



## PLANNING FOR THE FUTURE The Government White Paper

The White Paper published in August proposes to radically reform the current English planning system to make it a significantly simpler, faster and more predictable system. It argues that the current system has become too complex, opaque, unpredictable and slow particularly in relation to the preparation of local plans which is a disincentive to wider public participation in planning. It claims that there is little incentive for high quality design and the current system does not build enough homes.

The White Paper argues for a complete reconstruction of the current planning system rather than piecemeal changes. It proposes a new vision for England's planning system and a new Planning Act and amended National Planning Policy Framework to deliver it.

It is recognised that the current system is failing to deliver the kind of development that the Civic Trust wants to see such as the recent developments in Chester at Saighton Camp and the forthcoming Wrexham Road site which are typical examples of poor quality design and layout. Local democratic control of these kinds of development is very weak particularly with the effect of the appeals process restricting the power of local decision making.

However we do question whether the current planning system needs such a radical reform as in most cases it works very well. The White Paper fails to acknowledge firstly the complexities of the planning system, and secondly that the current system seeks to come to a balance on the merits or otherwise of a development in a particular location.

Much of the justification for the changes proposed is blaming the planning system for not meeting housing need. The White Paper gives no evidence that the existing planning system holds up house building and the government appears to have given no assessment of how their reforms would improve supply.

### Local Plans

It is proposed that local plans will have a new simplified role in identifying land for development

and protection and setting clear parameters about what development can take place in those areas.



Local plans will be required to identify three types of land only.

**Growth areas** will be suitable for 'substantial development' and will receive automatic outline planning permission on adoption of the local plan. This could include new settlements, urban extensions and urban regeneration sites. In Chester this would include housing sites such as Saighton Camp and Wrexham Road.

**Renewal areas** will be suitable for 'development' and there will be a statutory presumption in favour of development for uses specified in the plan. This would cover existing built up areas and rural areas that are not allocated as growth or protected areas, where smaller scale development is appropriate. Very good reasons would be needed for permissions to be refused in these areas if they were in line with the uses specified in the renewal area.

**Protected areas** will be sites and areas that due to their environmental and cultural characteristics justify more stringent development controls such as Green Belt, Areas of Outstanding Natural Beauty, conservation areas, local wildlife sites, areas of flood risk and important areas of green space. In these areas it is expected that existing development control policies would continue.

It is possible that most of the residential, business and industrial built up areas of Chester outside the Green Belt, conservation areas, wildlife sites, important green spaces and flood risk areas would be within the 'renewal areas'.

The accompanying text of the plan would specify suitable development uses and parameters such as height, scale and density. Design codes and development guides should be produced alongside the local plan to guide the form and appearance of the development.

We are concerned that the proposals to zone land into three categories are too simplistic. What is wrong with the current local plan approach to allocate land to uses such as housing, industry, retail, open spaces etc? This has served to enable land to be controlled and developed satisfactorily to meet local needs so how would the new zoning do the job any better?

### **Development Management**

For proposals that accord with the local plan, there will be a streamlined route to gaining planning permission. Essentially the principle of development will have been agreed on adoption of the local plan with only outstanding matters to be considered later.

Growth Areas will receive automatic outline planning permission for the developments named in the local plan.

In Renewal Areas planning permission would be secured through a new route which gives automatic consent if the scheme meets design/prior approval requirements.

In Protected Areas a standard planning application would be required.

The White Paper also hints at a reduced role for planning committees in the determination of planning applications with more delegation of detailed planning decisions to planning officers where the principle of development has been established.

### **Top down housing figures**

Perhaps the most contentious proposal of the White Paper is that local planning authorities will no longer be able to determine their own housing growth requirements. A new standard method for calculating housing figures for each local authority is proposed which would ensure that enough land is released where affordability is worst but also factoring in land constraints such as Green Belt and flood risk. This new methods would distribute the standard national house building target of 300,000 new homes annually. These housing allocations would be binding on local authorities.

Co-operation between neighbouring local authorities to meet housing need in their areas will also be abolished to enforce the centralised top down approach. This will leave little room for local democracy to determine an appropriate level of housing in their areas. It will also undermine any attempt at strategic planning across city regions particularly for those urban areas where restraint in some areas will help to boost urban regeneration in others.

Allocation of land in local plans to match the government's binding figure will not guarantee that the houses are actually built by house builders who wish to ration the rate at which new houses are built and sold without bringing down local prices. Nor will it solve problems of affordability if house building by developers is restrained and high prices are sustained.

### **High Quality Design**

To make design expectations more visual and predictable, there will be an expectation for local design guides and codes to be produced with community involvement to reflect local characteristics. These could be produced by local authorities alongside their local plans, by neighbourhood plan groups or developers bringing forward large developments. Only guides and codes that have

involved the local community will have weight in the planning process. This may provide an opportunity for the Civic Trust to contribute. A 'fast track for beauty' is proposed to ensure that development that accords with the local design guides and codes has a greater certainty of swift approval.

In Growth Areas this will mean that a master plan and site specific design codes will be required.

In Renewal Areas, the paper proposes widening and changing the nature of permitted development so that it gives approval for 'popular and replicable designs' reviving the tradition of 'pattern books'.

We are concerned that the balancing act of decision making at the heart of the current system should not be replaced by a rules based system or reduced to a set of simple boxes to be ticked. This simplistic approach to design of buildings cannot be easily applied to the rich architectural heritage of Chester or any other town with a long history. The present system of each application being treated on its own merits and context should be maintained as more suitable for the national urban character.

### **National Infrastructure Levy**

A national infrastructure levy will replace existing legal agreements and the current 'community infrastructure levy' between developers and councils which help provide affordable housing and infrastructure. However these existing mechanisms are one of the few ways we get social housing these days so it makes no sense to remove this route to genuinely affordable homes without a guaranteed alternative.

### **Conserving and Enhancing the Historic Environment**

The White Paper acknowledges that the statutory protections of listed building consent and conservation area status have worked well. Despite this, it proposes to review it but the focus appears to be making it quicker and easier to adapt historic buildings for new uses and ensure that they have the right energy efficiency measures to support the government's zero carbon objectives.

### **General Comments**

At first glance it appears that the proposed changes to the current planning system is heavily biased towards developers, increases the role of central government and weakens the power of local authorities particularly in the power and freedom to determine planning applications according to local policies. This is balanced but not outweighed by the strong new role and power of local plans. However as Local Authorities cannot determine their own level of housing development then their overall role to influence the scale of development is severely weakened.

There is a tension at the heart of the proposals for greater community involvement. It is between the desire to open further the preparation of local plans, master plans and design guides more widely to the public and the proposition that once adopted, development management decisions will be left solely in the hands of the planners, mostly under reserved matters, with little or no scope for formal public participation in individual planning applications.

As the number of individual planning applications will be reduced due to automatic outline planning permission and expansion of permitted development rights in line with design codes and pattern books, local communities and planning committees will have a smaller and weaker role in determining planning applications and the nature and design of developments. Local decision making and public consultation on development (including the Chester Civic Trust) will be much reduced.



There is also a danger that the scope for powerful developers and house builders to influence the scale and location of growth areas and the content of design codes and pattern books will also weaken local democratic control of development.

The White Paper may have the effect of tying the hands of Local Planning Authorities particularly in areas of the country where growth pressures are greatest. However it may help to provide more certainty and encouragement for developers to invest in weaker property markets such as poorer areas in need of regeneration.

Local authorities will need more powers and resources to create and deliver the new style local plans for their areas and the master plans and design guides required. If this

results in Cheshire West and Chester planning department getting the resources and power to prepare and implement this much needed design guidance and strengthen development management and enforcement, then perhaps it will be good for the quality of development City of Chester after all.

Chester Civic Trust has contributed to the Civic Voice response to the White Paper and will be making its own formal response to the Government before the end of October.

**Andrew Pannell**

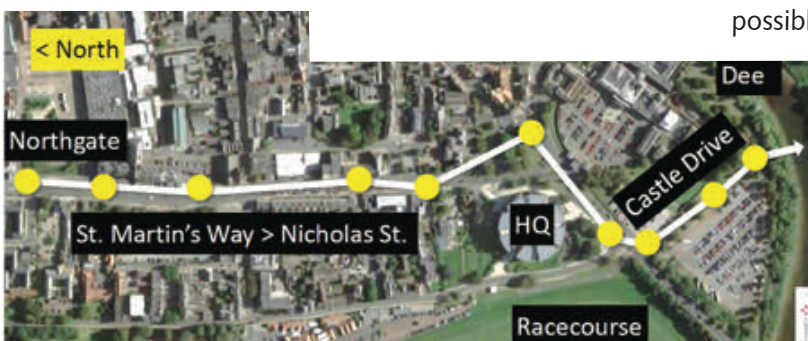
## UPDATE ON THE NORTHGATE

The controversial Northgate scheme continues to progress. Sod-cutting to initiate Phase 1 construction took place on 13 July 2020. The rear of the old Library building has been removed and works to open up the proposed arcade through the central archway are beginning. The scheme to create the Market Square, the Market, the 6-screen cinema and the multi-storey car park is going ahead on the plans previously publicised to Civic Trust members. Construction is expected to take 87 weeks and to be complete by March 2022.

Princess Street will be pedestrianised and Hunter Street will be one-way westwards from Northgate Street to the car park entrance. There will be coach drop-off bays for Storyhouse on Hunter Street and also further up Northgate Street but coaches will be expected to lay-over outside the city centre. The Civic Trust remains sceptical of, and many members oppose, the parking, circulation and public transport aspects of the scheme but they remain largely as first proposed by the Council.

Major construction will begin in November 2020 on the new drainage scheme (see plan). This is designed to future-proof capacity and provide a separate rainwater drainage system that prevents or reduces sewage outflow into the Dee. It will cost £5.6 million. Work will take one year; the 1.2m diameter pipe will be 1km long and run 7m deep. To carry out the works, traffic on this part of the inner ring road will travel clockwise only.

### Drainage Tunnel Route



Civic Trust urges the Council to stress the benefits of this investment for the city centre as a whole. It is not just about the Northgate Scheme. The traffic management scheme will need to be discussed with schools generally, not just with the Queen's School, since there will be widespread consequences for school runs.

Development of Phase 2 of the Northgate Scheme will now take place in a post-Covid world that threatens the viable future of town centres even more than has occurred in recent years. The impact of the likely increase in homeworking will have to be considered and there will potentially be even fewer commercial development opportunities. The Civic Trust believes Phase 2 should include not just more residential property but more family housing to help build a settled community in the city centre.

An historical archives complex and visitor attraction behind the Town Hall is a welcome element in the possible Phase 2 development mix. The Crowne Plaza Hotel passed into Thai hands earlier in 2020 and we gather they are actively involved in scheme planning on the basis that the hotel will remain in its current location. It would seem that the complete revamp of Phase 2 plans is under way, but it remains uncertain when more precise proposals will emerge for public discussion.

**John Herson**

# THE SLUMS OF TOMORROW?

From September 2020 the Government has relaxed planning laws to allow offices and shops to be changed to residential use without the need for any safeguards to ensure the property has sufficient space or natural light. Neighbours will not be consulted, as conversion to residential will not require permission for local councils. The policy has been described by Alan Jones, the President of the Royal Institute of British architects (RIBA) as 'disgraceful'.

We have already seen a proliferation and oversupply of student accommodation in Chester. Cramping tiny beds into empty shops and offices will do little to meet the real housing need in Chester for affordable family homes and accommodation for older people.

There is universal condemnation of the change of policy from a wide range of professional bodies including the Royal Town Planning Institute and the Royal Institution of Chartered Surveyors as well as a raft of local authorities.

Perhaps the best objection to the changes has been stated by the RIBA ....

*'as you begin to rethink our high streets and town centres, rather than making it easier to build the healthy, safe, and sustainable homes we need, the government is actually opening the door to a new generation of slums. This country can, and should, do better'.*

Following the publication of a survey that has revealed that 78% of flats built under permitted development rules do not meet minimum space standards, the Government has announced that it will introduce legislation to ensure that new homes will have to meet space standards. *So far there is no date given for this change.*

**Christine Russell**

## REGENERATING THE ROWS



The Rows are a unique and distinctive feature of Chester's heritage. The Rows have survived and evolved over 600 years and today contain 102 listed buildings including Chester Civic Trust's HQ in Bishop Lloyd's Palace on Watergate Row.

Over the last 50 years, the Rows have suffered a downward spiral of decline due to changes in shopping patterns, increasing numbers of vacant properties, complex ownership and a general lack of funding for external maintenance.

Cheshire West and Chester Council submitted a successful bid for £1.08 million to Historic England for funding from the 'High Streets Heritage Action Zones'

programme that aims to boost economic growth by using the historic environment as a catalyst. The funding will be spent on a number of projects over the next 4 years including the repair and restoration of the historic fabric of the Rows, a grant scheme for improving shopfronts, provision of improved architectural lighting and signage.

A number of private investors are key partners. The Grosvenor Estates plan to develop a boutique hotel at 2-8 Bridge Street that will bring empty units and upper floors back into use. This will be a significant scheme that will breathe life and vibrancy back into Bridge and Watergate Street Rows. Over 50% of the shops on Eastgate Row North are vacant. Aberdeen Standard Investments who own properties

on the Eastgate /Northgate Street corner at the Cross are planning to invest in enhancements to their properties.

Chester Civic Trust is one of the partners in the Chester High Street Heritage Action Zone together with CH1 BID, the University, Grosvenor Estates, Big Heritage and Marketing Cheshire. Cheshire West and Chester Council is the lead partner. When we move into a 'post Covid world' we hope to use Bishop Lloyd's Palace as a focal point for the Heritage Action Zone.

**Christine Russell**





# HERITAGE ON HOLD?

None of us needs reminding of the dreadful impact of the Coronavirus pandemic, but shall we take a moment to reflect on its consequences for the heritage sector.

We know that most members of civic societies are "of a certain age"! Chester Civic Trust has always enjoyed a strong membership but, that said, we have very few members under the age of 60. The consequences of this ageing membership were brought home to me in the early days of 'lockdown' when members of the West Cheshire Heritage Forum were asked to meet on-line. A physical meeting was obviously impossible and, in the end, the meeting was cancelled because too few people were willing or able to try Zoom or Microsoft Teams.

It doesn't end there. My own CCT Heritage Committee hasn't met for six months; the Civic Awards (for design and conservation) are in abeyance as are our plans for next year's Chester Heritage Festival. So, while the world has gone on-line, it feels like heritage has gone "on hold".

On the other hand, there is some positive news. Chester Civic Trust is still functioning and has issued several digital e-bulletins. Civic Voice, our umbrella organisation, has demonstrated very effectively that on-line interviews and 'webinars' can reach a very large audience, far larger than was previously the case in seminars and conferences. Many organisations have adopted Zoom and Microsoft Teams for virtual meetings, and every street, or community, or group of friends seems to be increasingly dependent on Facebook, Twitter and Instagram. Like many of you I suspect, I don't use social media and I don't particularly want to, but if organisations like the Civic Trust are going to survive we really must engage with a younger section of society.

COVID-19 has shown how vulnerable the voluntary/heritage sector can be if we depend on traditional ways of working. It might not be an attractive prospect, but if we want to remain relevant and influential we will have to change eventually. Quite suddenly and unexpectedly this has become more of an imperative.

**Stephen Langtree**



# CHESTER TO BE DESIGNATED A 'HERITAGE PORT'?

Chester Civic Trust has agreed to be a partner in an initiative to recognise Chester as a 'Heritage Port'. The Chester and Merseyside Branch of the Inland Waterways Association (IWA) is leading locally on the project through Civic Trust members Ann Farrell and John Herson. They have been responsible for preparing the initial documentation.

The concept of Heritage Harbours or Ports is a joint initiative by the Maritime Heritage Trust (MHT) and National Historic Ships (NHS) and has strong support from European Maritime Heritage (EMH). It proposes that historic ports and harbours in the UK be invited to apply for recognition as 'Heritage Harbours'. This is designed to raise the profile of ageing ports and harbours that now lack a base in commercial shipping so that their value is recognised and their historic buildings, waste land, moorings and maintenance facilities can be sensitively conserved and developed. It follows previous initiatives in the Netherlands, Belgium, France and Germany.

Although several coastal towns have started the process of designation, the Maritime Heritage Trust has seen the need to recognise inland waterway ports. Chester's

heritage includes both the old maritime port of Chester based on the Dee and the linked inland waterway system focused on Tower Wharf. It has a unique and fascinating combination of historic water transport facilities and it is therefore a good candidate for designation. It remains the case, however, that the potential of its valuable but endangered heritage has only been grasped to a limited extent.

Designation of Chester as a Heritage Port would have significant potential benefits:

- The port network and environment could be promoted as a joined-up historic unity rather than a range of disparate and often neglected assets.
- The city's profile would be raised; it would be a new element in its marketing offer.
- More boats and visitors would be attracted to the waterside environment, thus promoting extra activity, diversification of city businesses, new jobs and raised waterside property values.
- New activities would in turn support more effective conservation policies and further development of the Port's heritage potential.

Chester Civic Trust undoubtedly has members with good knowledge and expertise in issues connected with Chester's waterways and port and we hope such members might be involved as and when the initiative progresses. Copies of the initial appraisal document can be obtained from John Herson at [hersonjohn@gmail.com](mailto:hersonjohn@gmail.com)

**John Herson**



# PLANNING APPLICATIONS IN CHESTER

## Report of the New Works Committee

The last 'normal' New Works Committee meeting was at Bishop Lloyd's palace on 5th March and I remember joking about whether, before starting the meeting, we had all washed our hands whilst singing 'happy birthday' twice, to prevent the spread of coronavirus. Only three weeks later the country was in lockdown, the world has changed, and we haven't been able to meet together since.

However planning applications have continued and we have been corresponding together via email and even had a 'Zoom' meeting with a prospective developer of an extra care retirement development at the site of Beechmoor nurseries at Whitchurch Road. We were able to give some well argued comments based on a view that too many apartments were being squeezed onto the site resulting in problems with car parking and open space. This development has only recently been lodged formally as a planning application (20/03306/FUL), and we are considering our response.

We had some success in objecting to the erection of a new detached dwelling at Redcliffe, 9 Lower Park Road, Chester (20/000771/FUL). This proposal was for an infill house of contemporary design sited in an historic garden between two houses that are a key part of the Queens Park Conservation Area on a site that is an important contribution to the historic river view of Chester. The Council refused to grant planning permission for the following reasons: 'The proposed development, by virtue of its location, layout, scale and appearance, would fail to preserve the significance of designated heritage assets. Specifically, it would fail to preserve the character and appearance of the Queens Park Conservation Area and the setting of the City Conservation Area; would fail to preserve the setting of the adjacent grade II listed buildings known as Redcliffe and Tavernor Tower and; would be harmful to the setting of and key views from grade II\* registered Grosvenor Park.'

There is a continuous trickle of applications to convert office and other commercial buildings to apartments. Some of these are done under permitted development rights introduced by the Government to increase the supply of homes. We have objected to the cramped space and poor daylight of these apartments where planning permission is still required and voiced our frustration at not being able to object on the same grounds for those allowed under permitted development rights.

There have been no more applications for new student accommodation for some time and the difficulty

in filling newly built accommodation with students has resulted in applications to relax the conditions designed to ensure that only students are allowed. We consider that any proposal to allow the unrestricted residential use of a building designed for the special circumstances of student accommodation should be refused. We have recently objected to such an application at the recently constructed Northgate Studios on Trafford Street (20/02110/S73), due to lack of on-site parking and private open space, but the application has yet to be determined.



*Northgate Studios*

There are significant new applications that we are currently considering. One is to create an 'aparthotel' of 53 units with pool and restaurant by converting and extending former office buildings at Nicholas Street.

Another is the erection of up to 150 dwellings on land bordering Clifton Drive and Sealand Road Chester Cheshire (20/02712/OUT). We have objected to development of this land in the past and the land is liable to flooding.

Other proposals expected include a hotel at the Lloyd's building on Foregate Street; and housing on part of Mollington Golf Course. We hope to continue to function effectively as the New Works committee carrying out the important function of the Civic Trust in monitoring and commenting on planning relevant planning objections and remembering to wash our hands!

**Andrew Pannell**





Photo by Ian Lawrence

## CONGRATULATIONS!

Chester Civic Trust is delighted to congratulate two of its stalwarts, Patricia Green and Philip Harrison on their wedding at St Edith's Church, Shocklach on September 20th.

We wish them every happiness together.



*St Edith's Church is one of the oldest in Cheshire and a Grade I listed building*



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The Trust is sorry that, for obvious reasons, that this is the first newsletter since March. There are no 'Dates for your diary' as explained in the Chair's Annual Report. The next issue is intended to be at the end of January 2021.

## CORPORATE MEMBERS

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**The Civic Trust is grateful for the support of its Corporate Members.**

Corporate Membership is available to professional practices, institutions, colleges, schools and businesses of all types in the Chester area.

**Visit our website or contact Nick Clarke, [nickclarke77@btinternet.com](mailto:nickclarke77@btinternet.com)**

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