest quality at an early stage. In turn this will create additional risks through expectations that the applicant has a greater understanding of design expectations and policy requirement prior to submission. The outcomes may lead to missed opportunities to improve design outcomes that reflect local character and context and at odds with the primary ambition of this reform to focus on design and high-quality development.</p> <p>Newham has a long established (since 2007) Design Review Panel which provides independent and expert advice to both of our planning committees. The committee meets monthly to review around 4 applications each time – with some schemes coming back multiple times for feedback. The process forms part of Newham’s pre-application process and is well regarded by applicants, who value their judgement and the resultant improvements they make to a scheme. Newham’s innovative approach in establishing such a high-status panel, has been replicated and now forms an integral part of the new London Plan’s design policies. The involvement of experts with strong local knowledge to act as critical friends to improve scheme design should be embraced, and not side-lined, by a planning system which seeks to embed beauty and good design.</p>

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		<p>There are many schemes in the borough where through pre-application and engagement with the Design Review Panel and this crucial stage has significantly improved quality; some examples are listed below:</p> <ul style="list-style-type: none"> • Redclyffe Rd Bus depot site (15/01730/FUL) • Caxton Works (13/01461/FUL) • Gallions Quarter (14/00664/OUT & 18/01169/REM) • New Vic 6th Form • Oasis Academy <p>In relation to Renewal zone, there was some resident concern raised around the “automatic consent” via the prior approval process, which by its very nature [a form of Permitted Development] has a lighter touch scrutiny and decision making process. This approach, particularly in urban Boroughs like Newham where the majority of the land has the potential to fall into this category, could have a significant incremental impact on local areas. In particular residents were concerned that this route is anticipated to be decided on its ability to reflect “generic popular and replicable forms of development” as a fast track for consent and will not respond to specific design contexts. Residents were concerned that this approach risks diluting elements of places that mean so much to communities particularly around design, local identity and character.</p> <p>One further key concern that the White Paper has not addressed is the ability of some developers to water down the quality of approved development, either through variations of condition applications, or through subsequent reserved matter applications following outline consent where the first phase is clearly of higher quality than the following proposals. Some examples of development watered down through variations from the original consent.</p> <ul style="list-style-type: none"> • Former West Ham FC/Upton Park site (14/02893/FUL) • 213-217 Barking Road (13/02101/FUL) <p>And an example of poorer quality follow-up phase: - Hallsville Quarter Phase 2 (14/00147/REM)</p> <p>For Protected zones we would support this process on the proviso that this zone has sub categories to reflect different types of protected areas, with emphasis on local level and area specific policies. The current proposal for Protect zones it is too broad in scope to tackle particular characteristics in urban areas.</p>

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	<p>9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>While this question does not have direct application for LBN, we do have experience of regional delivery mechanisms operating within the borough – specifically the London Legacy Development Corporation and the Royal Docks Enterprise Zone.</p> <p>LBN recognises that both mechanisms have brought significant benefits to the borough in the form of investment, infrastructure, new housing and employment. However the creation of delivery bodies which sit beyond councils and without direct democratic control has meant that the benefits they have delivered have not been dispersed beyond their boundaries and have resulted in isolated pockets of change. The communities within which these developments have taken place have at best seen a limited improvement and at worst have felt both alienated and disillusioned with the changes.</p> <p>Any proposals which seeks to reduce the role for local councils and moves decision making into unaccountable nationally managed legal processes risks replicating these mistakes.</p>
<p>6 (Speed and certainty of decision) Pg. 31-32</p>	<p>10. Do you agree with our proposals to make decision-making faster and more certain?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No.</u></p> <p>At the outset, it should be noted that the London Borough of Newham outperforms both London and national averages for processing planning applications. In 2019/20, 100% of applications were processed on time ranking Newham’s performance best nationally when compared against all 341 Local Planning Authorities.</p> <p>The proposals to make decision making faster and more certain would be welcome, but would require significant resourcing (i.e. more staff). LPA functions are already seen as “revenue neutral” or “revenue positive” for many local authorities – without funding from central government or a substantial increase in application fees, it is unlikely that said resourcing would occur given the variety of financial pressures that local authorities are under. We are therefore unable to support such a proposal without accompanying commitment to increased funding for planning authorities.</p> <p>In terms of “deemed planning permission” if a timely determination has not been reached, there is the risk of a uncooperative developer refusing to engage with the Council on key issues so that this deemed planning permission occurs as the time limit expires. Simply refusing a scheme in this situation is costly for both applicant and LPA, whereas the current system allows for collaborative and productive negotiations which achieve beneficial outcomes for both parties.</p> <p>Our views on design codes are outlined in response to question 17.</p>

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		<p>With reference to standardised planning conditions, this would be welcomed in a similar format to Circular 11/95, albeit with the allowance for exceptional circumstances for these planning conditions to be changed.</p> <p>With regard to machine readable applications – in principle, this is welcomed. Modern technology can already pull some aspects of the application from the application form, but an extension of this would allow for greater information and live application data to easily be seen by the public.</p> <p>Allowing developers to easily check whether a potential development would be permitted by the Local Plan could be helpful. However, an automatic, impersonal approach would not be helpful for the LPA or applicants, as every single application needs to be decided on its own merits. For example, a scheme that may not be acceptable in broad terms could have complicated mitigating circumstances that make it acceptable to the LPA. We would not welcome an approach to consider applications automatically or by algorithm – highly trained and experienced planners need to be able to consider individual applications on their merits. The White Paper notes that “detailed matters for consideration should be principally a matter for professional planning judgment.”</p> <p>There may also be the risk of reducing income from pre application advice, if automated Local Plan systems tell applicants a scheme is “acceptable/not acceptable”. Pre-application advice can really assist applicants in evolving their schemes to make them acceptable to the Council.</p> <p>We would welcome a universal template for planning notices – given the wide variety of site notices used across the country. An example to follow could be Toronto in Canada, where the site notice for a proposed development includes an image of a 3D model of the proposed development, as well as standardised information (height, storeys, number of proposed dwellings, car & bike parking numbers etc).</p> <p>The White Paper mentions “new digital services”, the creation of “planning application registers” and a “new, more modular, software landscape”. Many questions follow as a consequence – who will procure the technology, who will pay for it, will the technology be open to the wider market for innovation? LB Newham would welcome an approach based on data standards that allows for market competition with potential for innovative and cost-effective solutions.</p> <p>We caveat all the above with own experience with planning technology – the Greater London Authority (GLA) transition to machine readable application forms (supported by MHCLG) has had significant implementation difficulties, which have yet to be overcome. We have yet to see how easy it will be for stakeholders to use the</p>

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		<p>new system. This only exemplifies the requirement for sufficient investment and support to delivery such a step-change in the use of technology by all stakeholder sin the planning service.</p>
<p>7 (Local Plan format) Pg. 33-34</p>	<p>11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes.</u></p> <p>Digital technologies can support a more efficient planning system and facilitate visual and ‘live’ conversations. Options for data mining and more enhanced use of GIS software are also tools with potential to change the way we understand, interact and plan for the growth of our Borough. None of these are new, but take up has been slow, in part due to the extensive costs of procuring and maintaining software, hardware and data sets. Economies of scale in PlanTech may help alleviate some of the problems, alongside adequate resourcing of Councils.</p> <p>LB Newham would therefore support an approach based on data standards that allows for market competition with potential for innovative and cost-effective solutions. See also response to Question 10.</p> <p>In relation to a fully digitalised [web-based] Local Plan, this requires appropriate testing and resourcing to support and deliver the roll out and implement this ambition. Whilst harnessing digital technology to improve outputs for access to information is supported, this does come with some significant challenges for LPAs. The timing of the aspiration to move towards more standardised and digital templates will need to factor in LPAs contractual commitments with software providers who would ordinarily have to retrain staff should there be a move towards different solutions. At this point the paper does not set out how such proposals will be implemented, particularly in relation to the time required to complete the journey technically and to implementation. The roll out of this nationally and at this scale should not be underestimated (e.g. the HMLR Land Charges migration project has been running for 2-3 years with less than 20 of the 360 + LAs migrated so far). Such a transition would also require improvements to data quality both cleansing historical data sets and in ensuring that new data is being captured correctly/accurately and maintained. These challenges were faced recently in the delivery of a London-wide data automation (to replace the London Development Database) project and required a high level of resource, technical knowledge of our systems [and data] and adequate lead in time to deliver this.</p> <p>Further, we have concerns about who benefits from the push for digital and who loses out without adequate intervention. There is a real risk that those that are less able to use technology will not be able to engage with the new system (e.g. blind people, people with learning disabilities or those who feel challenged by use of new technology). While internet access has increased and is high in LB Newham, it isn’t universal and certain groups are excluded. Internet <u>Users statistics</u> (ONS, 2019) indicate 96.4% of Newham [and Hackney] residents had</p>

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		<p>recently accessed the internet, compared to 93% of Londoners. Results from the Newham Household Panel Survey 2017 also highlighted that some groups are less likely to have internet access – the same groups that are usually under-represented in planning engagement:</p> <ul style="list-style-type: none"> ○ Individuals with a disability: 30% had no access to the internet; ○ Individuals with a limited health condition: 23% had no internet access; ○ Households in the lower quartile of households income: 32% no internet access; ○ Aged 65+: 37% had no internet access (compared to just 1% of those aged 16-34). <p>Residents specifically drew attention to their concerns that a fully digital solution could disadvantage the poorest and digitally excluded residents – and that they liked the current methods of engagement used. The Government needs to recognise that more traditional methods of engagement are still needed (e.g. see Future Of London, Community engagement in a Covid-19 world), and that there is a need to adequately resource and train not just public sector planners, but also community groups, politicians, and the wider public on how to engage with the system. Government should explore options of capturing some of the investment the proposed changes will direct at the PlanTech sector towards funding capacity building and representation fairness within the system.</p> <p>It is therefore key that while the digital approach should be explored and encouraged, a requirement for physical copies of Local Plans to be made available in public buildings, to ensure that all residents are able to access them, must be retained. Copies should also be available in translation to ensure a fully inclusive planning process with which all residents can feel conversant and included within.</p> <p>Finally, consideration is required as to the role of the Statement of Community Involvement if Government will dictate more widely the methods of engagement.</p>
<p>8 (Local Plan timeline) Pg. 34-36</p>	<p>12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No.</u></p> <p>LB Newham is committed to effective and innovative Plan Making. Our last Local Plan was produced in less than the proposed 30 month timeframe and is delivering significant growth and benefits for the borough.</p> <p>Key to the approach that LB Newham wish to take to future Local Plan reviews is the full and thorough involvement of local residents: ensuring that the plan is informed by the lived experiences, needs, aspirations and ideas of Newham residents and businesses. Ensuring engagement is representative and wide ranging will require significant resources and flexibility to develop the Plan in such a way that supports residents informed and ongoing involvement.</p>

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		<p>While the White Paper stresses the importance of consultation and engagement at Local Plan preparation stage, and indeed justifies a reduced level of engagement on planning applications on that basis, the proposal proposes a limited timeframe and reduced opportunities for meaningful engagement and influence. Moreover the proposed order of plan making stages, fails to provide stakeholders with the information they would require to meaningfully participate.</p> <p>In the current process most LPAs have three stages of consultation. First, an initial ideas and options stage, which provides all stakeholders an opportunity to consider the vision and objectives of the plan and reflect on which current policies are delivering local needs and which need revising – this is often where innovative discussions and the widest engagement can occur. Second, when the LPA publishes their preferred plan alongside their evidence, stakeholders are able to consider in detail what has been proposed and provide alternative wording or suggestions for the LPA to consider. Following these comments the LPA is able to meet stakeholders and consider their suggestions allowing for significant degree of joint plan making. Finally, once the LPA publish their proposed submission, stakeholders again have the opportunity to provide their final comments for review by an independent Examiner.</p> <p>The new process suggests only 2 stages of engagement – an early idea gathering stage and a second, final proposals, stage. This misses the key middle stage, within which residents and stakeholders are able to properly scrutinise and contribute towards the wording of the Plan. If it is envisaged that in the proposed process this could take place during the initial 6 month stage, with zoning proposals worked up with stakeholders, this would not be possible as it is proposed that the evidence base would only be developed in the subsequent 12 months. This would mean that the initial ideas stage would take place without any knowledge of the different needs the Plan would be required to address. As a result, the final plan could look significantly different to the ideas proposed by stakeholders at the start of the process. This risks leaving those who participated feeling ignored and even more alienated from the process.</p> <p>LB Newham is supportive of the government’s intentions for all such public involvement to be ‘best in class’, but without any examples or proper consideration of the time and resources it would require to undertake this thoroughly and inclusively, the aspirations fall somewhat flat.</p> <p>Our engagement with residents regarding these proposals highlighted their support to be more involved at the plan making stage and highlighted that they felt there were positives to a simplified zonal approach in helping more people to get involved and shape the Plan. There is a serious risk that the positive intentions and</p>

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		<p>opportunities possible through these reforms will be undermined in insufficient time and information is provided to those who want to shape the development of a Local Plan.</p> <p>LB Newham considers that the proposed approach and timescale fails to consider considerable range of development contexts between the multiple LPAs in England. While many areas may have only one or two growth areas coming forward as urban extensions or singular brownfield sites and a handful of renewal areas around their town centre; inner city urban areas such as Newham are likely to have large numbers of growth and renewal areas each with their own particular zoning requirements. Our Local Plan already has 27 site allocations and around a third of the borough is an Opportunity Area. Developing a new zonal plan for Newham, which delivers the needs and aspirations of the borough, with the involvement of residents and other stakeholders, in the context of reduced resourcing for local authorities, may require more time than has been proposed.</p> <p>A further concern regards the role of masterplans and design codes. If, as appears to be proposed in the White Paper, these do not have to be developed within the Local Plan, but could be developed by neighbourhood plans or supplementary documents, this would simplify the matters which would need to be resolved within the 30 month timeframe. However, it places some significant proposals outside of the examination framework and could result in delays or the delivery of poor quality development while the full local framework is developed and adopted. Clarity is required on whether developments which would be ‘permitted’ by the adoption of the Local Plan would be required to wait to receive full permission until an LPA approved masterplan and design code was adopted?</p> <p>Fundamentally, while LB Newham acknowledges that some Local Plans across the country have taken far too long to be developed, we do not consider this to be the fault of the Local Plan process. Many LPAs, such as our own produce timely and effective Local Plans. Rather, a lack of regional planning outside of London, which prevents the clear resolution of cross-boundary issues, and political instability, which prevents long term decision making, are key blockages. It is not clear that a new statutory timeframe and process for plan making will resolve either of those issues.</p> <p>In particular, the concern regarding timescales is particularly pertinent when this is part of a much wider reform to the whole plan making system. While faster plan making may become possible as this process embeds itself, creating the first zonal plan in each LPA will require significant training for officers, councillors, residents, the development industry and other stakeholders. This needs to be taken into consideration in any transition period.</p>

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		<p>In relation to the alternative proposals for speeding up examinations. LB Newham considers that while this is to be welcomed, this must be balanced against allowing residents and stakeholders to have full engagement in this key process. The self-assessment approach appears concerning, as plan making requires the balance of competing objectives and is always a matter of judgement. The White Paper seeks greater simplification and clarity, but there will always be competing ways to achieve sustainable development within an area. Unless this is assessed independently, this could leave LPAs open to significant challenge and legal review.</p>
<p>9 (Neighbourhood planning Pg. 36</p>	<p>13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No</u></p> <p>LBN's experience of neighbourhood planning has raised a number of concerns regarding its suitability for boroughs like ours. In particular, the process appears open to capture by small interest groups who are not representative of, nor accountable to, the neighbourhood they seek to Plan for. Moreover, the plans they develop are subject to a reduced level of scrutiny than Local Plans – allowing them to be used to undermine key objectives which have wider public benefits.</p> <p>These factors are exacerbated by the significant resource required to develop a neighbourhood plan – both for communities and local authorities. Within communities this can result in a reduced number of residents with the time and resources to engage in such a consuming project (further reducing their representativeness) and for local authorities they can be extremely resource heavy, drawing attention away from other parts of the borough and other planning projects.</p> <p>If they are to be retained, the following comments need to be considered:</p> <p>Careful consideration needs to be made as to the role of Neighbourhood Plans. If Local Plans are to be simplified, as proposed, and much of the decision making with regard to land use is made up front at the plan making stage, this has the potential to greatly reduce the influence, scope and impact of Neighbourhood Plans. Clarity is sought therefore with regards to what is meant by ‘...their content should become more focused to reflect our proposals for Local Plans ,...’. We would suggest that this needs to reassert the primacy of Local Plans and remove the current inconsistencies in the scrutiny they are subject to.</p> <p>It is noted that the White Paper does acknowledge the additional skills and resources LPAs will require in developing new Local Plans. Neighbourhood Forums, particularly in deprived areas, already struggle to receive the expertise and support they require to develop Plans. Residents involved in Neighbourhood Planning in</p>

Proposal no. & pg.	Question	Draft response
	<p>13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?</p>	<p>Newham stressed to us that it takes up a large amount of time and energy. Asking neighbourhood forums to pivot to new forms of plan making will have even larger resource requirements and support should also be provided from central government to aid them. If neighbourhood plans are to be true forms of wider participation and co-production, further resources must be provided to deprived areas to ensure that all residents are able to participate.</p> <p>Use of digital tools and data is welcomed, but noting that not everyone has access to online platforms, it should also be recognised that face-to-face interaction and meetings with the community, such as guided walks around neighbourhoods and other in-person consultative methods when producing Neighbourhood Plans can yield very different results than an online approaches. In addition, taking a broader approach to consultation methods when creating Neighbourhood Plans will also lead to input to a wider cross section of the community, only serving to enhance any online offer.</p> <p>The Paper moots the introduction of Neighbourhood Planning at a micro street-level scale. If this is what is meant by ‘reflecting community preferences about design’, then we would question the need and sustainability of Neighbourhood Planning at this level of detail, both for Local Communities and for LPAs in supporting them</p> <p>We would especially caution introduction of such a scale of planning in urban areas in particular. Transient populations could render this approach impractical and undemocratic. In areas where resident churn is high, whose view would be listened to and how long would such a plan remain relevant to those residents living on the street in question? Also, would these micro plans require a referendum? If so, this could put significant strain on Council resources should uptake be wide.</p> <p>It would seem more pragmatic for this community energy and resource to be directed towards including residents in a meaningful ways in the construct of the design codes pertinent to their area. These would hold more material weight and if the time and resource is present then resident involvement would only serve to enhance the richness of area specific design codes.</p>
<p>10 (Build out) Pg. 36-37</p>	<p>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?</p>	<p><u>Yes.</u></p> <p>Recent engagement with our residents has demonstrated considerable support for the delivery of developments to meet local needs within the community, namely the delivery of affordable homes (particularly those let at social rent levels) and the reduction of plots/buildings lying vacant as a result of land speculation and forward sale of permissions. Indeed, LBN agree that placing a greater emphasis on delivery could help to</p>

Proposal no. & pg.	Question	Draft response
	<p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>decrease the number of permissions that go unimplemented or take above average timeframes to build out; however such emphasis should be balanced with a greater emphasis on commencement and build out from private sector developers than currently seen.</p> <p>Under the current system Local Planning Authorities (LPAs) face the brunt of sanctions for under-delivery, the clearest example of this being the Housing Delivery Test repercussions outlined in the NPPF. However, it is clear at present that LPAs have limited resources to compel private developers to build their schemes any quicker once a planning consent is in place. Indeed, in many cases Local Authorities are stepping up to fill gaps left by private developers in meeting local housing needs, shown in the growth of Council-owned development companies and Council-led projects such as Newham’s wholly-owned development company Populo Living and the Borough’s Affordable Homes for Newham programme.</p> <p>Greater commencement and build out rates, including from private developers, could be achieved through a range of measures including: greater compulsory purchase powers for Local Authorities i.e. development must commence before a certain timeframe or land will revert to the Local Authority for build out; taxation of unbuilt permissions, which could be linked to anticipated Council Tax revenues; a more stringent definition of commencement that is tied to certain development milestones and goes beyond demolition, initial piling etc.; and introducing time limits on the substantial completion of developments.</p> <p>While LBN would welcome changes of this nature, there should be recognition that the complex set of reforms proposed throughout the White Paper to encourage a more ‘build out’ focused system are likely to result in an initial slowing of the market as developers understand the viability implications of this significant wave of planning reform. MHCLG would need to demonstrate how this risk will be mitigated through the introduction of reform to ensure the ‘build out’ focused system isn’t undermined as implementation of any reforms take shape.</p>
PILLAR TWO – PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES		
<p>n/a pg. 38</p>	<p>15. What do you think about the design of new development that has happened recently in your area?</p> <p>[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or</p>	<p><u>Other.</u></p> <p>A mix but generally quite well designed – although the type and scale of development and particular context of each scheme (physical as well as procedural) is a factor. In larger developments (and in higher value areas such as Stratford or the Royal Docks) there has been greater investment in design quality by applicants. Design outcomes therefore tend to be better than for smaller schemes in other parts of the borough.</p>

Proposal no. & pg.	Question	Draft response
	<p>poorly-designed / There hasn't been any / Other – please specify]</p>	<p>There are also local examples of poor design in the borough – which are the result of poor national policy and resulting inadequate controls: there is extensive evidence now available, including the recent <u>government-commissioned report</u>, on the poor housing outcomes resulting from the current permitted development rights. Such examples are also evident in Newham. Given the benefits of scrutiny as set out above, further bolstering the GPDO system (even in the context of additional quality controls) would be detrimental and against the stated intention of significantly improving the quality of development.</p> <p>Newham's experience highlights the important role that timely and expert design input into a development at pre-application stage can have through the Design Review Panel expertise, in order to shape development to the local context. Equally, or even more important than effective design review, in terms of design quality outcomes, is the use of appropriate design expertise by applicants. Large numbers of applications (particularly for smaller scale developments) are made without input from a qualified architect which partially explains the variable quality of those types of scheme. It is recognised that the costs of pre-application processes can put off some developers, particularly those not wishing to invest more than the absolute minimum to get a scheme approved – it is those developers where the quality tends to be limited and there is less ability within assessment process of an application to influence improvement in quality compared to for those that engage in pre-app.</p> <p>The suggestion in the White Paper to require developments to have a net benefit – rather than cause no harm – is welcomed and should strengthen LPA's ability to resist such poor quality schemes, particularly where the existing environment is not great.</p> <p>Finally, we must be cognisant of the implications of Covid-19 and the light it has shed on living standards and living conditions. <u>A recent study by the Place Alliance</u> has highlighted that people living in older developments found living under Covid-19 restrictions more tolerable than those in newer developments. This is an unacceptable indictment of the race for quantity over quality development. We must use this opportunity to reset our thinking regarding delivering high quality urban living – with generous space standards, easy access to open space and local services and places which are walkable and neighbourly.</p>
<p>n/a pg.38</p>	<p>16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?</p> <p>[Less reliance on cars / More green</p>	<p>To pick a priority for sustainability is impossible – to create a more sustainable world, a mix and balance of interventions is required. For example, less reliance on cars and more active travel options will improve air quality and reduce obesity. Residential buildings designed to be energy efficient, can also ensure they are well insulated, protected from extreme noise and ventilated to minimise indoor air pollution. Developers need to design residential and ensure that acoustics, ventilation and overheating assessments to be done in</p>

Proposal no. & pg.	Question	Draft response
	<p>and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]</p>	<p>combination to provide sustainable housing which can be protected from flooding, high temperatures and drought.</p> <p>Newham has declared a climate emergency and we recognise we need to do everything we can in a thorough way, based on scientific evidence of what works where (e.g. tree planting in some locations can make air pollution worse). Our recently adopted <u>Climate Emergency Action Plan</u> set out the step changes required to make Newham carbon neutral by 2030, and to achieve net zero greenhouse gas emissions by 2050. These include initiatives to green the borough; empower our residents to developed further collective actions to reduce our carbon emissions; build a green economy – focussing on the Royal Docks as a testing ground for innovative and green enterprise; ensure our council buildings and housing stock improve their energy performance; and deliver a modal shift away from cars and towards sustainable transport use. All these elements will inform our approach to plan making and place shaping – ensuring that future developments – from the design of buildings to the nature of the neighbourhoods they create also fully commit to addressing the climate emergency.</p> <p>At a national level, the Government has the tools and resources needed to make step-changes in key areas e.g. sustainable energy production, taxation of car use, promotion of active travel, public transport, reduction of packaging and waste, recycling schemes, incentive for retrofitting old buildings etc. Clarity and firmer commitment is required from the Government on tackling climate change and delivering the Paris Agreement. For example, updated planning policy or guidance should strengthen the regard to which planners and those making planning decisions should have for the Paris agreement. The advice provided by the Committee on Climate Change should also have a greater role in influencing planning policy and decision making – ensuring that these important policy decisions are informed by scientific and independent research.</p>
<p>11 (Design guidance and codes) Pg. 39-40</p>	<p>17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Not sure.</u></p> <p>LB Newham support the principle of taking a more proactive approach to the masterplanning of large sites so that there is more three-dimensional clarity about our expectations for sites. We consider this could potentially reduce some of the time-consuming negotiations that currently take place about strategic connections, location of open space/community infrastructure, height/scale/massing, width of streets relative to building heights etc. Similarly, providing a more visual interpretation of what we mean by ‘good design’ in Newham via design codes or guidance could have a role to play in setting a baseline in terms of expectations for certain types of development.</p>

Proposal no. & pg.	Question	Draft response
		<p>We acknowledge that while resourcing implications for Councils are significant in terms of frontloading initial design/masterplanning work, this approach could provide more clarity and save time at pre-application and application stage, especially if coupled with other industry-wide support to attract more talent and support life-long learning.</p> <p>However, the White Paper has not made clear what kind of role design codes will play in the new system. A tick-box exercise that attempts to reduce development management to automation, which we consider is unlikely to significantly improve the quality of development? Or still allow for professional judgement at application stage to address varied interpretation of the masterplans/codes? The proposals are also silent on the benefit of pre-application engagement, which cannot be substituted by the higher-level in-principal discussions on design codes/guides.</p> <p>The White Paper is also silent on the level of detail which should be included within codes. Design codes are a trade-off between potentially stifling innovation, flexibility and variety, and the level to which they are open to quite wide interpretation. This view is shared by our residents as evidenced by the Consultative Panel on the White Paper that LB Newham undertook (See Appendix). Residents, were concerned that codes could easily become stale and inhibit creativity and progressive, interesting and imaginative design. They also highlighted the difficulties in reaching a consensus when developing a code and were as a result broadly unconvinced by the benefit of such an approach. Design Codes have a difficult balance to make between scales (e.g. neighbourhood or site-by-site) and level of detail (focus on public realm principles or go into site-specific design). Our concerns regarding this trade-off are explored in more detail below.</p> <p>Codes do not preclude the need for both skilled designers in the developer's team and sufficient expert scrutiny of proposals at detailed design stage. The interpretation of design codes in relation to a particular site and development context will still require professional judgement and the continued ability to curate development as it comes forward is essential (e.g. mandatory pre-application engagement, and design review panels for majors) and seems to not be supported by the White Paper proposals which seek to reduce scrutiny at the application stage. For example, the outline application for Silvertown Quays (14/01605/OUT) had comprehensive design codes but 6 Design Review Panel meetings were still required in order for the LPA to be satisfied that the design quality was sufficient. There were many areas that the codes were silent on (e.g. ground floor plans including: position/proportions of entrances, refuse/bike storage, interfaces between residential accommodation and streets/courtyards), which therefore still requires significant design work and refinements in response to DRP and Officer comments.</p>

Proposal no. & pg.	Question	Draft response
		<p>We also consider that the current process allows for flexibility and nuance - this will be lost, particularly unless the Government retains professional scrutiny and engagement in the system at planning application stage.</p> <p>A further concern is that preparing masterplans and design codes for all relevant sites and types of development will take time and will result in a patchwork local development framework in the interim. This approach appears to be designed to neutralise objections to green belt incursions and developments in homogeneous smaller villages. It is not well suited to complex and varied urban landscapes, where innovation, which complements and enhances existing townscapes is key.</p> <p>In particular, larger sites in complex urban settings first need to be masterplanned in order to set key parameters such as enabling infrastructure, and this process can take a long time depending on site complexities, and then a design code can be implemented. The White Paper does not clarify what happens where masterplans/ design codes are not in place at the time of a planning application. Could a development be allowed subject to just the application of the National Design Guide/Code which are necessarily high level, or will LPAs be able to continue to apply professional judgement and local knowledge? At what point do emerging Design Codes become a material consideration? This point is also highlighted in our response to questions 7 and 12.</p> <p>Further, design codes will need to be reviewed periodically, taking up yet more resources, and potentially falling out-of-date when LPAs need to focus on other priorities such as fast-tracked 30-month plan-making.</p> <p>A further concern is that detailed design codes and pattern books can result in high risk of pastiche development and limited opportunity for innovation (aka Poundbury). In areas like the LLDC, we already have received complaints from residents and committee members that development looks alike and delivers bland 'sameism'. Even the Building Beautiful Commission and the Letwin Report identified the need to diversify the types of development and their design as a main ingredient for successful delivery of more and better homes. Codes risks stifling innovation that could deliver faster and more environmentally friendly developments. The more prescriptive a code, the less flexibility and the more chances that developers apply for full permission anyway – in USA and Canada significant quantum of applications are for re-zoning. Alternatively, where less prescriptive codes are prepared, there is a risk that, with reduced curation at the application stage (i.e. a tick-box exercise based on design codes, as opposed to current curation of the qualities of each scheme) the quality of development will be poorer with less ability to mitigate against it.</p>

Proposal no. & pg.	Question	Draft response
		<p>As is clear from these comments, we have heritage and varied built environments that need careful, fine-grain consideration. While some of the heritage may be in ‘protected areas’, the wider historic setting could be subject to less curation of quality through a simplified tick-box process that can have significant and cumulative impacts. Moreover, this heritage and built form doesn’t stop at borough boundaries. Any guidance on design codes will need to consider the massively varied, fine-grained character of urban areas. It will be very challenging to create a design code which is both detailed enough to meet the government's requirements for certainty for the development industry and varied enough to be locally applicable and acceptable, while still creating a sense of whole (e.g. how to deal with streets that cross boroughs?).</p> <p>Finally, alongside the comments above, we consider it a significant missed opportunity for the White Paper to focus solely on external design and not on housing standards and quality. Our national space standards are the smallest in Europe and it has become increasingly clear during the covid-19 crisis that the homes we are building aren’t suitable for the flexible ways in which people need to live their lives. We would support enhanced housing design codes which enforced better residential space and amenity standards.</p>
<p>12 (Design leadership) Pg. 40-41</p>	<p>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?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes.</u></p> <p>LBN notes recent communications indicating that Government is already acting in respect of the formation of a new national body, in which case we question the need for a tokenistic question through this consultation.</p> <p>The government should focus on adequately resourcing local councils.</p> <p>The role of a Chief Design and Placemaking Officer needs to be clarified in relation to the other Council functions, particularly that of the Chief Planning Officer. Design/place-making straddles other service areas/directorates than just planning including Highways/public realm, parks, and a senior role that has a design oversight of these functions to ensure a co-ordinated approach could potentially be beneficial.</p> <p>Newham’s planning department structure already includes a Senior Design Officer role, but one person is unlikely to be enough, particularly in areas with significant development activity, such as London, and taking into account the additional implications of the white paper (production of design codes etc.). The role needs to have sufficient recognition within the senior structure of a Council to allow for flexibility around building a multi-disciplinary team of professionals (e.g. urban planners, architects, landscape architects, ecologists, sustainability officers etc.).</p>

Proposal no. & pg.	Question	Draft response
		<p>In terms of the proposed new national body, LB Newham would support it under the following circumstances:</p> <ul style="list-style-type: none"> • It will not be used as a means of imposing top-down standards, instead working flexibly and collaboratively with regional and local expertise to facilitate capacity-building and enable ambitious local programmes to progress more effectively than they would have without the additional support. • It would be independent from Government, allowing it freedom to support creation of standards that go beyond the minimums expressed by national frameworks such as the emerging Housing Standard; and indeed, the ability to scrutinise relevant government proposals.
<p>13 (Homes England) Pg. 41</p>	<p>19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p>Homes England role taken over by GLA in London, where the London Plan generally sets standards above those in current legislation or in Local Plans elsewhere in the country (e.g. low carbon).</p>
<p>14 (Fast-track for beauty) Pg. 41-43</p>	<p>20. Do you agree with our proposals for implementing a fast-track for beauty?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>No.</u></p> <p>In effect, we already have a fast track for ‘beauty’ - schemes which meet local policy objectives and are in keeping with local character will go through the pre-application and application processes faster already. There is also a significant issue in that many schemes that promise ‘beauty’/distinctive/high quality design at planning stage, then look to strip out all the details as soon as planning is granted. If such a fast track system were implemented, it would be essential to limit the scope for harmful changes to be made post-planning.</p> <p>“Beauty” is misleading without a definition. Vitruvius in ancient times recognised that architecture is not sculpture, beauty of a building cannot be separated from its usefulness and technology (materials, building methods). We now also recognise that placemaking further needs to reflect local cultural conversations about our collective past and future. Residents were particularly concerned about who would get to define beauty – recognising that it is subjective, emotional and personal. There is a real risk that this proposal conflates beauty with conformity. Design codes are a good way of making things uniform, but actually the best kinds of design are ones which are more specific and unique and respond to particular settings. The focus should be on aspects which can be measured, like high quality design, materials, sustainability, housing standards, etc.</p> <p>In order for the quality of development to improve, government need to resolve the issue of pressures from high national housing number requirement vs optional environmental and liveability standards. A look at the recently announced shortlist for the <u>Home of 2030</u> competition seems to indicate high density, tall buildings</p>

Proposal no. & pg.	Question	Draft response
		<p>are not places people would choose to live in if alternatives were possible – see also recent media reports of people choosing to move out of dense city centres towards areas with more access to green space. Further, Place Alliance’s <u>Ladder of Place Quality</u> also places higher rise in the uncertain quality range.</p> <p>However, land values and high housing targets are pushing development in places like Newham outside of the demonstrated liveable neighbourhood zone and into more uncertain quality – this is also often presented as a choice between development of an appropriate scale or affordable housing provision. The Covid19 pandemic has also accelerated the move towards remote working, with profound impacts on people’s relationship with the built environment at very scale – this has also highlighted significant inequalities, particularly in more deprived dense urban areas. For example, urban greening factors cannot be sufficiently improved if disproportionate housing targets mean less space for other uses.</p> <p>As highlighted in response to question 9b. Residents raised significant concern raised around the “automatic consent” via the prior approval process, which by its very nature [a form of Permitted Development] has a lighter touch scrutiny and decision making process. This approach, particularly in urban Boroughs like Newham where the majority of the land has the potential to fall into this category, could have a significant incremental impact on local areas. In particular residents were concerned that this route is anticipated to be decided on its ability to reflect “generic popular and replicable forms of development” as a fast track for consent and will not respond to specific design contexts. Residents were concerned that this approach risks diluting elements of places that mean so much to communities particularly around design, local identity and character.</p> <p>Any fast-tracking scheme needs to be tested first. Pilots have not yet been identified. However, LB Newham is adamant that a fast-track system should not be equivalent to permitted development rights, and that quality checks must be retained within the system – see responses to questions 15 and 17.</p> <p>Patterns books, by definition, include a limited and fixed set of development types, so would not result in innovation. Their point is to create harmonisation (sometimes to the detriment of varied townscapes). While they may have a role to play in certain conditions, like design codes more generally, these should be supplementary to, not instead of, appropriate levels of scrutiny through the planning process.</p> <p>Pattern books were used in Beckton in Newham (set of building types which were then repeated within the urban blocks), albeit not as a form of permitted development. However, this still resulted in poor urban development because the urban layout overall was poorly thought out (car oriented, poor legibility, low density, poor integration of public realm and mix of uses)– it’s not just about how the building blocks look, it’s also how they fit together. Incremental change via permitted development set out in a pattern book would do</p>

Proposal no. & pg.	Question	Draft response
		<p>little to correct significant urban realm mistakes of the past. Further, infill sites tend to be quite complicated and ingenuity is often required to make the best use of the site and provide good housing, adequate privacy, avoids overlooking etc. A one size fits all approach to these sites is unlikely to work. In Newham, pattern books could work as a form of custom building on small or medium sites, or shopfronts, retail to residential conversions, mansards and dormers.</p>
<p>15 (climate change) Pg. 44</p>	<p>n/a</p>	<p>Amending the NPPF to ensure it plays an effective role in mitigating and adapting to climate change is welcomed. Two key amendments we would suggest are ensuring buildings are designed to cope with increasingly severe weather and other effects of climate change, this includes flooding, high temperatures and drought.</p> <p>Second, the energy efficiency of buildings must be such that they mitigate their impacts on-site, without reliance on off-setting. These buildings should be designed to last for centuries – they should not embed outdated technology.</p>
<p>16 (assessing environmental impacts) Pg. 44</p>	<p>n/a</p>	<p>See response to question 7</p>
<p>17 (historic environment) Pg. 44-45</p>	<p>n/a</p>	<p>Our engagement with residents highlighted the key value placed on local heritage. Residents highlighted that it is a priority for the community as it gives people a sense of place/belonging - and a balance is therefore required in reform between innovation and recognition of heritage, including that which falls outside of 'protect' areas.</p> <p>There is a suggestion that experienced architectural specialists could determine routine listed building consents. This proposal is problematic since the specialists would not be independent but paid for by the client/developer instructing the works.</p> <p>Heritage and important cultural monuments are not always aesthetically pleasing. Especially so in areas with valuable industrial heritage, such as LBN.</p> <p>The White Paper often talks about beauty – but beauty is subjective in nature. The Paper has a desire for greater certainty, but providing this for heritage, one of the most subjective realms in planning, will be a</p>

Proposal no. & pg.	Question	Draft response
		<p>challenge. If clarity is desired the systems of identifying what matters need to be established, area by area. These need to be transparent and kept up to date.</p> <p>There will also be a resource implication for mapping of heritage assets. Not all local authorities will have these as accessible GIS layers.</p> <p><i>'We envisage that Local Plans will identify the location of internationally, nationally and locally designated heritage assets, such as World Heritage Sites and conservation areas, as well locally important features such as protected views.'</i> We need assurance that locally important features extend beyond 'protected views'. Historic setting is about more than views, also it should be noted that issues of setting are not static.</p> <p>The aspirations to see more historic buildings have the 'right' energy efficiency measures to support zero-carbon objectives is supported.</p> <p>These proposals regarding heritage are broad, more information is needed as to how these ideas could actually be workable. Presently there is a pressing need for further clarification.</p>
<p>18 (Net-Zero) Pg. 45-46</p>	<p>n/a</p>	<p>A firm requirement for net zero is very welcome, although looking at the whole lifecycle of development. We query how this will be assessed, to prevent some developers from doing the bare minimum to "pass" the criteria.</p> <p>Given current technology and that buildings permitted today should last for centuries, it is imperative that they reach the highest carbon-zero standards. As a minimum, from 2025, we should expect new homes to produce 75-80 per cent lower CO2 emissions compared to current levels. These homes will be 'zero carbon ready', with the ability to become fully zero carbon homes over time as the electricity grid decarbonises, without the need for further costly retrofitting work.</p> <p>Following the Newham Climate Emergency Action plan, new build Council homes are targeting PassivHaus "classic" standards. By rolling out such a standard across the country, the relative high cost of implementing the standard would be reduced through economies of scale.</p> <p>However, there are millions of buildings across the country that need to help in the drive to net zero – further considerations of how to achieve retro-fitting at scale is required. A need for significant investment in retrofitting was a key recommendation from our Climate Emergency Citizens Assembly.</p>

Proposal no. & pg.	Question	Draft response
PILLAR THREE – PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES		
n/a pg. 47-48	<p>21. When new development happens in your area, what is your priority for what comes with it?</p> <p>[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]</p>	<p>As outlined in relation to question 8, the response to this depends on the nature of the proposed development. It is crucial that any planning system ensures a sufficient and sustainable balance of these considerations – creating balanced and well-designed neighbourhoods within which people can live and work and access all required services.</p>
<p>19 (national Infrastructure Levy rate) Pg. 48-50</p>	<p>22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Not sure</u></p> <p>We note that there are some potential positives from this approach, namely a simpler system could increase development certainty and be easier for smaller developers to calculate and understand. This could bring forward more development in the borough. Therefore, we do not necessarily disagree with this proposal, however we would require any changed system to deliver the same level of infrastructure funding, the same level of on-site high-quality affordable housing and the same range of specific financial and non-financial obligations which ensure that development benefits local residents and delivers local objectives around delivering an inclusive, sustainable, economy.</p> <p>It is not clear how the proposals will enable the equivalent level of affordable housing and infrastructure provision – indeed it is not clear from the White Paper if an equivalent provision is to be enabled nationally or at a local authority level. LBN are robust with negotiation in the current regime of financial viability. Residents we consulted, highlighted that they felt officers are extremely robust under the current system in maximising contributions from developments. They were concerned that a uniform system would result in a reduced ability to push for greater benefits on high value schemes and as a result the borough would be worse-off.</p> <p>The approach to sharing accrued value from development is supported, however there is clearly a risk of the impact of development cycles and whether there are any loopholes which could artificially lower the value. It is not clear how the set threshold would work if the levy was set nationally.</p>

Proposal no. & pg.	Question	Draft response
		<p>Clarity is needed on how additional financial (for example carbon offset contributions) and non-financial obligations are secured – LBN is adept at securing site-specific mitigation to directly mitigate the arising impacts from development, such as sustainable travel plans, public realm improvements and rights of access. We also regularly secure obligations which ensure local residents benefit from the developments, through priority access to construction and end-user jobs. It is not clear how the new regime would allow for this, for those developments which require planning permission, for those that would have ‘permission in principle’ and for those which would have permission granted through adoption of the Local Plan.</p>
	<p>22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?</p> <p>[Nationally at a single rate / Nationally at an area-specific rate / Locally]</p>	<p><u>Not sure.</u></p> <p>It is likely that for LBN / London that a <u>locally set rate</u> would be the most advantageous approach. We consider this should be set at a Local Planning Authority level, with discretion to be varied across the borough – reflecting the significant value variations within the borough.</p> <p>There is a significant risk that if this is set inappropriately or clumsily at a national level, that either necessary funding for infrastructure (and a resulting trade-off between priorities) will be lost or alternatively development will be impeded where the rate is set too high. You get high variance even across housing market areas like London – it is hard to see how nuance can be captured if it set at the national level.</p> <p>We also consider that it would be inappropriate for area-specific rates to be set nationally. The process of setting CIL regimes has demonstrated the need for nuanced local knowledge to best reflect variance in value across areas. No statistic-fed formula can replace local knowledge of development sites: their status and challenges; land demand across different uses and areas and potential development costs.</p> <p>It is recognised that the pan London Mayoral CIL has established zones – but whilst this approach is simple to administer and readily understood by the development industry it is likely that this losses income on high value developments in the borough; we would not be minded to support anything which decreases or fetters the infrastructure funding or delivery of affordable housing in the borough.</p> <p>Finally – while we understand the intention behind combining a zonal plan with a standard Infrastructure Levy for all land uses, we feel this has significant risks for either maximising IL or preventing the delivery of other - lower value but of vital importance – land uses. It is not clear that any final zonal approach will be sufficiently robust to influence land values sufficiently for this to balance out. Much further work is required on this proposal to demonstrate this.</p>

Proposal no. & pg.	Question	Draft response
	<p>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?</p> <p>[Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]</p>	<p><u>More value.</u></p> <p>This could then compensate for the times in the development cycle where less value accrues due to a downturn in the market.</p> <p>We note that the White Paper makes no comment on whether this is at a national, regional or local scale. We would require any IL to deliver more value than our current approach at the scale of our LPA.</p>
<p>20 (PDR to pay IL) Pg. 51</p>	<p>23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes.</u></p> <p>Recent <u>research</u> undertaken by RICS and led by researchers at UCL has demonstrated that such schemes currently offer little in the way of helping to facilitate new public infrastructure to support additional housing. It has also cumulatively resulted in a significant lost opportunity for the delivery of truly affordable housing. Many sites have also been able to avoid CIL liability through partial occupancy of office space prior to conversion.</p> <p>In Newham, schemes delivering as many as 158 units have been approved (19/00920/PRECUJ) under the prior approval process. It's clear that if schemes of such a scale were determined through the standard full application process there would be significant potential for the securing of additional community benefits, both in terms of helping to provide affordable housing units, as well as other infrastructure including through carbon offsetting, transport infrastructure and local labour commitments and contributions.</p> <p>It is important to note that while this proposal will close one loophole we still remain opposed to the use of permitted development rights in their entirety due to the poor quality developments they produce and the</p>

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		<p>resource strain they place on planning departments, who have to undertake considerable assessments with a far reduced fee income.</p>
<p>21 (IL and affordable housing) Pg.51-52</p>	<p>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?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes</u></p> <p>LBN considers this to be the bare minimum of what should be achieved. We currently in the middle of a deep and prolonged housing crisis. As a country we have delivered insufficient numbers of homes, but crucially we have failed to deliver a sufficient number of genuinely affordable homes – those at social rent levels.</p> <p>In Newham, 49% of our residents are in poverty after housing costs are taken into account. We have one the largest private rented sectors in the UK, much of which is subsidised through housing benefit payments. Weakened planning policies, right to buy and the only just lifted borrowing restrictions for local government have suppressed levels of council and social housing – causing it to fall over the last 25 years by 35% in Newham. At the same time levels of homelessness, overcrowding and housing poverty have soared. Any systematic review of the planning system, must have as its number one priority the increased delivery of affordable rented homes within high quality mixed developments across the country. The LPA consistently endeavours to push planning applicants to secure the maximum quantum of high quality affordable housing, invariably the subsequent delivery of any consented scheme is not within the Council’s gift.</p> <p>In responding to this question, LBN is clear that not all affordable housing should be considered of equal merit. It is of crucial importance that councils continue to be able to set tenure policies which prioritise those products which meet local need and do not have products which do not meet local needs imposed on us (for example First Homes). In Newham, these are homes let at social rents. Residents we consulted with were particularly focused on ensuring that in any new system, social rented homes need to be continued to be delivered and not just ‘affordable homes’ which did not actually meet local needs.</p> <p>We absolutely support the delivery of affordable housing on site as the default norm, as it is essentially for delivering mixed and balanced communities.</p> <p>We have the following specific concerns regarding these proposals. First it is unclear what the per unit value will be for affordable homes and how this will be calculated. This should be transparent, established locally, and should reflect the actual price paid by registered providers for the units. Second, we note that the document refers to a national increase in revenues – presumably this is a ‘levelling up’ that would increase provision in areas outside London at the expense (potentially) of London rates without the clear ability for</p>

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		<p>authorities to have control over local rate-setting. We are clear that any new system must increase affordable housing delivery <u>within each LPA</u>.</p> <p>Finally, consideration must be given to the impact the introduction of a new levy system may have on delivery rates of all housing. By creating uncertainty and risk, just at a point when the current CIL system is finally embedding, is likely to cause significant delays to development and risk the delivery of all homes, as well as affordable homes.</p> <p>The use of covenants (referred to in footnote) would continue to ensure that development is acceptable including the in perpetuity on-site provision of affordable housing, the borough would welcome clarity that this will be able to ensure the appropriate local tenure needs are facilitated and that these remain for the lifetime of the development.</p>
	<p>24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Not sure.</u></p> <p>The Council would welcome clarification on the process for establishing the value associated with the IL, as this is critical to understanding the risks and benefits of the proposals. The implication is that there is an anticipation of what IL may accrue from a development at the time of planning permission – it is not clear how this works with the zonal approach where permission in principle is established by the Local Plan. <u>How and when</u> will the forecast IL value be calculated, by the Infrastructure Levy Authority/LPA, to enable other stakeholders such as the developer/Council/registered providers know what value may be available to be offset on cash IL payment; offset by a land payment; or, in the alternative proposal, to enable the acquisition of units within the scheme?</p> <p>The CIL already recognises, by way of social housing relief, an approach to offsetting; the established policy position of securing affordable housing via a Deed of Planning Obligation also recognises the impact on financial viability of different tenures and quantum of affordable housing – this principle is therefore established practice within the development industry and local authorities. Taking this further to enable the delivery of locally needed on-site affordable housing established as the necessary tenure <i>may</i> incentivise developers to deliver on site but this does depend on the scale of the development proposed. Locally establishing the need on tenures and quality of affordable housing is critical to ensure the correct mix and quantum of housing is delivered.</p>

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		<p>The model will affect Newham significantly given our high needs for social rented accommodation, which will naturally be sold at the largest discount to market value and thus creating the largest relief from IL.</p> <p>The land option around in-kind payments is a useful inclusion for LAs with new-build ambitions such as LBN. Local Authority development (through whichever means) will need to be enabled through removing funding barriers (use of Affordable Housing Grant on any site and in combination with other subsidy, grant or funding sources) – linking the land being offered to being within or adjacent to the site continues to enable the planning purpose of facilitating balanced communities and may enable some synergies in terms of co-delivery and cohesion between the developer-led and local-authority enabled sites.</p> <p>The practability of the alternative option of ‘first refusal’ is unclear. It would be helpful for the next public consultation to demonstrate some worked scenarios.</p> <p>Notwithstanding – the proportion approach, set nationally, does not recognise the significant demand for genuinely affordable housing in Newham; and there is a concern that the discount offered may be within the less desirable locations in a development, as the Developer chooses which units are included. It is not clear if the principle of a locally established need, via the Local Plan, for affordable housing will still be enabled with this option, clarification is sought.</p>
	<p>24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes.</u></p> <p>It is difficult to respond to this question without, as mentioned above, clarity on the approach to how and when the anticipated IL will be calculated; and how and when a decision is made on accepting in-kind delivery. In a borough which may have significant planning permission in principle granted by way of the Local Plan it is not clear when the Local Authority would be given the opportunity to assess and/or accept the principle of in-kind delivery in lieu of the IL. The approach promoted takes this away from the LPA’s remit and appears to make this a Local Authority decision which currently have different governance regimes.</p> <p>Notwithstanding the Council’s concern about a lack of clarity within the White Paper’s approach to establishing the IL whilst maintaining the same level of affordable housing delivery and infrastructure provision, the developer should not have the right to reclaim overpayments. There is no provision for such an approach in our current system and no justification has been provided for why this should be introduced or how it would increase the delivery of affordable housing. The value of an ‘over payment’ will not be cash, it will be in the</p>

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		<p>form of an asset which is or will be someone’s home. The Local Authority should not be penalised in a buoyant market.</p> <p>Such an approach would also undermine the supply of affordable housing during an economic downturn - at the point at which it is most needed. It is the experience in Newham that during a downturn that developers are often minded to increase their provision of affordable housing; the principle to allow for the Local Authority to ‘flip’ units to market housing to help facilitate the forecast IL receipts therefore does not reflect experience in Newham and in a declining market may not help to accrue the value in IL which had been anticipated whilst also reducing the provision of affordable housing.</p>
	<p>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?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes.</u></p> <p>But not the steps proposed. We consider it to be counterproductive for the Council to be able to seek cash payments in circumstances where low quality on site affordable housing was built. These homes would remain low quality and should therefore not have been permitted or built to begin with. Our view on this is linked to our response regarding Design Codes where we propose that one of the most important changes to the Planning system is to have enhance space and amenity standards to deliver better quality homes in both the market and affordable sectors.</p> <p>One approach would be for minimum standards to be set out by Government but with flexibility for Councils to set their own additional standards, these should address design but also energy standards. Should be high standards across private sale and affordable to avoid poor-quality “rabbit-hutch” developments which take advantage of high demand. A starting point should be those set out in the London Housing Design Guide and adopted by the London Plan Intend to Publish Version.</p>
<p>22 (IL spending) Pg. 53</p>	<p>25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes.</u></p> <p>Albeit with the same caveats on the application of public money towards supporting the local area.</p> <p>Being able to use IL as part of a portfolio of monies available to the Local Authority to fund capital and revenue investment would be useful. There would need to be clarity on the transparency to the communities served and also those paying the levy. It is anticipated that there would not be any requirement for repayment/refund of monies once paid to the Local Authority.</p>

Proposal no. & pg.	Question	Draft response
		<p>It is noted that there is risk to the Local Authority in relation to the forward funding of infrastructure, how this can be mitigated to ensure that there is sufficient infrastructure to support development and service provision in a local authority's area – further details are needed to robustly comment on this. This risk is particularly stark in the context of diminishing central government funding for Local Government. The primary purpose of developer contributions is to offset the local impact of this new development, not to replace funding for mainstream council activities. There is a risk that this money is seen as a panacea which absolves central government of properly funding local councils. We would resist such an approach.</p> <p>The residents we consulted, thought that maintaining a link between the area where development occurred and where infrastructure spending occurred was key and wanted greater transparency on how and where funding was spent. They felt that greater flexibility could reduce this transparency.</p>
	<p>25(a). If yes, should an affordable housing 'ring-fence' be developed?</p> <p>[Yes / No / Not sure. Please provide supporting statement.]</p>	<p><u>Yes.</u></p> <p>LBN operate a de facto AH ring-fence via S106 negotiations - the current primary objective is delivery of on-site AH and this should remain the priority rather than 'ring-fenced' cash; it is typically expedient for the developer to deliver on-site AH rather than make payments/gift land to a LA - albeit where there are robust housing delivery programmes and a pipeline of developable/implementable planning permission on public land to promptly deliver AH this could be a useful approach.</p> <p>The caveat remains however that there must be comparable and sustainable supporting infrastructure to support any and all development, including AH.</p>
DELIVERING CHANGE		
<p>23 (Resources and Skills Strategy) Pg.54 - 58</p>	<p>n/a</p>	<p>We welcome the recognition the White Paper makes to the many local authorities delivering great services, and the acknowledgement that significant work is being undertaken by LPAs through the COVID-19 pandemic.</p> <p>We support the desire for the digitisation of planning. It would be beneficial to have a standardised approach to the modernisation of planning services. A standardised approach would be of value to communities and those working with planning departments. This should be something which central government fund, set up and lead on. This initiative requires a consistent approach if it is to be successful on a national scale. That said, there also needs to be an ability innovative. LPAs should have the freedom to suggest change. For example, areas should have core datasets which are uniform in approach and access but there must also be the capability for a LPA to explore and evidence issues of local relevance.</p>

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		<p>We welcome the Government's support in para. 5. 10, recognising the important service that many local authorities are delivering and the acknowledgment that planners are trained professionals who seek to deliver great communities through civic engagement and proactive plan-making. We also value the recognition in para. 5.14, that in order to deliver these proposed reforms that there needs to be improvements to the ability to recruit and that perceptions of planning need to shift. In achieving this, it is of fundamental importance that Central Government publically support the profession. Planners enter the profession wishing to deliver the best and most sustainable development for our communities. Government should be actively encouraging school leavers into planning degrees and ultimately the profession. The Government should include spatial planning in the National Curriculum within, for example, the Geography syllabus. We would welcome the reinstatement of student grants for students to complete their Spatial Planning Masters, tying them into a period of service within the public sector.</p> <p>We would welcome further details regarding the proposals that the cost of the planning system should be met principally by landowners and developers. We agree they should play a part, but ultimately these reforms are being driven by national government and, as such, adequate funding should be provided. Given the large number of other areas it is now proposed development should fund, reliance on developers and landowners will not deliver a levelling up of the country. Those areas with the greatest deprivation and least valuable development sites will be at a distinct disadvantage in seeking funding for the planning service amongst many other key needs. We would also take this opportunity to suggest that planning fees could be reviewed to reflect wider social value, for example setting reduced fees for charities in recognition of the wider benefits schemes brought forward by these institutions have for the community.</p> <p>A new performance framework mooted is mooted at para 5.22, however no detail on these measures have been presented within this Paper. The lack of clarity around what may come into force, or indeed when, makes it difficult to make comment on this proposed intervention. We would welcome further detail and consultation on any future performance targets.</p> <p>We would agree there is a significant need for geospatial training / capability and enhancement within Local Planning Authorities. The notion of clear and accessible Local Plans is welcomed overall. The more visual we can make our plans, the better we map our data and by approaching monitoring in more accessible means, the better informed decision making and public involvement can be. However, we would caution that in London this approach to data is being trialled with the GLA's London-wide data automation project and that it has been met with delay and set back. It would likely be of benefit to speak with the GLA and learn from its work ahead of rolling out such a scheme on a national scale. This project needs adequate resourcing both in people to</p>

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		<p>deliver, but also for a realistic allocation time to implement. It will need to take into consideration aspects such as pre-existing data licences which may delay some authorities adopting a differing approach.</p> <p>There needs to be an open dialogue with Planning Authorities, those delivering schemes and other key stakeholders – not least local communities as to the form of data which is required for this to be truly beneficial.</p>								
<p>24 (Enforcement) Pg. 58-</p>	<p>n/a</p>	<p>It is noted that the White Paper states that <i>‘local communities want new development to meet required design and environmental standards, and robust enforcement action to be taken if planning rules are broken’</i>.</p> <p>It is considered that robust enforcement action is predicated on ensuring unauthorised development is made a criminal offence through legislation, with immediate and significant locally issued fines for those who proceed with development without requisite consent. This view is caveated by our continued objection to the recent proposals regarding changing the approach regarding unauthorised Gypsy and Traveller encampments. We do not support criminalising and recovering costs from Travellers in a planning system that doesn’t work for the Traveller community.</p> <p>In the absence of clarity on what further powers will be introduced to assist in effective enforcement, a further consultation on the specific measures to be introduced will be absolutely necessary.</p> <p>The White Paper talks of ‘more powers’, but does not consider or talk to rationalisation or simplification of existing powers to ensure their implementation by LPA’s is practicable and efficient. This should be the primary consideration of the government, rather than just ‘adding more’.</p> <p>We would welcome additional mechanisms within legislation to recover the costs of enforcement from contraveners, i.e. additional fees for applications/appeals where development is built without consent, immediate penalties against enforcement appeals are progressed that are not successful.</p>								
<p>n/a (EqIA) pg. 59</p>	<p>26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?</p>	<p>We have highlighted the following key statistics regarding residents in our borough with protected characteristics and how they may be disproportionately impacted by the proposals in the White paper.</p> <table border="1" data-bbox="768 1326 2098 1394"> <thead> <tr> <th data-bbox="768 1326 1016 1394">Theme</th> <th data-bbox="1016 1326 1603 1394">Statistics</th> <th data-bbox="1603 1326 2098 1394">Potential impact of the White Paper proposals</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Theme	Statistics	Potential impact of the White Paper proposals			
Theme	Statistics	Potential impact of the White Paper proposals								

Proposal no. & pg.	Question	Draft response	
		Ethnic and cultural diversity	<ul style="list-style-type: none"> • Third largest London borough population (LBN, 2020) • At the last census 71% of Newham’s population were from BAME groups, the highest in the UK. Latest projections indicate 45.4% of residents are of Asian background, 17.8% are from a Black background, and 27.6% are from a White background (of which just under half are of Other White background). • A younger population profile, with 24.4% of the population being under 18, and only 7.7% being aged 65 and over. The median age is 32.3 • High population churn, with 20.6% of the population having arrived in or left Newham between mid-2017 to mid-2018 • High population growth expected in some wards of the borough over the next 5 years: Stratford and New Town 43.1%, Royal Docks 45.2%, Beckton 26.5%. <p>Several significant proposals in the White paper, including a reduced role for residential consultation at application stage, a focus on digital-only consultation, and a focus on delivery uniform design standards will impact Newham residents disproportionately.</p> <p>With such hyper-diversity, consultation must also be versatile and varied, engaging as many people as possible. A one size fits all approach will exclude many.</p> <p>The White Paper fails to recognise the importance of continued engagement throughout the planning process in areas with high population turnover and/or significant population growth, particularly where substantial regeneration schemes can take a decade or more to deliver. A scheme cannot be considered approved-of by residents at the single point of Local Plan adoption, when 20% of the population may change in a given year.</p> <p>Finally, hyper-diversity of ethnicities, religions and backgrounds will result in a wide variety of views on good design and inclusive places. Adopting design codes which focus on uniform conceptions of beauty fails to</p>

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				celebrate this diversity and risks exacerbating feelings of exclusion and alienation.
		Employment and businesses	<ul style="list-style-type: none"> • The employment rate for different Black, Asian and Ethnic Minority (BAME) groups is between 65% and 80% of that for white British residents. • Average earnings are £6,000 below the London average; 1 in 3 residents earns less than the Living Wage • The proportion of jobs within knowledge-based activities is half that of London • The proportion of high growth (scale up companies) in Newham is one fifth of the national average. • 102,000 residents on furlough or unemployment benefit, around the same as Kensington & Chelsea, Kingston upon Thames, Richmond, Westminster and the City of London combined. • Based on the government's current economic scenario, 42,000 jobs in Newham could go in the next recession. 	<p>The focus on homes will exacerbate jobs inequalities and the already difficult access to suitable and affordable land for businesses.</p> <p>Covid-19 will have significant impact on our town centres, the White Paper fails to directly address the particular needs of centres to be at the heart of their communities through social, cultural and economic opportunities, not just additional housing.</p>
		Access to housing	<ul style="list-style-type: none"> • Between 2011 and 2018 rents in Newham increased by 56% and house prices increased by 89%; but wages only rose by 21%. • Newham has the longest waiting list in London, of over 27,000. The average wait time for a household with a 'reasonable preference' which identifies housing need, is around 13 years. • Assuming 35% of income spent on rent, long term trends (2016) indicate that 	<p>The proposals in Pillar Three of the White Paper could have a significant and disproportionate effect on some of Newham's communities.</p> <p>Any changes to the delivery of truly affordable housing must ensure we deliver greater numbers of social rented homes to house those in housing poverty.</p>

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			<p>53.5% of residents cannot afford target rent, and a further 30.19%, who were able to afford target rent were unable to afford affordable rent.</p> <ul style="list-style-type: none"> • Newham has the worst overcrowding problems in London (over 25% at 2011 Census) driven by lack of affordability, austerity and welfare reforms. The housing crisis and past policy decisions have compounded an undersupply of family-sized homes to meet the needs of Newham’s population. This affects mental health and stress related illness, increase the risk of infectious diseases (such as Covid-19 and TB), and impacts children’s physical health, and their ability to play and study • The proportion of residents in private rented accommodation has grown from 17% in 2001 to almost 50% today • See also Poverty and Health section below 	
		Democratic participation and volunteering	<ul style="list-style-type: none"> • Notwithstanding the mobilisation of the sector during the pandemic, Newham has the lowest level of formal participation in volunteering civil society activity of any London borough. • Newham has the lowest level of formal participation in volunteering civil society activity of any London borough. • 2018 Local Election turnout was 35.8%, below London average of 39% 	<p>Digitisation will not help bring about significant change in democratic participation. Targeted resources are necessary, and a tailored approach, particularly in an area as diverse as Newham.</p> <p>Involvement in the built environment can be a hugely positive way in which local residents can be involved in shaping their communities. However the White Paper seeks to constrain this</p>

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				into time limited periods which won't work for many of our residents' lives.
		Poverty and Health	<ul style="list-style-type: none"> • 49% of Newham households are classified as living in poverty • 52% of children grow up in low income households • Newham remains within the 0% most deprived areas in the country. Four Newham wards remain in the bottom 10% in London for overall quality of life (Forest Gate South, Custom House, Canning Town North and South) • Life satisfaction scale for Newham residents in 7.48, below London average of 7.54 and England's 7.66. • Healthy Life expectancy is lower than London average by 3.6 years for males and females; similarly disability-free life expectancy is lower by 7 years for males and 4.6 years for females. • Significantly higher premature (under 75 years) mortality rates per 100k population, at 351.4 from all causes and 95 from cardiovascular diseases, compared to 330.5 and 71.7 respectively for England, and 303.3 and 70.5 respectively for London. • Newham has higher rates of diabetes diagnosis (80.9 compared to 71.4 in London and 78.0 in England), smoking prevalence (18.2 compared to 13.9 in London and 14.4 in England), physical inactivity (46.9% compared to 33.6% for London and England), and obesity (63% 	<p>The proposals in Pillar Three of the White Paper could have a significant and disproportionate effect on some of Newham's communities.</p> <p>Any changes to the delivery of truly affordable housing must ensure we deliver greater numbers of social rented homes to house those in housing poverty.</p> <p>Our borough has also suffered disproportionately from the impacts of Covid-19. A variety of environmental factors, not least access to adequate housing, may have contributed to this and the White Paper's failure to acknowledge the impact of Covid-19 and consider the significant improvements which must be made to the built environment in order to ensure it improves residents' health will have a disproportionate impact on many of our communities (that continue to be affected by persistent inequality and disproportionality). Being able to continue to take a local lead on planning policies will be key to enabling long-term targeted strategies focused on the needs of Newham's residents (See response to proposals in Pillar 1, particularly Q6).</p>

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			<p>compared to 55.9% in London and 62% in England).</p> <ul style="list-style-type: none"> • All the health inequalities experienced in Newham have translated to the highest death rate from Covid19 in the country - 144.3 in May 2020. • While rate of children being overweight or obese at reception age (23.7%) is only slightly higher than England (22.6%) and London (21.8), this grows exceptionally higher by year 6 (42.7% in Newham vs. 34.3% in England and 37.9% in London). 	
		Digital literacy and access	<ul style="list-style-type: none"> • In 2017, 30% of residents with a disability and 23% of residents with a limiting health condition had no access to the internet (LBN, 2018), compared to 23.3% nationally (ONS, 2019); • 32% of households in the lower quartile of households income had no internet access (LBN, 2018), reflecting the national findings that digital access is tied to household earnings (ONS, 2019); • Of those aged 65+, 37% had no internet access (with the national average being 29%), compared to just 1% of those aged 16-34 (LBN, 2018). • Although 97% of residents aged 16-24 rate their IT skills as good (in line with national trends), this falls to 19% of residents aged 65+ (compared to 46% nationally) and 56% of residents aged 55-64 (compared to 74% Nationally) (LBN, 2018; ONS, 2019) • 40% of residents with a disability and 38% of residents with a long-term health 	<p>We have concerns about who benefits from the push for digital and who loses out without adequate intervention. There is a real risk that those that are less able to use technology will not be able to engage with the new system (e.g. blind people, people with learning disabilities or those who feel challenged by use of new technology).</p> <p>While internet access has increased and is high in LB Newham, it isn't universal and certain groups are excluded. They must not as a result be excluded from engaging in the planning system.</p>

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			<p>conditions rate their IT skills as poor (while the national average is 36%) compared to 13% of the overall Newham population (LBN, 2018)</p>
<p>LBN considers that the following important aspects of the planning system have not been addressed in the White Paper and we want to ensure that they are not overlooked amongst such wholesale reform:</p> <ol style="list-style-type: none"> <li data-bbox="152 1233 2078 1439">1. The planning system is not just about housing supply. Whilst housing delivery is critical, other policy priorities appear to be ‘crowded out’ and must be given more attention. The White Paper appears broadly silent on economic considerations – however it is vital that sufficient land for employment uses is made available, especially to aid economy recovery post-Covid 19 and Brexit. Economic policies are already working hard to retain land for an economic purpose against higher value land uses and maximise economic opportunities from development. The signals in this reform simply dilute ambitions for innovation and sustainable economic growth with a vague level of protection. A more holistic vision is required through this reform, responding and demonstrating how this system will enable sustainable land provision for a fairer, green and innovative economy. 		<p>Sources:</p> <ul style="list-style-type: none"> <li data-bbox="810 432 2092 531">• ONS (2019), Exploring the UK’s digital divide: https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/articles/exploringtheuksdigitaldivide/2019-03-04 <li data-bbox="810 544 2092 643">• Inside Housing (2020), The housing pandemic: four graphs showing the link between COVID-19 deaths and the housing crisis: https://www.insidehousing.co.uk/insight/insight/the-housing-pandemic-four-graphs-showing-the-link-between-covid-19-deaths-and-the-housing-crisis-66562 <li data-bbox="810 655 2047 754">• LBN (2020a), Towards a Better Newham - Covid-19 Recovery Strategy: https://www.newham.gov.uk/downloads/file/1629/towards-a-better-newham-covid-19-recovery-strategy-july-2020 <li data-bbox="810 767 1912 793">• LBN (2020b), Newham Key Facts: https://www.newham.info/infographic-october-2020/ <li data-bbox="810 805 1675 904">• LBN (2020c), Draft Newham Housing Strategy: https://mgov.newham.gov.uk/documents/s140158/Appx%20%20-%20Draft%20Housing%20Delivery%20Strategy-.pdf <li data-bbox="810 917 1912 975">• PHE (2019), Newham Health Profile: https://fingertips.phe.org.uk/static-reports/health-profiles/2019/e09000025.html?area-name=newham <li data-bbox="810 987 2047 1045">• LBN (2018), Understanding Newham 2017 - Findings from Wave 9 of the Newham Household Panel Survey: https://www.newham.gov.uk/downloads/file/563/research-householdsurvey9 <li data-bbox="810 1058 2047 1118">• ORS (2016), Outer North East London Strategic Housing Market Assessment: https://www.newham.gov.uk/downloads/file/1429/newhamstrategichousingmarketassessment-1- 	

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		<ol style="list-style-type: none"><li data-bbox="152 210 2101 422">2. Limited consideration is given in the White Paper to key issues around public health – one of the foremost reasons for the development of a planning system and now, yet again, recognised as being of vital importance. Planners and communities need the tools and flexibility to include policies and land allocations which serve and enhance public health. This includes considering suitable densities, proximity of private and public amenity and open spaces; ensuring homes are of a sufficient size to allow for flexible use; providing access to spaces for exercise, play and socialising; creating '15-minute' neighbourhoods which can reset living within a local scale. A focus on housing numbers as the sole measure of a Plan's success, risks undermining all these aims and creating unhealthy and unhappy places.<li data-bbox="152 429 2101 459">3. Waste planning is not mentioned in the document, and yet is of vital importance if we are to tackle our resource use and implement a circular economy.<li data-bbox="152 466 2101 598">4. Finally, reform of this scale will ultimately slow down the planning system as LPAs wait for formalised legislation to be in place and developers certainly delaying proposals until a certain and confirmed planning system is in place. Therefor just economic recovery and housing delivery is required to increase, it will likely slow. Under the Housing Delivery Test this creates a significant risk to the Plan-led system, what will be the transition arrangements be for housing delivery to reflect this without sanctions on LPAs?