

**KIRKLEVINGTON AND CASTLELEVINGTON
PARISH COUNCIL.**

**Submission to the House of Commons Select Committee
on Communities and Local Government.**

REGARDING

**The operation of the National Planning Policy Framework
in its first two years.**

1] PREVIOUS LOCAL PLANS. Prior to the NPPF Stockton Borough Council had an up to date local plan which had been approved by an Inspector as recently as 2010. This plan did not show any need for development south of the Tees and the Inspector agreed with this. Subsequently Stockton Borough Council began to consult upon Preferred Options for further development. Prior to the NPPF the Local Plan was the active and ongoing baseline for development decisions. This was a process of 'Planning Led' development which involved local people and took a long term view. Stockton Borough Council then stated that due to Government grants no longer being available the previously agreed housing supply was no longer deliverable.

Following the implementation of the NPPF the previous Local Plan was then simply overridden by developers due to the presumption of sustainable development, contained within the NPPF, if the 5 year housing numbers could not be shown. Developers claimed that there was no up to date plan in place and that therefore they had a right to develop!

The Yarm and Kirklevington area has been severely damaged by the subsequent cascade of developer led planning applications. Local people feel that they have no voice in what many view as over building to the point of ruining a lovely old town. All this, despite there being a clause in NPPF which says the previous, out of date local plans, need not be discounted in the present NPPF process. In practice the old plan has been viewed by Stockton Borough Council as if it has ceased to exist. It would appear that such a situation means that there are no longer any clear limits to development.

Kirklevington Parish Council therefore takes the view that the NPPF basically gives far too much power to developers and does not take adequate account of any plans which have been developed prior to the NPPF.

RECOMMENDATION 1. Kirklevington Parish Council takes the view that there is a clear need to standardise how 'OLD' plans are looked at when a planning department considers an application. Regulations at a national level should be strengthened so that adequate account is taken of plans which were in place prior to the NPPF. This should be more than an empty reference to a paragraph in the NPPF.

2] THE 5 YEAR PROBLEM. The working of the NPPF in the Yarm and Kirklevington area has been such that even when the existing local plan is a valid document and should be referred to, in effect it is not. Time and again the argument by developers is that the 5 year housing supply trumps any other valid argument. Stockton Borough Council appears to have completely accepted this argument.

This has caused a situation whereby the supposed lack of a 5 year supply has allowed developers to ignore brownfield sites and other areas in the Borough and

instead to put in successful planning applications for excessive numbers of houses in the Yarm and Kirklevington area. This no doubt makes the houses easier to sell and maximises the developers own profits. Kirklevington Parish Council takes the view that this does not make for good long term planning but will instead inevitably result in long term problems.

One of the main points of contention which comes up a lot is the situation of planning refusals being overturned consistently on appeal because of a lack of a five year supply of housing. This has effectively taken the decisions out of the hands of local planning committees and handed them to the Planning Inspectors, when one of the aims of the policy was to give more say in planning decisions to the local people. This clearly has not worked and is happening all over the country judging by the coverage in the press.

It would appear that the NPPF at present allows each borough to set its own rules on housing availability. When the NPPF came into force Stockton's 5 year Housing supply was claimed by the Borough as being approximately 4.2 years. Stockton Borough Council has subsequently approved a very large number of houses in the Yarm and Kirklevington area. However, the future availability of the housing supply is now down to approximately 3.8 years. The 5 year housing supply in Stockton would therefore appear to be a moving target and may never be met.

RECOMMENDATION 2. Kirklevington Parish Council takes the view that there is a clear need to standardise how five year figures are arrived at for a given Borough.

Such standardisation would preclude developers from using the figures to their own advantage. In particular it would stop them from holding onto land or delaying planning applications which do not suite them. It also forces local councils to be more open with their residents as to how the figures are compiled. It would also allow a better national level statistical analysis of housing availability.

Such an approach should also show whether or not a projected demand for more housing in a particular borough is mirrored by projected job creation in that borough. For instance, in Stockton does the projected demand for more housing in fact simply show the movement of local Teesside people into the Borough, or is it actually linked to real jobs? Should the NPPF not, therefore, be strengthened so as to place more emphasis on siting developments, including affordable housing, close to places of work and facilities, rather than simply letting developers pick the sites to build on.

3] TRANSPORT. The NPPF does not seem to force developers and councils to pay proper attention to local geographical situations with special transport problems. Yarm has two river valleys and is built on a loop in the Tees which is

already too narrow to accommodate the present housing and parking, let alone future demands. Forcing more development into such a constricted area means that future problems are inevitable.

The problems with the roads into and out of the Yarm and Kirklevington area have already been raised with Stockton but to no avail. For instance, after a series of Freedom of Information requests Stockton Borough Council has conceded that, with the existing level of development and the already agreed future building, the main road bordering Yarm and Kirklevington has been taken to 94% of its theoretical capacity. A roundabout on this road is of particular concern to residents. Such small margins leave little room for error in Stockton's road traffic assessments but rather leave local people very concerned that the outcome will be traffic chaos and a highway infrastructure unable to cope.

At present Yarm station does not allow for commuting into Stockton or Middlesbrough and the car park is likely to be too small given the level of planned development. This leaves local people concerned over both road and rail problems in the area.

RECOMMENDATION 3. Kirklevington Parish Council takes the view that there is a clear need to standardise how much margin of error is allowed when transport figures are assessed as part of a planning application. The assumption should be that such figures should be set nationally but then each local authority should have a duty to consult in detail with local people who will be affected by their decisions.

4] GOVERNMENT FUNDING. Brown field sites should be developed but this is often dependent on government funding. Furthermore the government provides financial inducements for new build development. It is only natural that councils will attempt to maximise any benefit they can, bearing in mind the cuts imposed on local government. The financial inducements should be aimed at the development of 'brown field' sites and not a general inducement to build on 'green field' sites.

RECOMMENDATION 4. Kirklevington Parish Council takes the view that there is a clear need to look again at financial inducements to developers to ensure that in future brownfield sites are not ignored by developers in favour of building on green fields.

5] WILDLIFE and HERITAGE. Strategic wild life corridors and wildlife issues appear to have taken a back seat because of the NPPF. In Stockton this has been raised with the Planning Department but to little effect. This has caused much public concern in Kirklevington, which is essentially a rural parish.

RECOMMENDATION 5. Kirklevington Parish Council takes the view that there is a clear need to reconsider the impact of the NPPF on wildlife. In particular the protection of wildlife corridors in urban or semi urban situations should be strengthened. A presumption that existing corridors will be respected should be placed on both developers and councils.

It is very important that the local Heritage and Environment Register is up to date and comprehensive. It should also take account of the knowledge of local people and their ability to contribute to the compilation of a comprehensive HER. An incomplete HER can be used by a developer to ignore or misinterpret history to suite their own ends. There is therefore a need to provide a robust mechanism for reconsidering the effect of a development on local heritage, if it can be shown that accurate local information has not been taken into account by the developer. The problem here is one of tight timescales once an application is submitted and the fact that once built on local heritage is gone forever!

RECOMMENDATION 6. Kirklevington Parish Council takes the view that there is a clear need to give the local authority the right to 'halt the clock' if an inaccuracy or mistake can be shown to have been included within the developers submission. The 'clock' should only be restarted once it can be shown that assertions within the planning application relating to local heritage are accurate.

6] OVERALL EFFECT of the NPPF. In the Yarm and Kirklevington area there does not appear to have been an over-all consideration of the summed effects upon the infrastructure and public services of recent planning applications. The sheer number of houses in the area recently agreed is highly likely to cause overstretch of all local facilities and infrastructure.

The assumption of approval inherent in NPPF, has overridden any Localism in the area. The manner in which some applications have been approved at the Planning Committee, after open pressure from planning officers, have rendered the elected members completely impotent in the eyes of their respective electorates. This is a body blow for British democracy and is highly likely to increase public cynicism.

This is the exact opposite of Localism. It ignores local people. This is not the way to build houses and at the same time keep local opinion on board. It will actually increase public opposition to a development process in which they perceive that only developers have any rights and that the local council either cannot or will not support them.

Local concern has been expressed that the elected Planning Committee Members do not appear to have any robust concept of the term "sustainable" and would have difficulty in defining it if asked.

RECOMMENDATION 7. Kirklevington Parish Council takes the view that there is a clear need to either compel each local authority to give a local definition of 'Sustainability' or else the Government should define it much more clearly. All staff and councillors should then have training regarding the implementation of such a definition.

Individual planning departments should be assessed to ensure that the collective portfolio of skills within that department is sufficiently comprehensive to critically

review the various consultants reports contained within an application. This can only be done against a robust definition of sustainability. This is likely to be a particular problem for smaller planning departments. Unless such skills are present then it would be all too easy for developers to have their proposed mitigations accepted, rather than being rigorously assessed.

The current onslaught of developer led housing applications should be ended! Developer led planning must not be allowed to continue or else severe long term problems are the inevitable result. The NPPF at present is maximising the profits of developers at the expense of real long term sustainability and quality of life for local people.

RECOMMENDATION 8. Kirklevington Parish Council takes the view that there is a clear need to urgently return to Plan Led development. If the requirement for a 5 year supply of housing is to be retained then the local authority not developers should lead and DEFINE the areas to be built upon after listening to local people.