

NORTH SOUTHAMPTON COMMUNITY FORUM

Planning & Housing Minister

Dear Chairman,

The North Southampton Community Forum is an umbrella group made up of nineteen (19) separate Residents Associations and Neighbourhood Groups across the northern part of the city, representing a population of some 75,000 residents.

The area is served by three different Members of Parliament.

Within this area lies the main University of Southampton with a student population of some 30,000, most of whom study and live in this part of the city, which creates it's own dynamics, particularly with Houses of Multiple Occupation.

These proposals have caused considerable alarm and dismay and seem entirely contrary to the Govts Localism policy, with little thought being given to the adverse impact on immediate neighbours where houses are close together and the impact of any development would be clearly visible; an environment not experienced by the proposer of this policy perhaps?

The issues at stake are not restricted to the immediate impact of unregulated extensions upon ones neighbours, but include the wider implication of a persistent erosion of the character of the area by the relentless expansion in particular of Houses in Multiple Occupation (HMOs - C4 or sui generis Use) to serve the local student demand.

This erosion would also be greatly exacerbated by selfish, inconsiderate or aggressive neighbours who would be able to create extensions of the equivalent size of two bedrooms, without any thought of the consequences upon their fellow residents such as loss of light, overlooking, character and amenity and would in all probability encourage over-intensive developments. It would also presumably allow the 'shoeing in' of caravans or Portacabins of an equivalent size, wholly inappropriate and unsightly for most residential areas..

Social and environmental problems which this would facilitate, are felt very keenly by the local community and this proposal would have the potential to create an untold number. The problem of overdevelopment, is regularly raised by objectors to planning applications, which include Local Ward Councillors and Local Residents Groups in their attempt to maintain a balanced and sustainable community, which this proposal only serves to undermine.

I would also like to take this opportunity to raise the issues of the inadequacies of **Enforcement** and the inability to issue **Stop Orders** on Domestic development, which these proposals would serve to make even worse. At a meeting with the DCLG in May this year as part of a wider delegation, convened at the invitation of the previous Localism Minister Bob Neil, we were told *Ministers were considering Stop Notices for dwellings* and that *full cognisance would be given to the problems of Enforcement*. The repeated mantra that *LAs already have adequate powers to deal with breaches of Planning*, only further illustrates the gap between the theory believed by Politicians and Civil Servants and the reality of actual experience in the community. Planning Contravention Notices have no compulsion, Enforcement procedures are after the event, time consuming, expensive and only discretionary and remedy by a High Court Injunction is prohibitively expensive and has an uncertain outcome.

To allow, if not actually facilitate, an 'illegal' development by being unable to do anything about it until after the event is surely perverse? The cost of having to go through a time consuming, tortuous legal process when it could be expeditiously dealt with in the first place would in itself save the Govt millions. It must also be against the principles of equity and natural justice which causes intense anger and frustration in those who do respect and abide by the regulations.

Jerry Gillen JP. MBIM
Chairman
NSCF

Thur. 27 Sept.2012

PLANNING and HOUSING MINISTER

ANSWERS from the North Southampton Community Forum

· How the package of proposed measures will contribute to the Government's ambition to provide communities with a greater say about development in their area?

1.1 None of the several planning changes proposed relate to 'the Government's ambition to provide communities with a greater say about development in their area'. In the view of NSCF members the effect of each of them is in direct conflict with the Localism agenda.

1.2 The proposals to grant more permitted development rights to individuals to build even greater extensions to their dwellings without any opportunity for the community – neighbours, local amenity organisations, local councillors, officers in the Local Planning Authority – to have any influence on development is bound to lead to problems. These developments may result in disturbing and even ruining relationships in neighbourhoods and damaging the environment. A particular concern is the possibility that landlords of Houses of Multiple Occupancy (HMO) would be able to expand their properties without any control even in areas where there are social problems with Article 4 Directions aimed at managing HMO.

1.3 Companies providing broadband facilities would be able to develop cabling and associated cabins anywhere (except in areas of Special Scientific Interest) so that both residential and rural areas, which have been carefully managed in the past to conserve their attraction, could be seriously damaged. The omission of Conservation Areas, Listed Buildings, World Heritage Sites, and Areas of Outstanding Natural Beauty from the list of exceptions is extra-ordinary. However, just as important is that at a stroke the measure could ruin the effect of many years of careful protection of local green spaces, much valued by residents. There also appears to be no provision to avoid siting cabling or cabins where they will form a hazard to pedestrians (particularly the visually-handicapped), or produce unsightly results.

· What the economic and wider impacts – such as on the provision of social housing – will be of the proposed changes to speed up the planning process and to allow revisions to section 106 agreements?

2.1 The removal of conditions on planning consents for dwellings that oblige a significant proportion of them to be 'affordable dwellings' undermines the planning policies that aim to ensure mixed developments.

· What will be the impact on the Planning Inspectorate and local planning authorities of the proposed changes intended to speed up the planning process and to allow section 106 agreements to be re-assessed?

3.1 NSCF members' concerns are with Section 106 agreements. These include off-site proposals for managing traffic and drainage and social developments, which ensure the provision of facilities such as play areas, community halls, etc., which enhance

community cohesion. To lose these elements in agreements would undermine the policies of improving community facilities and sustainable development.

- What will be the impact of the proposed changes to the rules on permitted development intended to make it easier to undertake home improvements such as house extensions?

4.1 As indicated above, friction between neighbours will occur, and developments could damage communities. The building of more extensions to Houses of Multiple Occupancy can hardly be described as 'home improvements' especially in areas in many university towns and cities where there are already serious problems with too great a density of such premises.

- How the use of Planning Performance Agreements and greater powers to award costs in planning appeals will affect the planning process?

5.1 The proposal for Planning Inspectors to be able to award costs against external bodies involved in participating in the planning process if their advice is poorly supported may help to ensure that refusals of planning applications will be more fully substantiated by those external bodies.

- How planning authorities should be able to adjust Green Belt land?

6.1 Members understand this proposal to be able to swap land is already available but rarely used, possibly because the swaps are usually considered not to be equitable. It should not be acceptable, for example, for developers to offer brownfield sites or poor quality green field sites in exchange for prime Green Belt land.

- How the Government's review of national and local standards should be carried out and what focus should it have?

7.1 No comment.

- What the impact is of the proposal to get empty commercial buildings into use?

8.1 NSCF members offer their support for appropriate changes of use for empty commercial buildings, but the siting of many does not permit a change of use to residential dwellings because of the absence of necessary facilities such as schools, shops and health care. When these facilities are available – as in cities, towns and villages - such changes of use may be welcomed. In all situations, however, appropriate management by local planning authorities with involvement of the community is essential to ensure sustainable development.

- Whether the Government's financial incentives to increase investment in private rented housing provide the most effective solution to delivering housing in this sector?

9.1 That the Government has had to consider allowing private developments to lower or delete agreed percentages of 'affordable dwellings' highlights the problems faced by private developers. It must be concluded that private developers are by their very nature unable to provide 'social housing', so the burden must fall on local and central government. It is essential for a modern society to ensure adequate accommodation for those living on lower incomes, who often provide the basic services that support the rest of society. If private developers cannot afford to do so, then society through its elected bodies - local and central government - must do so.

- Whether the Government's proposals to provide easier access to mortgages are feasible and will get people on to, and moving up, the housing ladder?

10.1 The current financial mess now crippling the world economies appears to have started because unsustainable financial burdens were placed on those unable to afford them. The concept that everyone should own their own dwelling is not feasible and never has been, so rented dwellings are essential both for those at the start of careers likely to lead to rising incomes and for those whose income will remain low.

10.2 The most important factor is that nowadays people's jobs and hence income can no longer be based on the assumption that they will stay with one employer for their working lives; instead many people experience periods of work interspersed with periods of unemployment, and even in employment earnings can drop on a change of job rather than rise. Thinking about mortgages still seems to assume continuous employment and rising earnings.

- What is the feasibility and what will be the impacts of the Government's plans to accelerate the delivery of major housing sites?

11.1 By all accounts the major reason for developers deferring the implementation of major housing sites is not a consequence of delays in the planning process, but due to the lack of finance both by developers and more seriously by those wishing to purchase homes. Even developers with adequate land banks with full planning consent will not go ahead if there is no market. Possible ways of assisting house-builders to obtain suitable financing for new developments that already have the benefit of planning consent should be examined.

- How feasible are the Government's measures to release surplus public sector land to developers and how might they influence the supply of housing?

12.1 We do not see any impediment to releasing surplus public sector land for development. Flooding the market with such land may reduce the cost of land, but it is not likely to encourage developers to implement existing proposals for development on land, which had been bought at a much higher price.

12.2 Possible ways of assisting house-builders to obtain suitable financing for new developments with existing valid planning consents should be examined.

27 Sept 2012

Jerry Gillen, Chairman, NSCF