

Response ID ANON-KYHK-WKQN-R

Submitted to Street Vote Development Orders Consultation

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Respondent details

What is your name?

Name:

Rosie Pearson

What is your email address?

Email:

communityplanningalliance@mail.com

What is your organisation?

Please provide details::

Community Planning Alliance

What is the type of organisation?

What type of organisation?:

Other (please state below)

What is the type of organisation?:

Not for profit - community organisation assisting community campaigners in the planning system

Preparing a proposal:

1 Who can submit a proposal?

No

If not, please provide details::

OVERALL VIEW OF THE CONSULTATION

We agree with the goals of the legislation to be predictable, easy and accessible and robust. However, we do feel that the consultation over-complicates things in some areas and will address those in response to specific questions.

We have read the submission by Create Streets and agree with a great deal of what they say. This consultation should be read in conjunction with theirs. Where we have additional comments or differ slightly in response, we set this out as below.

QUESTION 1

We agree with Create Streets that this should mirror NP's: people who live or work or own a business in the prescribed area

2 Do you agree with our proposed minimum thresholds for the size of a qualifying group?

No

If not, please provide details::

This is far too complicated and therefore goes against the goal of the process to be simple and accessible.

The thresholds are seemingly arbitrary and with no logical basis. We suggest removing the thresholds altogether and increasing the minimum share of residents to 50%.

3 Are there any other factors that you feel should be considered when determining the minimum thresholds for the size of a qualifying group?

Not Answered

If yes, please provide details::

Engaging the community:

4 Do you agree that qualifying groups (or those acting on their behalf) should be required to undertake community engagement, but have discretion on how they engage on their proposals?

Not Answered

If not, please provide details::

We do not believe that there should be discretion in how to undertake community engagement. There will need to be prescribed standards, monitored by the planning inspector. The Neighbourhood Planning (NP) regulations should be seen as a minimum but groups should be able to go above and beyond. Gunning Principles must be adhered to. Minimum twelve weeks consultation periods, longer if during a holiday period. Initial notices must be written and there must be street notices. We are pleased that statutory consultees will be asked for views and these must include the relevant local schools and health authorities, sewage treatment companies must be consulted.

5 Which additional protections, such as notice, could be given to residents?

Please provide details if applicable::

See 4

6 Do you have any views on what level of community engagement would be appropriate?

Not Answered

If yes, please provide details::

See 4

7 Do you have any further views on community engagement you feel should be considered?

Not Answered

If yes, please provide details::

See 4

What a proposal must include:

8 Do you agree with the Government's proposals on what a street vote development order proposal must include?

Unsure

If not, please provide details::

Identify objectors and their reasons; Map the impacts on the surrounding area e.g view, noise, traffic, schools, GPs and at later stages these concerns must be addressed and resolved otherwise the Order should not be granted.

9 Do you consider that there is any further information or documents that should form part of a proposal?

Not Answered

If yes, please provide details::

10 Do you have any views on what tools would help qualifying groups in preparing and submitting street vote development order proposals?

Not Answered

If yes, please provide details::

Scope of street vote development orders:

11 Do you agree with our proposed definition of a street area?

No

If not, please provide details::

This definition is far too complicated (borderline incomprehensible). It is also unnecessarily restrictive.

Groups should be allowed to agree the definition of the eligible street area with their LPA, as happens with NPs.

A simpler definition, if one is required, is the postcodes (one or more) associated with the street area.

12 Do you have any views on the most appropriate definition of a street area that you feel should be considered?

Not Answered

If yes, please provide details::

A street is defined by the Oxford Dictionary as: a public road in a city, town, or village, typically with houses and buildings on one or both sides. It is imperative that any street which seeks to utilise Street Vote Orders does already have buildings on the side that is to be redeveloped. If there is a street with houses on one side only, then that side only should be included in the process. The intention of Street Votes is to regenerate existing homes, not to build new properties on land without residential dwellings. This must be clear throughout the process.

As in q11 the exact area to be encompassed by the Street Vote Order must be discussed with the local authority.

13 Do you agree with our proposals for additional excluded areas?

Not Answered

If not, please provide details::

Add peat moss, priority habitats, LWS.

See q 12

14 Are there any categories of land or area that you think should be added to the list of excluded areas?

Not Answered

If yes, please provide details::

Development in scope:

15 Do you agree that street vote development orders may only grant planning permission for residential development and cannot be used to permit changes of use?

Not Answered

If not, please provide details::

In any surrounding space, included in the Order, the Order should be able to permit nature recovery, climate mitigations, natural flood management (SuDs) etc.

Excluded development:

16 Do you agree we should add development of buildings whose origins date before 1918 to the list of excluded development?

Not Answered

If not, do you have any alternative suggestions for how the development of older buildings can be excluded? :

17 Are there any further types of development you think should be added to the list of excluded development?

Not Answered

If yes, please provide details::

Development requirements:

18 Do you agree with our proposed design principles?

Not Answered

If not, please provide details::

Opportunities to add roof gardens, pocket parks, SuDS, urban trees, green roofs, solar etc should be actively encouraged by LPAs and PINS. We seek the inclusion of these 'green designs' in the proposed design principles.

Although likely hard to enforce, conditions should state no car ownership

19 Do you agree with the proposed design requirements?

Not Answered

If not, please provide details::

See q19

20 What role, if any, should neighbours have in determining development that goes beyond the light planes, plot use limits, window rules and restrictions on developing semi-detached houses and spaces between detached properties?

Unsure

Please provide details if applicable::

Neighbours should be consulted and involved and concerns taken into account. With unresolved issues an Order should not proceed.

21 Do you have any further views on design requirements that you think should be considered?

Not Answered

If yes, please provide details::

Relationship with the local development plan:

22 Do you agree with our proposals on the role of the development plan in the street vote development order process?

Not Answered

If not, please provide details::

23 Do you have any further views on the role of the development plan in the street vote development order process that you feel should be considered?

Not Answered

If yes, please provide details::

Ensuring that additional development is delivered:

24 Do you agree that street votes must not be used to reduce the amount of residential development in a street area?

Not Answered

If not, please provide details::

Managing local impacts:

25 Do you have any views on our proposed approach to managing highways and transport impacts?

Not Answered

If yes, please provide details::

Conditions restricting car ownership should be included

Protecting the historic environment:

26 Do you agree with our proposals to further safeguard the historic environment?

Not Answered

If not, please provide details::

Other potential impacts:

27 Do you agree with our proposed approach to managing local impacts?

Not Answered

If not, please provide details::

28 Do you have any suggestions on additional or alternative ways that could assess and provide assurance to ensure that street votes development does not lead to increased flood risk in the immediate and/or surrounding areas?

Not Answered

If yes, please provide details::

29 Do you think any other impacts should be considered?

Not Answered

If yes, please provide details::

Impact on local health providers, local education providers, roads, businesses must be considered and the relevant owners/providers consulted.

Environmental duties:

30 What support should be provided to qualifying groups in order to make sure they can effectively discharge their obligations under the Environmental Impact Assessment (EIA) regulations, if required?

Please provide details if applicable::

31 Do you have any views on how the Environmental Impact Assessment regulations should be modified for street vote development orders?

If yes, please provide details::

32 Do you agree that the Secretary of State should be responsible for issuing screening decisions and advising qualifying groups on their scoping work prior to submitting their proposals?

Not Answered

If not, please provide details::

33 Do you have any views on the mechanisms for publicity and consultation for Environmental Impact Assessment for street vote development orders, including who should be responsible for running the consultation?

Not Answered

If yes, please provide details::

34 Do you have any views on providing qualifying groups with more certainty around Environmental Impact Assessment screening?

Not Answered

If yes, please provide details::

Biodiversity Net Gain:

35 Do you think that Biodiversity Net Gain should apply to street vote development in this way?

Yes

If not, please provide details::

We are pleased that BNG is to be included. Opportunities to add roof gardens, pocket parks, SuDS, urban trees, green roofs, solar etc should be actively encouraged by LPAs and PINS. We seek the inclusion of these green designs in the proposed design principles.

Examination:

36 Do you agree with our proposals for a validation stage before proposals can be examined?

Not Answered

If not, please provide details::

37 Do you have any further views on how the validation process should operate that you feel should be considered?

Not Answered

If yes, please provide details::

38 Do you agree with our proposals on the examination process?

Not Answered

If not, please provide details::

39 What (if any) statutory bodies do you think should be invited to make representations?

Please provide details if applicable::

40 For non-Environmental Impact Assessment development, what period of time should we allow for representations to be made?

Please provide details if applicable::

Referendum:

41 Do you agree with our voter eligibility proposals?

No

If not, please provide details::

We are concerned that the voter eligibility proposals are too narrow. Excluding landlords and foreign nationals is not right and efforts should be made to involve them in the process throughout and they should be allowed to vote. Consideration should be given to agreeing with the LPA a wider voting area to include impacted parties.

42 Do you think any other individuals should be eligible to vote in a referendum?

Not Answered

Please provide details if applicable::

How will referendums be conducted?

43 Do you agree that street vote development order referendums should be conducted via postal voting only?

Not Answered

If not, please provide details::

44 Do you agree with our proposed referendum question?

Not Answered

If not, please provide details::

Approval thresholds:

45 Do you agree with the proposed approval thresholds?

Not Answered

If not, please provide details::

46 Do you have any views on whether the 2nd threshold should be applied at the relevant local authority's discretion?

Not Answered

If yes, please provide details::

Post permission process:

47 Do you have any views on the potential options for when development granted planning permission through a street vote development order must be commenced?

Not Answered

If yes, please provide details::

Pre-commencement requirements:

48 Do you agree with our proposed pre-commencement requirements?

Not Answered

If not, please provide details::

Developer contributions:

49 Do you agree that the setting of Community Infrastructure Levy (CIL) rates for street vote development should be simplified and streamlined, and that Community Infrastructure Levy should be the main route for the collection of developer contributions on street vote development orders, prior to the introduction of the Infrastructure Levy?

Not Answered

If not, please provide details::

Until the new Infrastructure Levy is in place, a great many LPAs do not have CIL in place and therefore will have to rely on S106. Therefore it is imperative that they are able to do so.

50 Do you agree that conditions requiring a s106 planning obligation should be limited to mitigations which cannot be achieved through condition alone, and which cannot be delivered through Community Infrastructure Levy?

Not Answered

If not, please provide details::

Until the new Infrastructure Levy is in place, a great many LPAs do not have CIL in place and therefore will have to rely on S106. Therefore it is imperative that they are able to do so.

51 Do you think the same approach should be taken for street vote development orders as for planning applications, that developments of 9 units or less should not have to make an affordable housing contribution via their Community Infrastructure Levy receipts?

Not Answered

Please provide details if applicable::

We believe that all street vote developments of any size should be liable for development levies

A digital process:

52 Do you agree that data standards and publication requirements should be implemented as part of the street vote development order process?

Yes

If not, please provide details::

53 Do you agree that the referendum should be paper-based and non-digital?

Yes

If not, please provide details::

Public sector equality duty:

54 Do you have any comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document?

Not Answered

If yes, please provide details::

Gypsies and Travellers may be adversely impacted as they are often away for long periods of time.