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Planning for the Future Consultation
Ministry of Housing, Communities and Local Government
3rd Floor, Fry Building
2 Marsham Street
London
SW1P 4DF

29 October 2020

Dear Sir/Madam

Planning for the Future White Paper
Ministry of Housing, Communities and Local Government

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its statutory remit is to give independent advice “as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area...” It has a statutory function to give advice to specified bodies, including the Secretary of State for any Government department.

The DCAF currently has fifteen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

The Devon Countryside Access Forum (DCAF) welcomes this White Paper and has focussed on a few questions which fall more closely within its remit. The detail and clarity on some of the proposals is critical and the DCAF trusts that further consultation will take place.

This response will be on the agenda for formal approval at the next meeting in January 2021.

Before addressing these questions, the DCAF would like to make some overarching comments regarding the emphasis and direction of this consultation.

The DCAF deplores the consultation's urban approach. While national planning policy clearly needs to take a view on development in urban areas, it should also recognise the different requirements of rural areas. Authorities should take a localised approach not just to design, but also to matters such as any levy. Appropriate small-scale development will require a different approach on many matters, including green space and levies, than larger urban ones. Local authorities should have the ability to make a decision about requirements and to tailor any levy/arrangements accordingly.

With regard to rural areas four points are critical:

1. The needs of rural areas for new homes and businesses are very different to urban areas and policy needs to take account of this. Development should seek to protect and enhance green space;
2. there must be local decision making, including on matters such as siting, design, greenspace, infrastructure links etc;
3. there must be local determination of the amount and necessity of any levy or other arrangements;
4. there is an assumption that broadband speeds are fast enough across the country yet, in many rural areas, speeds are extremely poor and this needs to be addressed in terms of new developments, home working and ability to deal digitally with the planning changes proposed.

Response to consultation questions

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?

[Social media / Online news / Newspaper / By post / Other – please specify]

The Devon Countryside Access Forum advises that the ability to access plans and contribute views should continue to be available in a variety of ways. Newspapers should still be included as well as local libraries, some of which have digital noticeboards. Putting up notices locally still provides a useful way to inform affected residents. Unless people are signed up to planning alerts, they may be unaware of what is being proposed.

4. What are your top three priorities for planning in your local area? [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 infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

It is inappropriate to prioritise between competing and important considerations. The Devon Countryside Access Forum advises that these need to be kept in balance and priorities should be relevant to the local area. In terms of the Forum's remit, high level objectives would be implementing a sustainable transport system and excellent green space provision. These complimentary themes would also deliver on biodiversity and climate change mitigation priorities.

The Government publication, [Gear Change: A bold vision for cycling and walking](#), states “The purpose of the planning system is to contribute to the achievement of sustainable development. We expect sustainable transport issues to be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote cycling and walking are pursued. Planning policies should already provide for high quality cycling and walking networks, green spaces and green routes, and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans).” The Devon Countryside Access Forum agrees that these aspirations, which accord with its position statements, should be embedded in planning priorities.

The priorities specified in question 4 should include additional and improved green spaces and not solely focus on their protection.

The purpose of the priorities should be to ensure that important social, economic and environmental goods, that cannot be delivered through market forces, are put in place.

5. Do you agree that Local Plans should be simplified in line with our proposals?

No

The detail in Local Plans is required to consider the complexity. The Devon Countryside Access Forum agrees that some level of simplified national guidance on which to hang fundamental local policies would be useful if this reduced the size of documents and made them more accessible. People respond well to maps and the DCAF would support an increased use of these provided there was sufficient detail.

Many Local Plans for rural areas cover large geographical areas with a varying suite of policies. Detail is needed to address the differing requirements of towns, villages and countryside areas. Algorithms for housing requirements can lose sight of physical topography such as floodplains and steep hills.

10. Do you agree with our proposals to make decision-making faster and more certain?

No

The Devon Countryside Access Forum is not convinced that the use of national codes, data standards and templates will be sufficient to deal with the complexity of some applications. The public should continue to have the ability to comment.

11. Do you agree with our proposals for accessible, web-based Local Plans?

Not sure

The Devon Countryside Access Forum would agree in principle, but a certain level of detail is required, plus accessibility, to ensure that people can respond adequately. People who are partially sighted, deaf or have a range of special needs may not be able to access web-based plans.

Many rural areas have woefully inadequate broadband and people in these areas may not be able to download large documents, particularly maps. Other people may not have computers and should not be disenfranchised.

Within the map-based zones, it will be important to map both proposed green space and existing green space, public rights of way, recreational trails and cycle routes as these can

inform Local Plan zones (growth, renewal and protection) and the concept and delivery of planning proposals. Mapping should include information on the quality and accessibility of greenspace.

12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?

Not sure

The Devon Countryside Access Forum welcomes the idea that the public can participate at an earlier stage in the development process. However, there would appear to be fewer opportunities to engage with the Local Plan at a later stage which is when the public know what is being proposed and are more likely to wish to express views.

Over time people move and priorities change so concerns early in the Local Plan preparation may get superseded or changed and people should have the ability to exercise their democratic rights to make representations when development affects them or their community.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

Yes

The Devon Countryside Access Forum agrees that Neighbourhood Plans should be retained. They offer the opportunity for local areas to contribute a level of expertise and knowledge. Neighbourhood Plans can be critical in challenging planning agreements and planning authority policy. This is regarded as a positive part of local democracy and can lead to ambitious community preference and design.

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?

The Devon Countryside Access Forum is concerned that use of sophisticated digital tools may be beyond the capacity of local voluntary groups' skills and resources. Everyone needs to be able to contribute to a Neighbourhood Plan. The facility to hold public meetings and focus groups to engage the community is integral to the success of a Plan in reflecting local opinion.

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

The Devon Countryside Access Forum does not feel it appropriate to select one of the above statements. The sustainable design process should deliver all these – and more.

Better and connected tree-lined pedestrian and cycle access ways are required away from traffic, not just painted lines on a road. This is not necessarily a cheaper option.

The DCAF strongly agrees with the statement in the Government publication Gear Change:

“Cycle infrastructure must join together, or join other facilities together by taking a holistic, connected network approach which recognises the importance of nodes, links and areas that are good for cycling.”

“Routes should be planned holistically as part of a network. Isolated stretches of provision, even if it is good are of little value. Developing a connected network is more than lines on a map. It is about taking local people on a journey with you in order to understand who currently cycles, where they go and why they go there and, more importantly, who does not currently cycle and why.”

Planned and long-term maintenance of public open space and access should be included as part of sustainability proposals.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

Not sure

The Devon Countryside Access Forum agrees these could be helpful in assisting developers and ensuring good design. However, design guides and codes should extend more widely than housing design and include proposals for associated infrastructure such as green space and cycling/walking trails. Critical to standards should also be aspects such as green space standards and accessible natural green space standards (ANGsT). A green levy based on ANGsT could be introduced as part of the code and include details regarding the collecting authority, timing in relation to development and future maintenance.

The Devon Countryside Access Forum’s position statements are attached to indicate the additional things that could be included, not necessarily as fixed standards but as guides to development. (*DCAF Planning Position Statement 2015 – Appendix 1; DCAF Neighbourhood Plan Position Statement 2016 – Appendix 2; and DCAF Greenspace Position Statement 2019 – Appendix 3*).

The consultation includes the following:

“We will publish a National Model Design Code to supplement the (National Design) guide, setting out more detailed parameters for development in different types of location: issues such as the arrangement and proportions of streets and urban blocks, positioning and hierarchy of public spaces, successful parking arrangements, placement of street trees, and high quality cycling and walking provision, in line with our wider vision for cycling and walking in England. It will be accompanied by worked examples, and complement a revised and consolidated Manual for Streets.”

The DCAF is concerned that the codes appear urban-centric and advises that these should be rural-proofed to ensure that any design guides, at national or local level, incorporate the complexity of rural areas where schemes may be much smaller and physically constrained. It is not clear how guidelines will differ across the growth, renewal and protected areas, for example the provision of high-quality cycling and walking routes.

20. Do you agree with our proposals for implementing a fast-track for beauty?

The Devon Countryside Access Forum would welcome more beautiful places but advises that it is important that a fast-track system does not neglect sustainable design processes

and associated infrastructure, such as better and safer pedestrian and cycle ways within a green or tree-lined environment. Greenspace needs to be accessible and not located on a floodplain.

Standardisation is not always a good thing and the concept of 'beauty' is not necessarily something that people locally will agree on.

The Forum advises that it is important not to lose sight of the fact that the countryside in rural areas is often not accessible for people. The [Living with Beauty report](#) has an overwhelming focus on urban areas yet such aspirations are equally applicable to rural areas.

Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits

Proposal 16: We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.

The Devon Countryside Access Forum notes that there are no questions on the above proposals and would welcome the opportunity to be consulted.

Section 106 and Community Infrastructure Levy

21. When new development happens in your area, what is your priority for what comes with it? [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]

The Devon Countryside Access Forum suggests it is not possible to choose between important priorities. Within the DCAF's remit, sustainable transport opportunities and the provision of well-maintained green space would be highly important.

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?

Not sure

The Devon Countryside Access Forum agrees the funding of infrastructure to support development is a complex and highly technical issue. The introduction of CIL imposed a significant administrative burden on local authorities and has led to much litigation. Many planning authorities have not adopted CIL and rely on negotiated section 106 obligations which are criticised for their opaqueness. To respond fully to the question posed requires substantial knowledge and far greater detail as to how a new 'consolidated Infrastructure Levy' would be calculated and administered. If the Government is intent on introducing a new system, the DCAF responds to the question by expressing some desired outcomes for any new system:

- No planning authority, in particular those in a rural situation, to be disadvantaged financially by the adoption of a new system;
- A recognition that rural schemes, often starting from scratch, can require a larger proportion of funds to provide adequate infrastructure;
- Identification and protection of funds, as part of the new infrastructure levy charged to developers, for the creation of access and green spaces and their future long-term maintenance;
- A methodology that allows small rural schemes to be fully funded;
- Sufficient flexibility to encourage an appropriate variation in development schemes put forward, while not compromising green infrastructure requirements.

There are also cross (Local Planning Authority) border infrastructure provision matters which are not addressed. For example, in relation to access, cycling and walking routes or multi-use trails can be a particular issue. The duty to cooperate, if dispensed with, should be replaced with some safeguards to ensure consideration of such problems.

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

Locally

The Devon Countryside Access Forum advises that a local rate would be more appropriate and could be variable according to local circumstances and development values. This could include green space and its long-term maintenance and adoption. The levy needs to be responsive, particularly in rural areas where schemes are likely to be smaller. A local rate could also allow determination of when the rate is collected. It is important that there is the ability to nuance an approach to suit a local area.

Local Authorities should have the ability to implement infrastructure provision, such as green space, in a timely and certain way.

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?

**[Same amount overall / More value / Less value / Not sure.
Please provide supporting statement.]**

It is clear that the value of development has not always been matched by the value of infrastructure, affordable housing and local community facilities, such as green space. The need to provide bespoke agreements regarding particular issues should be retained as a 'one fits all' approach will not be sufficient to deal with such matters in rural areas.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

Yes

The Devon Countryside Access Forum advises that it would be helpful for local authorities to have greater autonomy so that local priorities and community aspirations can be met. There may be additional or improved access routes or green space that would be a beneficial use of Infrastructure Levy funding.

The current COVID-19 crisis has demonstrated the popularity and importance of green space to peoples' health and well-being.

This letter constitutes formal advice from the Devon Countryside Access Forum and the Ministry of Housing, Communities and Local Government is required to have regard to relevant advice from the Forum in carrying out its functions.

Yours faithfully



Hilary Winter
Forum Officer

Letter sent on behalf of the Devon Countryside Access Forum.

Chair: Sarah Slade

Vice Chair: Chris Cole