

Neighbourhood Planning Bill 2016-17: House of Lords Second Reading Briefing

This briefing has been produced by ResPublica as part of its *Backing Beauty* Commission ahead of the Second Reading of the Neighbourhood Planning Bill 2016-17 in the House of Lords on Tuesday 17th January 2017. The Commission's work is supported by the National Trust and the Woodland Trust.¹

Overview:

- We welcome many of the Bill's provisions on neighbourhood planning, most notably the requirement for local planning authorities to have regard for an emerging neighbourhood plan which has reached post-examination stage but prior to its confirmation in a local referendum; and the requirement for local authorities to set out their policy on providing advice and assistance to groups seeking to undertake a neighbourhood plan. These changes will help to give communities a stronger voice in the planning system.
- However, we feel that the Bill represents a missed opportunity to harness the potential of neighbourhood planning to promote beauty in the public realm. We are also concerned that the Bill contains no provisions with the specific aim of helping communities in more deprived areas of the country to participate in neighbourhood planning. By means of an amendment, we were able to raise this latter issue during the Public Bill Committee stage of the Bill's passage through the House of Commons, but feel the Government's response neglected certain important aspects (see detail below).

The importance of beauty in the planning system

Beauty plays a central role in enabling people and communities to flourish. Beauty has **intrinsic value** as a quality which people naturally seek out and appreciate. Yet it is also a driver of numerous public policy outcomes: ResPublica's July 2015 report *A Community Right to Beauty* highlighted the **public health, economic, social and civic benefits** of living near beautiful surroundings.² For example, polling conducted as part of that research found that 75% of people who felt they lived in a beautiful area were satisfied with their mental health, as opposed to only 57% of people who rated the beauty of their area as 'poor'.

Among the paper's other findings was the disparity of access to beauty across different household income levels and geographic areas: people from **poorer households** or living in **more urban locations** were less likely to consider their area to be beautiful. Given the findings of our research, we believe this should be considered an issue of social justice, and appropriate measures taken to help close this gap. In particular, given the Government's expressed desire to heal the societal rifts which the vote to leave the European Union has highlighted, we must acknowledge the importance of the divide in access to beautiful places and spaces alongside other social and economic divisions.

¹ The Commission is supported by a Steering Group: Clive Betts MP; Tom Bloxham MBE (Chairman, Urban Splash); Tony Burton CBE (Founder, Civic Voice); Bev Churchill (Creative Director, Capco); Councillor Julie Dore (Leader, Sheffield Council); Sir Malcolm Grant (Chairman, NHS England); Wayne Hemingway MBE (Trustee, Design Council); Nick Herbert MP; Simon Murray (Senior Director, National Trust); Dame Fiona Reynolds (former Director General, National Trust); Beccy Speight (CEO, Woodland Trust)

² C. Julian & A. Harvey (ResPublica) (2015), *A Community Right to Beauty: Giving communities the power to shape, enhance and create beautiful places, buildings and spaces*. Available online at: <http://www.respublica.org.uk/our-work/publications/a-community-right-to-beauty-giving-communities-the-power-to-shape-enhance-and-create-beautiful-places-developments-and-spaces/>

Finally, giving greater priority to beauty may **help to raise housing supply**: research has previously found that 73% of people would support the building of more homes if well-designed and in keeping with their local area.³ Beauty cannot be imposed from the top down however. We believe beauty should be democratically discerned at a local level, with powers **devolved to the community** to allow them to shape their locale in line with their own desires and aspirations for their area.

The link between beauty and neighbourhood planning

Neighbourhood planning is one of the most **readily available** tools to help communities influence the future of their place in this way. Communities can set out design policies to make new development more sympathetic to existing local character, or protect cherished green spaces which might otherwise be allocated for housing development. We believe that, through this process, neighbourhood planning intrinsically encourages local people to consider how to make their neighbourhood more beautiful, and gives them the tools to do so.

Case study: Inner East Preston Neighbourhood Plan

- The area covered by the plan (the Fishwick and St Matthew's wards in Preston) has a number of neighbourhoods among the 10% most deprived areas of the country.
- Pre-planning consultation with residents found a particular concern with the preservation of existing local green spaces, which were highly valued by residents given the density of development in the surrounding area.
- The plan successfully passed local referendum in February 2015 with a 92% 'yes' vote. Its policies included a prohibition of any development which "results in the loss of Local Greenspace ... or that results in any harm to the character, setting, accessibility, appearance, general quality or amenity value of that Local Greenspace".
- In March 2015, a land swap was agreed between Preston Council and a local developer, Community Gateway Association, to prevent development on a site of open space and allow the community to go forward with plans to convert the brownfield land into an area of green space.

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The opportunity to set guidelines for what constitutes 'appropriate' development within a specific place through the neighbourhood planning process, has taken on a particular significance in the context of **budget cuts** to local planning departments since 2010. The Institute for Fiscal Studies for example has found that spending on local planning and development services fell to less than half its 2009/10 level by the end of 2014/15.⁵ These cuts to full-time services make popular engagement in planning more important – and give it greater potential – than ever before.

³ National Housing and Planning Advice Unit (2010) Public Attitudes to Housing

⁴ For further information on the Inner East Preston Neighbourhood Plan, see the plan document (available at: <http://www.preston.gov.uk/GetAsset.aspx?id=fAAyADEAMQAQADkAfAB8AFQAcgB1AGUAFAB8ADAAfAA1>). For details of the land swap, see <http://www.lep.co.uk/news/preston-council-and-community-gateway-agree-to-a-land-swap-1-7154679>

⁵ D. Innes & G. Tetlow (Institute for Fiscal Studies) (2015), *Central Cuts, Local Decision-Making: Changes in Local Government Spending and Revenues in England, 2009-10 to 2014-15*. Available online at: <https://www.ifs.org.uk/uploads/publications/bns/BN166.pdf>

However, neighbourhood planning's potential to help local people to promote a community-led vision for their area is not yet being used to its fullest extent. In particular, there exists a **significant disparity** between the number of neighbourhood plan areas designated in more and less affluent parts of the country. Research by ResPublica has found that, on average, the number of confirmed neighbourhood plan areas is **three times lower** in local authorities with the highest proportion of neighbourhoods among the 10% most deprived in England than in local authorities without any such highly deprived neighbourhoods.⁶

Recommendations

We recommend that Government think further about how neighbourhood planning can be used as a vehicle to promote beauty in the public realm. Our research and that of other organisations such as CABE (the Commission for Architecture and the Built Environment) has clearly outlined the value of beauty, both in terms of its usefulness as a means to achieving desired public policy outcomes, but also as a factor in promoting human flourishing more generally.

Neighbourhood planning has the potential to facilitate the creation of a more beautiful public realm and built environment, as outlined above. Moreover, the fact that it can be picked up by any community anywhere in England makes it especially useful as a response to the social injustice of poorer access to beauty in less affluent parts of the country. This Bill gives little focus to this opportunity however.

We recommend that communities with made neighbourhood plans should be **given the option to purchase** (perhaps via the vehicle of a community land trust or similar) land which their plan has earmarked for housebuilding, or to **select their developer of choice** from those who bid to carry out the work. This would allow communities the fullest possible opportunity to put into practice the vision for their area outlined in their neighbourhood plan, including its future appearance.

We recommend that Government give further consideration to how to encourage neighbourhood planning to be taken up in more deprived parts of the country. We were able to highlight this issue during the Bill's passage through the House of Commons by means of an amendment at Public Bill Committee stage (Amendment 2 to Clause 5 *Assistance In Connection With Neighbourhood Planning*), which would have seen a fixed proportion (50%) of the financial support offered by Government to neighbourhood planning groups allocated to groups in the most deprived parts of the country.

The Housing and Planning Minister "welcomed the intent" of this amendment and acknowledged the socio-geographic disparity it was attempting to resolve, but argued that the support already offered by the Government was sufficient, and resisted the idea of allocating a higher proportion of financial support to specific areas of the country given the "demand-led" nature of the budget. We feel however that this neglects the need to offer more intensive awareness-raising and support programmes in less well-off areas in order to build that demand and community infrastructure in the first place.

At the very least, we recommend that the Government **commit to expanding** the programme of measures, worth £22.5 million at present, to provide expert support and technical assistance to communities engaging in neighbourhood planning, and **ensure new money is targeted at deprived areas** to close the gap between more and less affluent areas in the uptake of neighbourhood planning.

⁶ Deprivation measured according to English Indices of Deprivation 2015. Neighbourhood Planning data taken from *Neighbourhood Planning areas in England*, available online at: <https://data.gov.uk/dataset/neighbourhood-planning-areas-in-england>

Suggested questions for the Government

- The Government has stated that one of its principal aims for this Bill is to speed up the process of housebuilding. Would the Minister agree that, as important as this goal is, communities should not be asked to compromise on the beauty of that development in its pursuit?
- Does the Government have any plans to give communities with made neighbourhood plans first refusal to purchase or select their preferred developer for land marked for housebuilding in a neighbourhood plan, in order to give them as much control as possible in realising their vision for their area's future?
- Will the Minister look at calls from ResPublica to expand the financial support already available to communities who wish to undertake neighbourhood planning, and to target this additional support at communities in more deprived areas of the country, where research has found that use of neighbourhood planning provisions is up to three times less common?

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