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3<sup>rd</sup> November 2020

Rt. Hon. Robert Jenrick MP  
Ministry of Housing, Communities and Local Government  
2 Marsham Street  
Westminster  
London SW1P 4DF

Dear Minister,

### **PLANNING REFORMS 2020**

We write on behalf of the Weald of Kent Protection Society (WKPS), a registered charity based in Kent which has, for sixty years monitored and commented on planning applications submitted in the boroughs of Maidstone, Ashford and Tunbridge Wells to influence well designed, good quality housing located in sustainable locations which does not cause harm to the Society's defined area of coverage; the majority of which falls within the High Weald Area of Outstanding Natural Beauty (AONB) and other Special Landscape Areas.

We have a number of points, which we would like to draw your attention to regarding the current consultation on your White Paper 'Planning for the Future'. WKPS has responded to this consultation and to the 'Changes to the current planning system: Consultation on changes to planning policy and regulations' document. Neither of these consultations allowed comment on the principles of planning policy, and instead guided the respondent towards commenting on the detail only, even though the detail is lacking. It is the principles that should be addressed before the detail.

The proposed policy promoting the idea of more growth in housing numbers where there is already growth, will continue the current over-emphasis on the south-east, cuts across the Prime Minister's No.1 aim of levelling up the regions, and would lead to further depopulation and deterioration of the North of the country. Better by far to bring employment opportunities — and affordable, good quality housing — to the North, by cross-country transport links and establishing public sector agencies and employment opportunities there (this has demonstrably worked in the past with parts of the BBC and the British Council moving to Manchester, HMRC to Liverpool and DWP to Newcastle). It seems to have been generally accepted, by MPs, local councils that have worked through the numbers, and by organisations such as CPRE, that the algorithm is faulty in this respect.

The current planning system is not broken. The elephant in the room, and which the White Paper hardly touches on, is the failure of the big developers to deliver. It is generally understood that in order to keep prices up, developers gain a lot of planning permissions but will not build out at a rate that might bring prices down. There is a double-pronged answer to this: less private and more public building (more on this below), and a hard-and-fast and very short time limit on starting a build, with no extensions, after which the planning permission falls away; coupled possibly, for major developments, with a contract that



states that if the build is not completed to a certain schedule there are major financial penalties (to prevent simply ground-breaking then stopping). The suggestion of a buffer will simply be used as a get out clause by developers not to build where they have existing permissions.

The suggested new Infrastructure Levy, is unnecessarily complicated and there is a danger that using it for affordable housing (define affordable housing), possibly in kind, will end up, after protracted negotiation with the developers, being instead of rather than in addition to the developer’s other commitments to community projects. Greater freedom for how the local councils spend the Levy would be a positive result for local people but increasing the threshold for affordable housing would be a backward step.

Fifty years ago, it was certainly true that the private sector was more efficient than the public sector but that is not necessarily true today. The housing industry is today a well-known rip-off, with design and build quality at the lowest possible level that they can get away with, not to mention the scandal of the sold-on leases. At a time when government money will be getting increasingly tight you can no longer justify the ‘subsidies’ paid to the developers to provide ‘affordable housing’ but which in fact has simply been creamed off to pay massive unjustified bonuses to their top executives and yielded excessive super-profits. Remove the net profit element and you can automatically build 20-30% more houses for the same cost. The table below illustrates this point:

Company	Net Profit as % of sales last 5 years pre-Covid	Net Profit £M last year pre-Covid	CEO Remuneration	CFO Remuneration	Could have built for same money (without profit & excess remuneration)
Redrow	20% consistently	£320M	£2M	£1M	20% more homes
Vistry (Bovis)	16% consistently	£138M	£2.8M	£1.3M	17% more homes
Bellway	22% consistently	£500M	£1.2M	£1M	22% more homes
Barratt	15-20%	£700M	£3.6M	£2.9M	c18% more homes
Berkeley	25-30%	£500M	£8M	£8.2M (Chairman)	At least 26% more homes
Countryside	18% consistently	£150M	£2.6M	£1.4M	c19% more homes
Persimmon	20-30%	£800M	2019: £670K	£633K	c25% more homes
			2018: Top 3 Directors	£90M	c28% more homes
			2017: Top 3 Directors	£102M	c29% more homes



We agree with your suggestion that all house building should not be carried out by the major house-building companies and that SMEs should have a role, but sadly you don't put forward any proposals as how this is actually going to happen. We suggest that post Covid, the government's priority should be rolling out a new council-house building programme, building up the Councils' own building capacity, employing their own architects, trades and locally based SME building companies. This would create local employment as well as providing the right environment for meaningful apprenticeships and would be far more efficient in delivering the smaller scale schemes, including self-build, that you and local people actually want and will support.

This brings in the greatest issue of all for Local Councils — funding. There is an argument for much greater funding for the Local Councils for house building. Astonishingly, the White Paper suggests that the Local Councils should be made to borrow to pay upfront for the infrastructure for major private developments — why when the developers are awash with cash? More appropriately why not, as has been suggested by government but not yet acted upon, let them borrow to build local council housing? The only real way to make housing more affordable in the South is a major council-house building programme, together with revitalising the North.

The White Paper places unrealistic expectations on the ability of data and ProTech to solve all the problems. The emphasis on central control is worrying in the degree to which it undermines local democracy and accountability. We already have good democratic engagement at the Plan-making stage with NDPs and Local Plans consulting widely as part of the process. Both are already available online as are interactive maps which have been widely consulted in the NDPs/LPs. The White Paper disenfranchises everyone who is not a highly competent internet user. The number of recently completed Neighbourhood Development Plans and Local Plans will deliver a great many locally approved schemes. Should a faceless, unaccountable, central, policy-driven approach be followed there is no guarantee that their "Growth" areas would, in fact, be built out and might simply provide big developers with an even larger land bank.

WKPS very much supports the protection of National Parks, AONBs, SSSIs, environmental and heritage assets, Conservation Areas, the countryside and historic places, and using brownfield sites before greenfield ones are considered. However, protection for these areas must go further than words alone, in that the 'protection' should actually be seen to be applied in the grant or refusal of planning consents. Currently, the protection afforded to these areas is not being seen in reality, and planning reform should be meaningful and robust to preserve landscapes that, if lost to development, can never be recovered. Ancient Woodland, veteran trees, trees and hedgerows are missing from the list of assets to be protected and we request that this is rectified.

We are also supportive of the need for better local infrastructure. However, infrastructure must be an integral part of the planning process not an add on at a late stage.

Of great concern is the disenfranchisement of local people in the planning process, the loss of democracy, and the loss of local emphasis in the planning and decision-making process. This last fact has certainly not been lost in the PM's own constituency where a recent inappropriate development was rejected by the democratic process.



The White Paper and the planning reforms simply do not provide a solution to the house-building problem. The government should be pursuing reforms that address the actual problem and this involves defining the principles first, with the details being formulated thereafter.

Yours sincerely

Mr Michael Bax  
Chairman

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