



## National Planning Policy Framework and National Model Design Code: 2021 Consultation proposals

### Response from the Colne Valley Regional Park – 25<sup>th</sup> March 2021

This response and information accompanies the online proforma I have completed on behalf of the Colne Valley Regional Park (CVRP) – ID ref: ANON-2CN7-MXTV-9. In that proforma I answered each substantive question saying “See response submitted by email by jerry@unsworthplanning.co.uk for the Colne Valley Regional Park”. This is that response.

**To:** [PlanningPolicyConsultation@communities.gov.uk](mailto:PlanningPolicyConsultation@communities.gov.uk)

**From:** [jerry@unsworthplanning.co.uk](mailto:jerry@unsworthplanning.co.uk)

**My name:** Jerry Unsworth MRTPI - Planning Consultant (part-time) for the Colne Valley Regional Park

**Organisation:** The Colne Valley Regional Park - an area of some 23 square miles on the west side of London. See further information below.

**Type of organisation I am representing:** “Other” - A Community Interest Company – acting as the Custodian of the Colne Valley Regional Park (an area of some 23 square miles on the west side of London).

**Privacy notice** - I confirm that I have read and agree to the privacy notice, which is repeated in the Annex to this response.

#### About the Colne Valley Regional Park

1. The Colne Valley Regional Park (CVRP) is the first large taste of countryside to the west of London; an area for people, wildlife and many uses, including farming and angling. The Park, founded in 1965, stretches from Rickmansworth in the north to Staines and the Thames in the south, Uxbridge and Heathrow in the east, and to Slough and Chalfont St. Peter in the west. It is championed by the Colne Valley Park Community Interest Company (CVPCIC) and I am submitting these comments on its behalf.
2. The Community Interest Company exists to protect and enhance the Regional Park through six objectives:
  - i. To maintain and enhance the landscape, historic environment and waterscape of the park in terms of their scenic and conservation value, and their overall amenity.
  - ii. To safeguard the countryside of the Park from inappropriate development. Where development is permissible it will encourage the highest possible standards of design.
  - iii. To conserve and enhance biodiversity within the Park through the protection and management of its species, habitats and geological features.
  - iv. To provide opportunities for countryside recreation and ensure that facilities are accessible to all.





- v. To achieve a vibrant and sustainable rural economy, including farming and forestry, underpinning the value of the countryside.
  - vi. To encourage community participation including volunteering and environmental education. To promote the health and social well-being benefits that access to high quality green space brings.
3. The CVRP is largely Green Belt and its purpose is to promote the enhancement of the area as a natural resource for the community, wildlife and the environment. The successful management and improvement of this area requires a strategic approach and careful planning. The area is shown in the inset above and in the separately attached response from the CVRP to the 2020 Planning White Paper.

### **The CVRP Response to the 2021 Consultation proposals on changes to the NPPF and a National Model Design Code**

4. Our comments on this 2021 consultation are set out as a composite statement and as a 'high level' statement about the sort of changes that are needed to the NPPF and related design advice, beyond the changes to the NPPF and introduction of a national model design code now proposed. We do this because your consultation "yes" or "no" questions are too limiting.
5. We make the following comments:
  - i. We welcome the initiatives to enhance the design of development (that occurs in the right places) but consider that the changes proposed **result in a disproportionate emphasis on the built environment rather than the natural/ rural environment.**
  - ii. We believe that the Government should **go further to reflect the widespread concern over the climate crisis, including in relation to flood risk, the importance of the natural environment and net zero.**
  - iii. Specifically, **additional policy guidance is needed to make the planning system more effective at protecting and enhancing the natural environment and people's access to it.** This is a critical aspect of the planning system that has come under the spotlight during the recent pandemic. It has been demonstrated to be critical to the physical and mental health of the whole community, to the natural environment/ wildlife itself and to addressing climate change.
  - iv. **As far as they go, we welcome** the proposed changes to the definition of 'sustainable development', to the presumption in favour of sustainable development (**paras. 7 and 11**), the strengthened wording for turning down poor development (**para. 133**), the integration of design codes (**para. 109**) and to development in protected landscapes (**para. 175**).
  - v. Whilst supporting the general drive to see better design, our understanding is that they will not apply to new homes created through most permitted development rights (PDR) and that **it will become harder for local authorities to protect communities and the environment from poor design and associated living environments.** It has been demonstrated that the quality of homes produced through PDR is not good enough.
  - vi. The Government therefore needs to address how its words about the importance of beauty and high quality places will be applied to all new development. We therefore **do not support the restrictions proposed on the use of Article 4 Directions (para. 53).**
  - vii. As we elude to in points a, b and c above we consider that there are **important gaps in government planning policy** and the opportunity should be taken, when making the changes to the NPPF, to address these issues that are of serious concern:



- a. That there remains an **undue emphasis on meeting formulaic housing targets** at a local authority level.
  - b. This places **unreasonable expectations on individual Local Authorities in Green Belt areas (particularly around London) to accommodate pressures** for housing and commercial development by releasing land in Local Plans. The 'Duty to Cooperate' system is not an effective way of addressing this.
  - c. **What represents 'Very Special Circumstances' to justify development in the Green Belt needs further, and much stricter, policy guidance** to avoid the plethora of ad hoc development proposals that come forward, especially in the London Green Belt urban fringe (where the CVRP is located).
  - d. There is a **lack of a strategic, at least sub-regional, mechanism in the national planning system to take an overview of what should happen across the inner Green Belt around London** to create a co-ordinated vision for its improved functioning. This is in contrast to what we increasingly see - a zone that is speculated upon for development, becomes fragmented and wrought with urbanisation and traffic, rather than being improved as a natural and countryside resource for people (recreation), nature (biodiversity) and rural enterprise (farming etc.) – which it should be.
- viii. **We specifically ask that Chapter 13 (Green Belt) be revised** to clarify that when major development may be proposed in the Green Belt – whether in Local Plans or in 'departure' planning applications - it should include bringing forward “compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”. At the moment existing NPPF Paragraph 138 could be interpreted to only relate to proposals to remove land from the Green Belt in Local Plans.
- ix. We **highlight the CVRP as a case study** of what is going wrong with the planning system in a highly pressured part of the Green Belt that crosses a number of Local Authority boundaries. In that respect we refer you to our October 2020 response to the Government's 'Planning for the Future' White Paper (attached) and paragraphs 9-12 in particular. Following correspondence with the Secretary of State, Robert Jenrick MP, we are expecting a visit from the Minister once lockdown easing allows.



## **Privacy notice - Personal data**

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

### **1. The identity of the data controller and contact details of our Data Protection Officer**

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk)

### **2. Why we are collecting your personal data**

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

### **3. Our legal basis for processing your personal data**

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

### **4. With whom we will be sharing your personal data**

MHCLG may share your personal data with the Design Body Steering Group and the Transition Board and external organisations, for purposes relating to this consultation, including analysis of responses. Any data shared with organisations outside of MHCLG will be anonymised where possible.

### **5. For how long we will keep your personal data, or criteria used to determine the retention period.**

Your personal data will be held for two years from the closure of the consultation.

### **6. Your rights, e.g. access, rectification, erasure**

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

### **7. Your personal data will not be sent overseas.**

### **8. Your personal data will not be used for any automated decision making.**

**9. We use a third-party system, Citizen Space, to collect consultation responses.** In the first instance your personal data will be stored on their secure UK-based server. Your personal data will remain on the Citizen Space server and/or be transferred to our secure government IT system for two years of retention before it is deleted.