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# Westminster Hall

*Thursday 24 October 2013*

[Mr Dai Havard *in the Chair*]

## BACKBENCH BUSINESS

### Planning and Housing Supply

*Motion made, and Question proposed, That the sitting be now adjourned.—(John Penrose.)*

1.30 pm

**Mr Laurence Robertson (Tewkesbury) (Con):** I thank the Backbench Business Committee for granting this debate, which has been supported by a large number of concerned Members. In particular, I thank my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) and the hon. Member for St Albans (Mrs Main) for sponsoring it along with me. There is concern among hon. Members and local planning authorities about apparent confusion in the Government's planning policies. I requested this debate because I want to consider planning, the countryside and housing projections, as well as related issues, such as the Government's professed preference for localism, as these matters are all interconnected.

Protecting the countryside was one of my main motivations for entering Parliament in the first place. As I represent the constituency of Tewkesbury, I am more sensitive than most to the need to avoid developing on or near flood risk areas. The terrible 2007 floods in Tewkesbury will never be forgotten by anyone who lived through them. I spend a lot of time trying to attract businesses, visitors and people in general to Tewkesbury, so I believe that a balance can be struck between allowing appropriate development and protecting our green belt, green fields and important open spaces, but I am not sure that we are striking that balance at the moment.

What do I mean by confusion in policy? The Government have said frequently, for example, that their policy is to preserve green-belt land, yet my local planning authorities—my constituency covers three—are telling me that the Government are pressuring them to provide for so many houses in their local plans or joint core strategies that it will inevitably compromise the green belt, green fields and flood risk areas.

In a ministerial statement dated 6 September 2012, the Government said:

“The green belt is an important protection against urban sprawl, providing a ‘green lung’ around towns and cities. The coalition agreement commits the Government to safeguarding green belt and other environmental designations”.

That seems clear enough. However, the same statement goes on to say:

“As has always been the case, councils can review local designations to promote growth. We encourage councils to use the flexibilities set out in the national planning policy framework to tailor the extent of green belt land in their areas to reflect local circumstances.”—[*Official Report*, 6 September 2012; Vol. 549, c. 33-34WS.]

That is less clear. Indeed, it is confusing, perhaps even contradictory.

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On the face of it, reaffirming councils' right to re-designate the status of their land could be seen as promoting localism. However, the fact is that Government pressure to create high housing numbers is forcing such re-designations, which flies in the face of localism and contradicts the localism policy. The Government's policies on the green belt and the wider countryside are confusing and contradictory; clearing up that confusion is one of the purposes of this debate. The Government's insistence on high housing numbers is threatening the green belt, which leads me to question why the Government believe that we need so many houses in the first place. I wish to consider the question of housing projections.

I recognise and claim everyone's right to a decent place to live. My job immediately before I was elected to Parliament involved working with homeless women in London. My responsibility was to raise money to build a hostel and day centre for them, to enable them to take the first steps back to normality. I learned that in almost all cases, homelessness is caused not by a property shortage but by other factors such as finances,

family breakdown, drug or alcohol abuse, unemployment, refugee status or other social factors. It is not that there are not enough houses.

The Government's own figures seem to confirm that there is no shortage of houses. In an answer to a recent parliamentary question that I tabled, the Government informed me that at the last count, there were 709,426 empty properties in England. Add to that the number of houses with planning permission that are not yet built and the figure for available properties in England comes close to 1 million.

Of course, there are in fact shortages of two kinds of housing: affordable homes, which are scarce in the village where I live, and privately rented properties, partly because it is hard and often undesirable to be a landlord. There are shortages in those two sectors for reasons other than a shortage of houses as such. For example, it is getting on for 2 o'clock, yet any one of us could go out into London or anywhere else and find houses to buy this afternoon. I question the Government's assertion that so many houses need to be built that local authorities must re-designate green-belt land in order to meet the Government's arbitrary and undefined housing targets.

Tewkesbury is an example of what I mean. There is no housing shortage in my area. In fact, there is planning permission for houses that have not yet been built, as well as empty properties. In the past 20 years, 7,536 houses have been completed in the borough of Tewkesbury, yet the Cambridge university econometric assessment, which is used by local councils and presumably approved of by the Government, suggests that 10,900 houses will be needed in the borough over the next 20 years—or, to be strictly accurate, over the next 18 years, as two years of the plan period have already passed. Why has Tewkesbury's housing need for the next 20 years been assessed as 45% higher than for the last 20 years? It needs explaining.

It gets worse. Tewkesbury borough is involved in drawing up a joint core strategy with Cheltenham and Gloucester. The JCS allocation for Tewkesbury borough for the next 20 years is not the 10,900 I refer to, high though that is, but 18,800, which is 150% higher than for the last 20 years. Why? Partly because it is deemed that Cheltenham and Gloucester cannot find land for

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their housing growth needs, so the houses will be dumped in Tewkesbury borough, potentially causing housing stock in Tewkesbury to increase by 54% over the next 20 years and causing the councils to build on green-belt land and in other undesirable areas.

That raises the question of the duty to co-operate. Gloucestershire has six council areas, not just three, and the duty to co-operate goes beyond county boundaries. Why, then, will the houses that Cheltenham and Gloucester are deemed to need but cannot accommodate end up being built on green-belt land in Tewkesbury? That cannot be fair, and it demonstrates the paucity of the current planning guidance, which says that plans will be considered unsound if the councils concerned have not co-operated. However, it is the councils that are not involved in the plan, as well as those that are, that need to co-operate. How does that work?

I reiterate that if it were not for the Government's apparent pressure on local authorities to plan for a greater number of houses, the problem would not arise. Such a top-down approach is arbitrary and undefined. I say so because that is basically what the Government indicated to me in reply to a parliamentary question. In a written answer dated 9 July, the Minister told me:

“While there is no standard methodology, councils' assessments should be demonstrably objective.”—  
[*Official Report*, 9 July 2013; Vol. 568, c. 191W.]

What exactly does that mean? If there is no standard methodology for assessing future housing needs, how can Government assessments be right and the local authority's previous housing figures wrong? That is another question that I want answered today.

That brings us to the issue of localism. In my view, the Government were right to scrap the regional spatial strategies. It was surely wrong for unelected, anonymous people to determine how many houses an area should build and where they should build them. It was therefore with great anticipation that I and many others looked forward to the new housing and planning strategy—only, so far, to be disappointed.

Local plans have always had to be sound, and developers have always had the right to appeal against decisions against them locally; there has also always been a presumption in favour of sustainable development. However, we now seem to have gone beyond that, and to be setting the bar far too high for local planning authorities, and that causes them to contradict another area of Government policy, which is the need to protect the green belt.

As I have said, in my area, Tewkesbury borough will, if the JCS is adopted, have to increase its housing stock by about 54% over the next 20 years. That massive increase will mean that the council has to grant permission for developers to build thousands of houses on land that is currently designated green belt. Such sites have already been identified.

**Sir Bob Russell (Colchester) (LD):** I understand the point that the hon. Gentleman is making, but is it that Tewkesbury borough council is not engaging in a conversation with neighbouring authorities, or do those authorities want to foist some of their development on Tewkesbury, or on its borders?

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**Mr Robertson:** The authorities are involved in the joint core strategy, which covers three councils, but there are six councils in the county, and others outside the county overlap with them, or are contiguous. Perhaps there has not been enough of an attempt to ensure that all councils join in, and there has been obstinacy on the part of some of those involved in the joint core strategy, but whatever the case, it is a really strange situation to have three councils getting together while others each have their own plans. The whole system is very confusing and difficult. As for Tewkesbury's allocation, even if we accept the Cambridge assessment of 10,900 homes, we will not have that figure; we propose to have 18,800, even though we built only 7,500 in the previous 20 years. The situation is very confused.

I have mentioned that there are proposals to build on designated green-belt sites. If they are built on, it will bring the coalescence of Cheltenham and Gloucester nearer, but it was precisely to avoid that that the land in question was designated green belt in the first place, in line with the policy stated in the written ministerial statement that I read out. Surely that is not what this Conservative-led Government intend to happen?

As I have mentioned the Conservative party, may I say in the privacy of this room that our policies on planning are losing us many votes in many areas? I am sure that the leaders of my party do not intend that to happen. In some ways, I feel that the Government believe that recovery and growth in the economy can be kick-started by encouraging more house building. Perhaps that is why the Government are requiring such high numbers, rather than following assessments based on experience and fact.

**Mrs Anne Main (St Albans) (Con):** I will be brief, because so many hon. Members want to speak. There are huge numbers of readily accessible plans in the system that no one is building for, so just granting more plans will not kick-start the economy; it will just provide more land-banking for developers.

**Mr Robertson:** I entirely agree. I do not believe that it is for the Government to engineer a recovery in such a way. Surely the market will determine in which areas there will or will not be growth, so why not leave local councils to determine how many houses they need over any given period and to make their plans accordingly? The Minister may reply that that is indeed happening, but it is not. The three council areas I cover have all told me that they have to make plans for a high number of houses, because the Government will reject plans as unsound if they do not plan for such large numbers. If that is wrong, I want the Minister to say so. I will then go back to those councils and tell them that their view is wrong. I do not, however, believe that that is the case.

There is certainly a feeling that developers' ad hoc applications are granted too freely on appeal by the Secretary of State. I have examples of that in my area. Appeals have been granted that will allow the building of many houses at Bishop's Cleeve and Winchcombe, against the wishes of local people. On the face of it, those appeals were allowed because the council has been deemed to have an insufficient five-year land supply. What is that assessment based on? Is it based on the number of houses built in the past, on some arbitrary and undefined calculation, or on figures in the regional

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spatial strategy? The strategy for the south-west was never signed off, and that whole policy has been scrapped in any case. Once again, this practice flies in the face of the localism concept that the Government are promoting.

Many hon. Members wish to speak, so I will summarise my main concerns. The Government's policy on the green belt is confused and contradictory, and we need clarification today. Exactly how do the Government assess how many houses will be needed in the future? Why are they following the predict-provide approach? Why are estimates for future housing need so high, and why are they so much higher than what was needed for the last 20 years? As a slight aside, much of the population growth in the past 20 years has been caused by immigration. Given that the Government are intent on reducing net immigration and claim to have done so already, how can housing need be predicted to increase? Why is the localism agenda being ignored? Why is pressure being put on local councils, causing them to build on green-belt land? All those questions are being asked in the council areas that I represent and, most importantly, by the constituents I represent, and they would all like answers.

**Several hon. Members** *rose*—

**Mr Dai Havard (in the Chair):** Order. I thank hon. Members who have indicated that they wish to speak. I have a long list of 15 Members. Given the time constraints, I appeal to you to plan on having seven minutes each. That will give everyone a fair chance to speak, and allow for a proper response from the Minister, as Members will want him to give a comprehensive reply.

1.48 pm

**Valerie Vaz (Walsall South) (Lab):** It is a pleasure to serve under your chairmanship, Mr Havard. I thank the hon. Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main), and the right hon. Member for Arundel and South Downs (Nick Herbert) for calling the debate, which is very timely.

I declare an interest as a member of the National Trust—I am concerned about its announcement that the National Trust will allow fracking on its land, but perhaps it will consult its members—and in my previous life, I used to litigate on behalf of the Government on planning matters.

I want to focus on three main areas that have affected my constituency of Walsall South, which is an area of mixed housing, with 11 farms—planning and the green belt, land banking and permitted development.

The green belt was first proposed by Ebenezer Howard in 1898, in his book “Garden Cities of Tomorrow”. Hon. Members may not know that as well as writing that book, his day job was as a transcriber for *Hansard* in Parliament, so who knows what the transcribers get up to in their spare time? In 1935, the metropolitan green belt was proposed by the Greater London regional planning committee, under the leadership of Herbert Morrison, one of whose relatives is in the other place. In 1947, under the main Town and Country Planning Act, councils outside London became able to control the use of, and to develop, undeveloped land. In 1955, the green-belt policy was established, requiring local authorities to set out the green belt in their area.

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Like the hon. Member for Tewkesbury, I still find that there is a misconception about the nature of the green belt, what planning in the green belt is and what “very special circumstances” means. We have a national planning policy framework in place. In old money, which is what I am used to, it was called planning policy guidance. There were lists of criteria of what could and could not be built on the green belt. Either way, whether we use the old money or the new framework, the green belt should be protected, and it is not.

In Walsall South, we fought against development on the site of the Three Crowns pub. Against the planning officer's advice, permission was granted for 14 flats with three detached houses on the green belt. The development was clearly out of character for the area. Since then, nothing has happened, except for the development of a car wash. No building work has taken place. The only sign of creativity is graffiti on the building. Land and building have lain empty and unused for three years.

As we are debating this matter today, a decision will be made about the disused site of the Three Crowns school. It is green-belt land that was given to the community, so it is council land. Permission will be given—or perhaps not—for eight detached houses. Such development is not required in the area. Not only was the consultation carried out in the summer holidays when people were away, but the plans go beyond the footprint of the building.

There is need for housing in Darlaston, in another part of the constituency, and there is permission for 224 houses to be built on a former factory site. Permission was granted in 2007 and still the site remains derelict, without the sound of people coming in and out of their houses. The owners are a subsidiary of the Royal Bank of Scotland. The residents in the area say that they want housing, a community space and a place for young people. The owners, however, want a retail development on a site that is near the largest retail parks in the region; that is land banking at its worst.

My third area of contention is permitted development and its extension. We have the extraordinary situation in my constituency where a phone mast has been placed in a high street. The council rightly refused permission, but because it sent the rejection by second class post, the company was deemed not to have been given reliable and verifiable notice of the refusal. There was notice: Vodafone were informed of the result by phone and the refusal was on the council website. Residents will have to put up with this phone mast, as there has been no compromise from Vodafone. Indeed, Vodafone is planning to extend the height of the mast. There were many sites for the mast—I have been in discussions with Vodafone—but the company insists that it wants to keep it on the high street. It is an eyesore, and because of a simple mistake, my constituents are affected. Furthermore, with the new permitted development rights these phone masts can be extended up to 20 metres and widened by up to a third. The Phesay phone mast is on a pavement on the high street. Once again, other interests carry more weight than those of the people who have to live with the consequences of such decisions.

In conclusion, with cuts to local authority budgets, those with the skills to make coherent planning decisions are in short supply. Such people should be valued, as should the views of residents, with a tribunal attaching the appropriate weight to the views that are based on

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planning grounds, and not just on commercial interests. In that way, we will maintain the spirit of Octavia Hill and Beatrix Potter and balance the need for housing with a protection of the countryside preserved for future generations.

**Mr Dai Havard (in the Chair):** I thank you for your time consideration. I now call the co-sponsor of the debate, Mrs Anne Main.

1.54 pm

**Mrs Anne Main (St Albans) (Con):** St Albans is ringed by green-belt land and green fields. We have good schools, very low unemployment, good links to London and a beautiful historic city. We are an aspirational living destination as well as an area in which people have firm roots. Once they are there, they do not usually wish to move; they want to bring up their families there, and their families want to stay.

It is no wonder that developers have us in their sights. We are in the proximity of London and house prices are high. I hope that local need and modest growth are not being confused with the ramped-up desire to market our area, as I regularly see local developments being actively marketed in London in terms of relocating for quality of life. For local councils, therefore, the “predict and provide” is hard, as we are trying to satisfy the appetite of developers. We want to ensure that we support the local economy, businesses and the need for the sort of development that our area can handle. I want to focus on the economic balance of an area.

Locally, it is hard to find a significant number of large brownfield sites, so any development tends to be a sensitive issue. We must make hard choices and my authority is up for that. We are actively undertaking a green-belt review, but we wish to have minimal impact on our green belt and coalescence. The need for local decision making in the planning system will be a strong theme in the debate, and Members from different

areas will have their own issues and views in that regard. I trust local elected representatives to act like grown-ups, to listen to residents, to recognise the need to build and develop, and to plan and provide for their local area. No one wants a no-build or silo mentality, and in St Albans we are certainly not averse to having cross-border authority co-operation.

I welcomed the fact that in June my right hon. Friend the Minister urged local councils to encourage co-operation. I urge him now to listen to neighbouring authorities, which are being frustrated by the current developer-led system. They may wish for something in their area, but it will not happen because something is being imposed in a neighbouring area.

A case in my area proves that point. Hertfordshire is furiously resisting a rail freight interchange on 300 acres of green belt, slap bang in the middle of villages, accessed off village roads and with no direct motorway access. It is at a commuter pinch point on the line—commuters are very important to the economy of St Albans, and we do not have blue collar workers—and all in all, the villagers are up in arms about the interchange, which certainly was not included in the local emerging development plan. We believe that it is the wrong site in

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the wrong area and that it will have an injurious effect on our part of the countryside. Even the inspector in his first and second reports rejected the site, observing that

“there is not a large, available work force local to the Radlett site... The net result would inevitably be mass in-commuting, mostly by car, all of which is directly contrary to the Government’s policy. The irony of this is almost painful. The Government promotes SRFIs in order to advance the cause of sustainability—“

and the developer is promoting the proposed site—

“in a wholly unsustainable location.”

If we are to take seriously the protection of the green belt, surely we should be looking at relinquishing parts of it only when we absolutely have to and we should relinquish only those bits that would be least injurious to us. The inspector also said that there is no dispute that we enjoy very low levels of unemployment

“and several of those who spoke at the inquiry advised me that employers in the area were already experiencing difficulties in recruiting workers.”

He said that there would be no reason for that to change should we have this large commercial development on our green belt.

Members might be amazed to hear that only 15 miles north in a neighbouring authority—I know that we are supposed to co-operate with our neighbours—on exactly the same train line, well away from residential homes, unlike in my constituency where residents are directly backing on to this site, development is starting on a newly constructed motorway spur off the M1 costing £134 million. Also under development is a £2.5 million slow passing link, which would allow freight lorries to wait and heavy trains to let through the passenger services that are all part of the new £6 billion Thameslink commuter services. Moreover, there is a willing local work force who need the jobs.

I cannot say this strongly enough: the public will find that scenario completely puzzling. We are supposed to have a commitment to the green belt and to the policy of letting localism decide. We talk about having economic regeneration in areas that need it and about not over-heating the areas that do not need it. Here we have an area that waited to get the infrastructure in place. It now has it in place and the funding to facilitate it. The scheme is included in the local plan. The reason it wants it is to improve the economic regeneration of the whole area. In January, the site assessment was made in which the council said:

“Overall, it is considered that this site will be suitable for the development of a RFI and employment land and will make a significant contribution to the economic growth of the area.”

In its own assessment, it said:

“It will contribute to the economic delivery of the area by providing much needed employment opportunity to complement the growth of north Luton and Houghton Regis.”

This is where the public are puzzled; my hon. Friend the Member for Tewkesbury (Mr Robertson), who opened this debate, said exactly that. We must have a degree of sympathy and co-operation with areas that are near to us, and I really want that to happen, as people can imagine. However, I am puzzled why the Minister did not give this mutual gain and benefit to both areas. At the time of his minded-to decision—that is somewhat in the past, so I hope today he has a chance to reflect on it—he said that there was

“little substantive evidence...to indicate that...site”

was “preferable”.

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Perhaps today the Minister will reflect on those recent developments, which I believe are material planning considerations. First, Mid Bedfordshire has a firm commitment to this project; it has expressed the need for development. There is a massive motorway funding agreement now in place and going ahead. The rail infrastructure work has started; he can visit it and see it. It is in an area of green belt that is certainly not as sensitive as mine. What is more, I am not fighting an authority that is resisting it; we are looking at an authority that will welcome it with open arms.

My site will have 25 mph trains crossing a fast line. There will be an interruption to my commuter services, and those commuters are a part of the London economy. The St Albans economy is very much knowledge-based, and those workers support a lot of businesses in London. To have their fast Thameslink train commuter services interrupted by 25 mph freight trains will be a nightmare. I have written to the Secretary of State for Transport because we still do not have the pathings, and we still have not received the assurances we want.

I find it amazing that the planning process is still developer led. Developers pick the sites they want to build on and it seems they are delivering some Government aims, whether on housing totals or strategic rail freight. Surely we can start looking at this process in a more local fashion.

The latest jobs figures in St Albans, which are all part of the mix, confirm almost zero unemployment. Nothing alters; we are fortunate in St Albans. We have a blue collar worker deficit, and yet there are nearly 5,000 unemployed people in the Luton area, which is where the proposals show we would draw our work force from. Why are we still bussing—well, we are not using buses, but why are we allowing cars to circulate around our countryside to access inaccessible sites, when just up the road from us we have an area crying out for economic regeneration? The second inspector’s report said:

“Employment has never been a major problem in this part of Hertfordshire. A project such as this ought to be directed towards a regeneration zone.”

I agree with that.

Of course, a developer will always push his own site, whether it is for housing or—as in my case—for a major infrastructure project. Ironically, on a large infrastructure project such as this one, the developer is allowed to conduct his own alternative sites assessment and choose his own selective criteria by which to judge a site. So it is not surprising that—hey presto—you can demonstrate after all, Mr Havard, that after due consideration of everywhere else, your site is the best—not yours, Mr Havard, but the developer’s.

Is there any consideration within the Minister’s current thought processes about whether we can alter that situation? Why should the developer pick the criteria by which we will judge a site and then say, “Well, mine’s the best”? If we listen to local decision makers, the answer is different, as I have just demonstrated, but not surprisingly in my case I have two different developers, so each one wants to say that their site is the best; the difference is that one local economy believes theirs is the best.

**Mr Dai Havard (in the Chair):** Can I ask you to—?

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**Mrs Main:** I certainly can.

If we are to stand for anything, it is as a Government of empowerment and choice over planning and local decision making. That is what the residents expected when this Government came as a coalition. I cheered the abandonment of the regional planning targets. I sincerely hope that this Government will review its planning processes.

**Mr Dai Havard (in the Chair):** Thank you very much. Well, Ms Vaz gave us a little bit of extra time and as you, Mrs Main, are a co-sponsor of the motion, it was probably helpful that you had a little extra time. May I remind everyone please to give others the opportunity to speak?

2.3 pm

**Sir Bob Russell (Colchester) (LD):** Thank you, Mr Havard, for calling me to speak. I thank you, the Minister, and the shadow Minister—the hon. Member for City of Durham (Roberta Blackman-Woods)—for understanding that I am not able to be here for the wind-ups.

The Minister will have noticed that there are 23 Government Back-Bench MPs here today, and it may well be that, at the end of three hours of debate, he will not have too many supporters. That is because the reality and the rhetoric of the Localism Act 2011 sadly are not the same, and while the intentions were clearly there, the reality is not.

I will be very parochial and talk about my constituency, which is supposed to be the fastest-growing town in the east of England. The Minister will know from questions that I have put to him and to his predecessors that I will be site-specific. I ask him and his officials whether it is appropriate that they will shortly make a determination on a development of 1,600 homes, even though the section 106 agreement fails to deliver the funds for the two schools that are required. It is not me saying that but Essex education authority. It says that there is no money to build the schools. How on earth can approval be given, particularly as the development is contrary to Government policy, which is that brownfield land, where available, should go ahead of greenfield land?

This particular site, which I have dubbed the fields of west Mile End, is adjacent to a former psychiatric hospital site that is on the market and zoned for housing; it has been for several years. The sale could be scuppered at the 11th hour if the development on the farm land goes ahead, because even though Colchester is the fastest-growing town in the east of England, there must come a point when there are too many houses and there is a glut. We already have a glut of flats—the “Prescott” flats. The last Labour Government insisted that the future was flats. We have a glut of empty flats in my town. What we want is family housing.

Do hon. Members remember an advert from a few years ago about a beer that reached the parts that other beers did not reach? Well, we have a local developer called Mersea Homes that is able to reach land that has never been lined up for development before. For example, the fields of west Mile End have always been land without notation—white land. It was never going to be built on, and no developer had a chance there. All of a sudden, under the radar, the land was lined up for

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development. The ward council did not know about it, or if it did—I am not sure what happened. It is the only part of my constituency with a community council—Myland community council—and it was late in the day when it found out what was going on.

This is a bad development, a bad plan, with 1,600 houses to be served by the longest cul-de-sac in Britain. All the cars will pour on to the already congested highway network around Colchester mainline station. Everybody knows it is wrong, and in a question that I put to the Department for Communities and Local Government, I said that developers and planners should be

“forced to live there for a minimum of five years”.—[*Official Report*, 4 February 2013; Vol. 558, c. 13W.]

They are creating problems for others to suffer that they will not suffer themselves, because they tend to live in big houses miles away; they do not have to put up with the consequences.

To the east of Colchester—this is why the hon. Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) are absolutely right—the next-door council, Tendring district council, wants to plonk houses on farm land that, astonishingly, nobody has ever thought should be built on, and on which, in 2010, Mersea Homes secured the best part of 800 acres. Having been lucky twice with farm land that had never been zoned for housing, Mersea Homes must know how to go about securing it. I will leave that hanging there.

Tendring district council has the North sea on one side. Clacton is 15 miles from Colchester, and the council is talking about a development of 3,000 houses adjacent to the borough boundary of Colchester. It will double the urban estates of Greenstead and Longridge Park. It will just be an urban sprawl going eastwards. The local authority—Tendring—should build its houses where its people want them. As for the idea that people living on this huge estate right up on the border of Colchester will look to Clacton—16 miles away, where they pay their council tax—rather than to Colchester, when many of the houses will be in sight of the town hall, that is not what the Localism Act 2011 was about.

What is worrying—I will end on this, Mr Havard—is that it is quite clear that this has all come in under the radar. Elected councillors in Colchester—virtually all of them—have not been engaged in the debate. Secrecy, or at least lack of involvement, is a serious issue here. There should be an inquiry into what the hell is going on.

**Mr Dai Havard (in the Chair):** Thank you. I have had a missive from Mr Turner. Although special pleading is not allowed, it is his birthday today. I cannot accede to the request that we all sing him “Happy Birthday”, but he indicated to me that he has a pressing engagement, so I call Mr Turner.

2.10 pm

**Mr Andrew Turner (Isle of Wight) (Con):** Thank you, Mr Havard. It is a pleasure to serve under your chairmanship. I congratulate my hon. Friends the Members for Tewkesbury (Mr Robertson), and for St Albans (Mrs Main), and my right hon. Friend the Member for

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Arundel and South Downs (Nick Herbert), on securing this important debate on a issue that affects everybody in every constituency.

I have long been interested in planning and there are many points that I could raise, but I want to keep my remarks brief and will restrict them to an aberration in the planning rules. I shall also make an observation about local development plans.

The problem is that planning authorities can give themselves planning permission to develop sites that they own. I was a city councillor in Oxford for 17 years, until 1997, and during that time, on many occasions, the council gave itself planning permission, sometimes in preference to other applicants. I am certainly not suggesting that my colleagues at the time did anything wrong or even anything questionable. However, if people own a site and are responsible for giving themselves permission to develop it, it is hard to ensure that there is no appearance of impropriety. We all know that appearances are important. We need to make sure that people have faith in the planning system. I know that this issue troubles people across the country; indeed, a number of people have raised it with me on the Isle of Wight.

I am not sure what alternative procedure we could or should follow. Perhaps it would be appropriate for neighbouring authorities—if there are neighbouring authorities—or a totally separate body to take decisions about council-owned land, or in cases where the local authority would benefit in some way. I should be grateful if the Minister shared his thoughts on this issue and said whether he believes it to be a problem that the Government should address that a council may give planning permission for land that it owns, where it would benefit from doing so.

Local development plans were introduced in 2004, so they postdate my experience as a councillor. I do not claim to have any particular knowledge of or expertise about them. However, I know that writing them and getting them approved can be a long-drawn-out process. Although they replaced a system that was seen to be inflexible, the intention being that they could more easily be amended, having spoken to Bill Murphy, head of planning services at Isle of Wight council, I am not convinced that changes to the core strategy document can be made as quickly and easily as was envisaged when the plans were brought in. It seems to me that a Minister can change the rules much quicker than a local authority.

To provide an example of certain problems, on the Isle of Wight the core strategy document sets out that we should have 520 new dwellings every year. It is not a secret that I think that is far too many, but it was not a decision for me to make; it was made, quite properly, by an elected council. However, it is now clear that the existence of that target may make it more difficult for the Isle of Wight council effectively to oppose inappropriate developments, such as Pennyfeathers, a proposal to develop a 55-hectare greenfield site just outside Ryde. There are many problems with that proposal. Not least of them is that Monktonmead brook already floods. Also, there are a number of brownfield sites available in and around Ryde that should be developed before greenfield farm land. Putting between 800 and 1,400 additional houses on Pennyfeathers farm land is quite wrong. I sincerely hope that the council will find the grounds to reject this development; if it does, I will be pleased.

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It should be much easier to amend the core strategy document to take account of changes, particularly political change. A Conservative council may be replaced by a Liberal council the following day.

*[Interruption.]* Well, not a Liberal, but an independent one, perhaps. The council should be able to change the rules, because the people have voted. That also applies to changes in economic circumstances, changes in local authority control, changes in demographic trends, or even changes in response to proposals that are clearly against the wishes of local people, because if localism means anything, it must take account of what local people want. I shall not detain the Chamber any longer. I should like the Minister to make his views clear.

**Mr Dai Havard (in the Chair):** Happy birthday, Mr Turner!

2.15 pm

**Nick Herbert (Arundel and South Downs) (Con):** I congratulate my hon. Friend the Member for Tewkesbury (Mr Robertson) on securing this debate, which I am delighted to co-sponsor.

Two years ago, we passed the Localism Act 2011 and promised local people that they would be given a greater say over matters that they care about, including development. It was part of a deliberate programme of devolution of power to people and communities. Ministers promised, and continue to promise, that power will transfer to local people in accordance with our manifesto and the coalition agreement. I fear that, two years on, people's faith in that promise will be considerably undermined if we allow, by the back door, the re-entry of top-down decision making that effectively denies the localism that was promised.

Let us consider the first problem. Central to the Government's new planning policy was the principle of sustainable development. Paragraph 14 of the national policy framework states that this is the

“golden thread”

that should run through

“both plan-making and decision-taking.”

There are two words in the phrase “sustainable development”; it is imperative that proper weight be attached to the first of them.

Many in communities in my constituency are concerned that inadequate consideration is given to the availability of infrastructure to support development proposals. We have congested roads, over-subscribed

schools, serious flooding issues and countryside that is valued and in short supply. Half my constituency is protected landscape, forcing all development proposals into the other half that is not.

Under the new system, local authorities are required to make an assessment of housing need, but surely that cannot be the last word. If sustainable development means anything, local authorities must be free to decide how many houses can be built—not just how many are necessary—to match that need, otherwise we might as well return to the top-down targets. The Campaign to Protect Rural England’s Sussex Countryside Trust, in my constituency, makes the point well:

“The figures generated by the Strategic Market Housing Assessment are an assessment of need without constraints. These figures cannot simply be passported into an emerging local plan without

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an effective analysis of the limitation imposed by the supply of land for new development, historic underperformance of infrastructure or environmental constraints.”

Are local authorities free to make such an assessment and, regardless of the housing need that they assess, then decide how many houses can be delivered sustainably in their area? Or is an assessment of need the last word? The Government are driving hard at the demand to provide more housing. The “sustainable” part of sustainable development, promised in the Localism Act, is being put in the second rank.

A second issue is whether there is proper assessment of the available infrastructure. That issue was raised by me and many of my hon. Friends during consideration of the Growth and Infrastructure Act 2013 in December 2012. I moved an amendment stating that infrastructure needs should be taken into account when drawing up local plans. I was grateful to the Minister for what he said in response:

“I will look at making sure that the guidance that is provided in a much reduced set of planning guidance is very clear about the need to plan positively and specifically for infrastructure that is required to support the development and to ensure that it is brought on stream in good time for that development.”—[*Official Report*, 17 December 2012; Vol. 555, c. 605.]

That was a pledge that there will be very clear guidance on the need to plan positively for infrastructure, but when the guidance was published in beta form—it was a draft—on 28 August, I think I am right to say that there was no such reference to infrastructure. My second question to the Minister is whether he will in fact introduce that guidance on infrastructure, as he promised in the House last December.

Another key way in which faith in localism will be undermined is if we return to the bad old days of planning by appeal, and allow the Planning Inspectorate to overturn planning applications. That is happening time after time, and it is hugely undermining faith in localism in my constituency and elsewhere. It is undermining faith in the whole system that we have set up to encourage people to take responsible decisions on planning in their local area. That is not just my view. In a briefing today, the Local Government Association said that the Planning Inspectorate’s

“apparent disregard for sites identified in emerging local plans not only undermines the principles of a plan led system and local determination set out in the NPPF, but also seriously undermines local communities’ trust in the planning system. This results in resistance to further local development, general local resentment, and development that does not reflect the needs of local communities as set out in the draft published local plans.”

In a letter to me on 6 August, the Minister said that

“decision takers may give weight to relevant policies in emerging plans”—

that is, plans that have not yet been completed, which is important, because they are either district councils’ plans, or emerging neighbourhood plans, in which people have put a great deal of effort into deciding where development should go. If those plans were given no weight, speculative applications would be allowed, and we would get a system that was not plan-led, but developer-led, which would effectively amount to a free-for-all on our countryside. However, when the guidance was published, it actually stated that

“arguments that an application is premature are unlikely to justify a refusal of planning permission other than in exceptional circumstances”,

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so will the Minister consider allowing more weight to be attached to emerging plans, so that an indication by local people of where they do, responsibly, want development, and also where they do not, is taken on board by the Planning Inspectorate? If that is not taken on board, again, we might as well return to the top-down system that we had before, which did not deliver the new housing that we needed, and we cannot justify promising to people that we are delivering localism.

I understand why the Government were concerned about the situation they inherited. There was a low level of housing starts, and we have to accommodate this country's housing need. There are important generational arguments about the lack of opportunity for young people and their ability to get their foot on the housing ladder, but allowing top-down targets to return through the back door—indeed, even encouraging them—will not deliver the additional housing that is needed. It will merely deliver a great deal of pain—pain politically, as people see that the promise of localism was not in fact real, and pain because such top-down targets will not help people to get their foot on the property ladder and will not have a significant effect in reducing property prices.

House building is growing at the fastest rate for 10 years. A more radical reform will be required if we are to seek to close the gap between incomes and rapidly rising house prices, but I urge the Government to keep faith in the localism that was promised in our manifesto and in the Act that we passed, and not to return to the bad old days of top-down targets and of allowing the Planning Inspectorate to override local decision making, which merely set up conflicts and delivered nothing, in terms of the housing that we needed.

**Mr Dai Havard (in the Chair):** We have now used the time won by Sir Bob and Mr Turner.

2.24 pm

**Sir Tony Baldry (Banbury) (Con):** I last raised concerns on planning and planning guidance in a debate I initiated in the House on 18 January, which can be found at *Official Report* column 1218. I will not repeat what I said in that debate, and I will put the full text of what I intend to say this afternoon on my website, [www.tonybaldry.co.uk](http://www.tonybaldry.co.uk).

In January, I expressed concerns that developers were making opportunist planning applications in the hope of securing planning permission before the adoption and introduction of a new local plan, and I also observed that if localism and neighbourhood planning were to have any meaning, local communities must have the opportunity and a reasonable period of time in which to draw up neighbourhood plans. I drew the House's attention to four specific planning applications in my constituency, all of which clearly ran counter to Cherwell district council's local plan.

Following that debate, the Secretary of State for Communities and Local Government decided to call in all four planning appeals. As a former Planning Minister, I am well aware of how rarely Ministers call in planning applications, so I assumed that the Secretary of State

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had called in the applications because he wanted to give an indication on the weight that the Planning Inspectorate should give to draft and emerging local plans, a point raised by my right hon. Friend the Member for Arundel and South Downs (Nick Herbert).

I assumed that the Secretary of State would also want to give some indication on how the Planning Inspectorate should calculate the five-year housing supply and would take the opportunity to reinforce the Government's belief in localism and commitment to neighbourhood planning. In the event, the Secretary of State did give a clear indication on the weight that should be given to the draft local plan: absolutely no weight whatsoever, according to the decisions in all those appeals. By allowing all four appeals, the

Secretary of State also made it clear that no weight or consideration should be given to localism or neighbourhood planning.

Given that those appeals all ran so clearly counter to the provisions in Cherwell district council's draft local plan, they not surprisingly provoked a good deal of anger from local residents, local councillors and indeed myself, and given that all the decisions were made by the Secretary of State, they not surprisingly attracted press coverage. In response to journalists' questions on why the appeals had been allowed, in one article the press spokesperson of the Department for Communities and Local Government observed that the appeals had been allowed because Cherwell had not made

“sufficient progress with their Local Plan”.

I will examine that proposition. A draft local plan is not something that can be whistled up overnight on the back of an envelope; it requires consideration and full and proper consultation with local people and house builders. If the local planning authority gets the local plan wrong, it is liable to judicial review.

One of my many frustrations with the Secretary of State's decisions is that Cherwell, after careful, widespread and considered consultation, had managed to produce a draft local plan to which there is practically no opposition among local people. I would have understood the Secretary of State's decision to allow all four recent planning appeals if there was a scintilla of a suggestion that my constituents or Cherwell district council were in any way wanting to frustrate local housing development. The reality is quite the contrary.

Over the past 25 years, Banbury and Bicester have been two of the fastest growing towns in Oxfordshire and everyone accepts and recognises that Banbury and Bicester will continue to develop with new housing growth over the next 20 years. Indeed, I can only assume that Ministers in the Department for Communities and Local Government simply do not talk to each other. That may be a consequence of the fact that, unlike in my day, when Housing Ministers—as the Chief Whip, the right hon. Member for North West Hampshire (Sir George Young), who was here briefly, and I were—were also Planning Ministers, those roles now seem to have been separated.

If Planning Ministers had spoken to Housing Ministers, they would have learnt that Housing Ministers had made numerous visits to my constituency over the past couple of years to support and encourage the numerous housing initiatives in north Oxfordshire, including: one of only two eco-town projects left and being developed, which in due course will deliver approximately 5,000 houses;

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probably the fastest turnaround to grant planning permission for new housing on a major Government surplus brownfield site on former Ministry of Defence land at Bicester, granting planning permission for 1,900 houses; and one of the largest, if not the largest, proposed self-build housing projects anywhere in the country. Indeed, the Minister's Department and the Homes and Communities Agency tell me that what we are proposing at Bicester will be the largest self-build scheme by a long way anywhere in the country and will deliver up to 1,900 houses. Cherwell district council is so keen to get house building going in north Oxfordshire that it has offered to buy the surplus MOD land from the Government, so that it can ensure that new house building takes place there as speedily as possible.

This very Monday, Cherwell district council agreed its local plan for submission to the Secretary of State at a meeting of the full council, which endorsed it with a unanimous vote. No responsible local authority could have produced a local plan more quickly. The agreed plan makes robust provision for housing until 2031 and envisages 16,750 new houses being built in Cherwell district during the survey period up to 2021. That is in a robust and deliverable local plan that has been adopted unanimously and without any significant local opposition. Moreover, the House might be interested to know that more than 50% of the planned houses are already being built or are subject to planning applications under active consideration by the district council. Cherwell not only has an agreed local plan, but is doing all that it can to deliver on the provisions of that plan.

The whole point of local plans, however, is to enable local councils and local communities to decide where new housing provision should go. Cherwell's local plan focuses development growth on the towns of

Banbury and Bicester, while avoiding coalescence with villages by introducing new green buffers around the towns. That seems to be a wholly commendable policy aspiration on the part of district councillors.

One of the recent planning appeals decided by the Secretary of State, however, drove a complete coach and horses through that policy aspiration of developing green buffers, by allowing development in an area that the district council had allocated as a green buffer in the local plan. In effect, the Secretary of State has allowed a policy of first come, first served, with planning permission being given to whichever house builders or developers happen to get their planning applications in earliest. This is not plan-led development; this is not central planning policy—this is planning anarchy.

My hon. Friend the Minister will say that the Secretary of State, having granted planning permission, now has no locus on those decisions. In law, that is correct, although Cherwell district council is not surprisingly considering with leading counsel whether there are good grounds to take the Secretary of State to the High Court for judicial review of his decisions. Ministers may no longer be legally accountable for their decisions, but they are politically accountable.

Ministers say that one reason for allowing the appeals was because, at the time the planning applications were made, the district did not have adequate five-year housing supply. One of the main reasons why the district did not have adequate supply, however, was because, on a number of significant sites where developers had been granted planning permission, they had simply not started building

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work. Local authorities and local people, having granted permission on significant sites, are not to blame if the house builders decide not to build until some time in the future, for whatever commercial reasons of their own.

From what the Secretary of State decided in the four appeals, it appears that the local plan will have no weight until it is actually adopted. It cannot be adopted, however, until after the process of examination in public. District councils such as Cherwell are in no way in control of when the Planning Inspectorate will undertake and complete the continuous improvement plan. Until then, we are all vulnerable to continuing opportunist planning applications by developers who strongly suspect that they will be allowed by the Planning Inspectorate or by the Secretary of State on appeal.

2.33 pm

**Martin Horwood (Cheltenham) (LD):** I apologise to you, Mr Havard, and to my neighbour, the hon. Member for Tewkesbury (Mr Robertson), for missing the opening speech. I congratulate the hon. Members who secured the debate, which is enormously important.

The issue is enormously important politically for both coalition parties, because we both made profound promises in opposition. The Conservative party's policy document, "Open Source Planning", states:

"Our emphasis on local control will allow local planning authorities to determine exactly how much development they want, of what kind and where"—

not how much an econometric model tells them they need, or how much demand has to be met, but how much development they want.

The Liberal Democrats produced a document called "Our Natural Heritage", which states that

"our quality of life is dependant on the quality of our environment. We will not only work to maintain and enhance it but will give people more access to and influence over it."

One of the ways in which we suggested doing that was a new designation, the local green space designation. I helped to author that policy, and I was proud when it made its way into the coalition agreement, and from there into the "Natural Environment White Paper" and then the national planning policy framework. As the Prime Minister said to the director of the National Trust, I think, it would be a tool that local people could

use to protect not vast tracts of countryside, but those local spaces that were not necessarily the most beautiful or the most rich in great crested newts, but the ones valued by communities.

Instinctively, all of us know which those areas are—we can all think of that local area that people have been campaigning to protect, sometimes for decades, as in the case of Leckhampton in my constituency. I thought, “At last, we have a Government committed to localism, which I am proud to be part of and a supporter of”—Conservative colleagues were equally proud—and that the Government were actually going to deliver on such promises, rejecting the very unpopular, top-down regional spatial strategies that seemed to be imposing numbers from above. The regional spatial strategy in the south-west had 35,000 objections—but the situation around my constituency in Cheltenham is every bit as bad now.

In practice, we are facing the loss of vast areas of green fields. The local paper converted the amount into that popular measure of area, football pitches—about

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2,000 football pitches of green fields are about to be lost, if the plan being formulated in the joint core strategy goes through. Almost everything in the plan is greenfield sites, and almost all those sites are in the green belt—there is a Kafkaesque process whereby the green belt boundary is redesignated, so that the bits taken out of the green belt can be built on, while claiming that the green belt is not being built on.

Equally badly, another area at Leckhampton had a sustainability assessment and a green belt review, which talked about its value in biodiversity, public access, the enjoyment that it brings, its rural character, and such things—all of which were recognised by inspectors in the past—but again that is included simply because the econometric model dictates a certain number. That number for around Cheltenham is at least 10,000 houses, which is a 20% increase in the size of the town. That is not sustainable.

As the right hon. Member for Arundel and South Downs (Nick Herbert) rightly said, it is as if the rest of the national planning policy framework, which we celebrated at the time of its second draft, did not really exist. There were elements that discussed balancing economic growth with environmental and social factors, and things such as the local green space designation to protect what people really cared about; among the core planning principles were meant to be respect for the environment and sustainability, and prioritisation of open spaces and, if possible, brownfield over greenfield development. In practice, however, at local level all of that appears to count for absolutely nothing. We are told that the objectively assessed housing need dictated by the econometric model must be observed absolutely—that the developers must get absolutely everything that they are demanding, because otherwise unelected inspectors will declare the whole plan unsound.

There is a nice coalition balance of local councillors in Gloucestershire. In the constituency of my neighbour the hon. Member for Tewkesbury and in Gloucester city, we have Conservative councillors who felt obliged to vote for the thing, while the Liberal Democrats very much enjoyed opposing them. In Cheltenham, it was rather the other way around—many Liberal Democrats and some Conservatives voted for it, while others voted against. The result was that councillors were put between a rock and a hard place. They were told that if they voted things down and did not move on at least to the next stage of consultation, the plan was likely to be declared unsound, it would all fall apart and we would end up with a developers’ free-for-all.

I have to tell the Minister that local people see very little distinction between what is emerging from some local plans and a developers’ free-for-all. Despite all our promises in opposition, despite the national planning policy framework and despite all the grand words in it about balancing environmental and economic factors and respecting open space and sustainability, we are in a position that is every bit as bad as the regional spatial strategies. That is simply not acceptable—

**Annette Brooke (Mid Dorset and North Poole) (LD):** Will my hon. Friend give way?

**Martin Horwood:** I suspect that I shall be out of time shortly, so I fear that I had better not.

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I think we will end up in a situation that is just as bad as under the regional spatial strategies. I want to go back to my local councillors and constituents to say that the coalition Government have delivered on their promises, but I have to tell the Minister that that is not what is happening now.

2.39 pm

**Rebecca Harris (Castle Point) (Con):** Earlier speakers have said many of the things that I wanted to say, but possibly more elegantly.

I thank the Minister for declining a developer's appeal in my constituency. That was warmly received, but we are on notice that developers may keep pushing, and they will.

I think all hon. Members here greatly welcomed the abolition of the previous housing regime and everything in the new national planning policy, including abolition of the regional spatial strategy housing targets. However, I see all around, particularly in my area, that it is pretty much business as usual for planning departments, for the Planning Inspectorate and certainly for developers. Some key aspects of the current regime seem very similar to the old regime and are being interpreted and treated similarly—for example, the requirement to find the local need. It is not a target, but it must be established based on complicated methodology. Consultants in my area have come up with four or five different scenarios, all wildly different, about local housing need. It is supposed to be objective, but councillors will have to choose the figure that they believe is most likely to be accepted by the Planning Inspectorate. That does not strike me as wholly objective.

We must put together a local plan that specifies deliverable land over a certain number of years and then developable land. There must be objective evidence of whether it really is deliverable, and I understand that. We cannot have local councils saying they want to build all their houses on what is currently a lake because that would be a good way to get around having building done. In the world of planning, however, what is deliverable is entirely down to argument. The big unit developers may see the four or five attractive green fields that are left in a borough, and argue that they could put their bulldozers on there tomorrow, that the development would be in single ownership and that that would be a good deal with a percentage going to the farmer. No one could argue otherwise—it is clearly developable tomorrow.

What happened in practice over the last decade and during the previous Government's regime is that land was banked and there was not enough work done or pressure put on the little brownfield sites in multiple ownership, which is what we should be doing now. Those are the sites our communities would prefer to be developed, not the fields that they see and appreciate.

I urge the Minister to put as much pressure as he can on councils when interpreting and putting together their plans. In the national planning policy framework and the recent guidance, which I greatly welcome, it is clear that our councils have the power to do something about small sites, which may be in multiple ownership with some planning constraints. They can knock heads together and encourage local people to suggest such sites. That would save us from losing the fields that we

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all love and appreciate. However, that is a big ask for a constrained planning department. Everyone is feeling the pinch at the moment, and the planning inspector is breathing down councils' necks to get the local plan completed. It is a lot more work and takes a lot more time, but it can be done. For example, if we want to build houses, we are much more likely to get small local sites up and running. If we told the local scrap metal dealer, who has gone bust because we have changed the law and he cannot take cash, that he could build five or six starter homes on his land tomorrow, he would not do what the big unit developers do and wait until the time is right or build only one or two homes because he does not want to flood the market; he would sell straight away and houses would be built there.

We should change what we are doing and target smaller and less popular sites that have local owners, who will use local builders and local estate agents. We would then have a much more popular local plan for residents, and we would not have the big household-name developers acquiring 600-unit sites where, if they got around to building houses on them, it would not be in the time frame we want, and would market them

out of town and in London. Local estate agents would not get a look-in, and the houses would not go to local people.

That is the problem with the current planning regime, and we desperately need the Department to tell councils that it expects them to plan positively. Planning positively under the national planning policy framework does not mean more green-belt sites with many houses on them. It means they should find out where they want houses, and make that happen. We must get that message across, because it is in the national planning policy framework and it is good stuff, but out there on the ground it does not seem to be working.

I plead with the Minister to ensure that he directs councils to use their powers of compulsory purchase and to find owners of sites that people would like to be developed, instead of what happens at the moment with the big boys turning up, driving round the area, seeing the half a dozen local fields that everyone loves and appreciates, putting in a planning application, and arguing time and again that that is more deliverable.

**Mr Dai Havard(in the Chair):** We now move from south-east England to Mr Stuart Andrew who will give us a view from the north.

2.45 pm

**Stuart Andrew (Pudsey) (Con):** I welcome this debate and congratulate my hon. Friends on securing it. I have been interested in the subject for a long time, not just because I represent a heavily affected ward, but because I am a member of a plans panel on Leeds city council.

My constituency has seen many significant changes over the past 20 years. It was renowned for its cloth and woollen mills, and other industries, but as those industries declined, their sites became redundant and places such as Pudsey, Farsley and Guiseley saw those employment sites turned into residential areas. During the first decade of the this century, we were inundated with application after application to build even more houses, and consequently our roads are congested beyond belief at weekends and during weekdays and evenings. Our surgeries have more and more patients and our schools are so

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busy that children living just across the road from their local school may struggle to get into them. Most of all, people were exasperated and frustrated that the planning system was something that happened to them, and that they had little say in it. Sometimes, even when the council said no and that enough was enough, an appeal was allowed. I cannot express strongly enough the anger and resentment that that created.

When the Government talked about planning reform, I thought “Hallelujah”. Many of the changes have been welcome and in the right direction. Reducing the plethora of guidance and advice to a more manageable document is making life a lot less complex and the system more understandable. The ability to create neighbourhood forums to offer real engagement is hugely welcome.

I pay tribute to the Minister for taking time to visit so many constituencies around the country. I was pleased to welcome him to mine, where he heard the concerns of local councillors and others, and saw for himself the significant development that has taken place. That was appreciated. I have noticed that when hon. Members list a number of positives in this place, a “but” invariably follows, and here it comes. Despite the Government’s work, a problem threatens the intentions of localism and people’s trust that we will have a real bottom-up approach to planning.

Localism is about local communities deciding what, where and when development should take place. There has been a real appetite and interest in my constituency in being involved in the planning process. Groups such as Wharfedale and Airedale Review Development and Aireborough Civic Society have campaigned long and hard on the issue. In addition, residents have turned up in their hundreds at public meetings when these issues were discussed. Organisations such as Horsforth town council. Rawdon parish council and Aireborough Neighbourhood Forum have all worked incredibly hard to engage with the whole community, bringing residents, schools and businesses together to develop a vision of future development that is sustainable, realistic and seeks to preserve our natural surroundings.

I am talking not just about building houses but about creating places that people want to live in, work in and play in: real place-making. Something is jeopardising all that work, and is still seen by my constituents as a top-down major influence: the housing targets that we have heard so much about today. We all know that the original regional spatial strategy placed huge burdens on local authorities, but despite abolition of the RSS, little has changed with the targets. In my constituency, the core strategy of the city council is being examined. It includes a plan to build 74,000 homes over the next 14 years, and it arrived at that figure with a host of scenarios ranging from 27,500 to 92,000. That means that the council has gone for the high end because it believes that the Government expect it to be far more ambitious than can reliably be achieved. I, local councillors, and all the groups I have mentioned have argued, ever since the document came out in draft form, that the figures are far too high. Despite our logical arguments, the council has kept the target, fearing that the inspector will force it to go even higher. The problem is that the council is far too ambitious.

What is the consequence? The council then has to prove that it has the land to supply such high targets. Even with the existing permissions of 20,000 dwellings,

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there is still not enough land, so the council is now looking at greenfield and green belt, meaning that in my constituency up to 80% of all new homes will be built on green-belt or greenfield sites. The precious places that are the lungs of our communities, the natural barriers between the towns and villages, and the green borders between the cities of Leeds and Bradford, will all be gone. They are now all under threat and my constituents are clearly not happy. Even in the best of the boom years, we never managed to build so many houses, and developers want to go even higher, saying that the brownfield sites in the city centre are not viable. That is because they are lazy and do not want to be ambitious about creating places where people want to live in our city centres.

The other day, I asked my hon. Friend the Minister what happens if the inspector, in the process of looking at these figures, agrees to such a high amount. If it is approved, I fear that the brownfield sites in city centres will be abandoned, that the developers will cherry-pick the green belt, and that residents will be stuck between the Government saying that local councils can set high targets and the council saying that the Government expect high targets.

I know that the Minister will say that the target needs to be objectively assessed, but what happens if those figures are approved? Is there any appeal process for my constituents to present their case? They are doing so brilliantly at the hearing, but if we are saddled with those housing targets, our green belt will be ravaged, and future residents will not be able to do anything, because the period will already have been set in stone. Worst of all, however, it will send a message that some already believe: localism goes only so far, but not far enough where it matters.

**Mr Dai Havard (in the Chair):** In my spatial planning, we now move to Cheshire and Ms Fiona Bruce.

2.52 pm

**Fiona Bruce (Congleton) (Con):** I am here as a voice for my constituents, who feel grievously let down by the lack of clarity of the planning policy, practices and procedures of local and national Government. Only one thing is clear: despite more than 20 action groups representing thousands of people across my constituency, despite many public meetings, the most recent of which was held last night in Congleton town hall, despite my bringing successive leaders of Cheshire East council to meet Ministers for clarity on these issues, and despite countless letters having been sent to Ministers on behalf of constituents, we still have developer-led development in our area and unsustainable, unplanned development. It ignores town plans, places no weight on the emerging local plan and makes a mockery of localism.

The national planning policy framework, with its presumption of sustainable development, contains an inadequate definition of that—in fact, it is barely a definition at all—which certainly does not equate with my constituents' definition. Sustainability means there being enough schools, roads, medical centres and facilities for local people, and there simply will not be enough if the rate of development continues in our towns.

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In Alsager alone, which is a town of some 5,500 houses, applications are in the pipeline for 3,000 dwellings. This is a town recently described by the chief planning officer of Cheshire East council as “currently unsustainable”. In Sandbach, which is a town of 8,000, some 6,000 applications have been granted or are in the pipeline. Just last week, two consents for Sandbach were granted, in Abbeyfields and Congleton road. That makes the consents already granted for Sandbach sufficient to cover one third of its 20-year supply. And those are on greenfield sites. This is countryside. This is prime agricultural land. The mayor of Sandbach is in the Chamber today, having come directly from 10 Downing street, where he presented a petition objecting to the Government’s policies.

There is then the unclear procedure surrounding the requirement for a five-year supply of housing. That is simply unjust. The primary reason for the two appeals granted last week was that Cheshire East apparently is unable to demonstrate a five-year housing supply, and yet the council told residents months ago that it had developed a robust strategic housing land availability assessment, which would satisfy requirements for a five-year housing supply.

Who is right—national Government, through the inspectorate, or local government? How was it that Cheshire East could say that it had demonstrated a five-year supply if clearly it had not? Is there no means by which such statements can be validated with central Government before they are made? Surely the only way cannot be for the strength of such a supply statement to be tested on appeal, because it adds insult to injury for thousands of pounds of local taxpayers’ money to be spent on such appeals, when it could be spent on meeting local people’s needs. There is so much confusion regarding the requirements that injustice is being introduced into our communities, particularly because there are other sites—brownfield and non-brownfield, including in Sandbach—that the local community have already said that they will accept for development.

That brings me to my next point. It is wholly wrong that people in the towns of Alsager, Congleton, Middlewich and Sandbach in my constituency were offered the opportunity and funding under the Government’s neighbourhood plan front-runner schemes to develop neighbourhood plans, only to find that those town plans count for absolutely nothing, in terms of the Planning Inspectorate’s decisions regarding appeals against developments.

The situation is also producing inconsistent decision making. Just last week, when two developers’ applications were accepted for Sandbach, we had a refusal for a site at Sandbach road north in Alsager. That was despite the inspectorate acknowledging the lack of a demonstrable five-year supply of deliverable housing in Cheshire East, and apparently, according to my interpretation, giving weight to the draft Cheshire East local plan, which other decisions refused to do. It stated:

“It would seem wise in this part of the borough not to proceed with development which would go beyond the draft strategy at this stage.”

The inspectorate also rejected the developer’s appeal on the grounds that it is in open countryside, and that harm to it would be significant and demonstrable. But so it would be to Abbeyfields, Congleton road and Hind Heath in Sandbach, which have already been

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granted. We really need clarity on these issues. How long should a local plan realistically take to develop? We pride ourselves in this country on clear and speedy delivery of justice. We say that justice delayed is justice denied. We talk about the rule of law. And yet, in planning, we could not have murkier, muddier waters. That is simply unfair.

Our local authority has been working for three years on a local plan. What has gone wrong? Why does the draft plan that was prepared last year, which was the subject of a six-week public consultation, now have to be radically altered and be the subject of a further public consultation, while all the time, developers rub their hands with glee and take advantage of that void? Will the Minister provide whatever assistance is required for Cheshire East council from a senior planning adviser to ensure that there are no further delays or confusion regarding what is required to get our local plan through? My constituents have had enough.

I also ask the Minister to ensure that we have clarity on our five-year housing supply numbers, and that a clear message is sent to the people of my constituency, as I have sought to provide for three years, giving them every and any necessary and available means of help to resolve those issues. My constituents simply cannot understand the situation. They feel angry, in despair, ignored, impotent as regards the plans for development of their own communities, and without any democratic recourse, as one has said to me, except the ballot box.

On behalf of the Under-Secretary of State for Education, my hon. Friend the Member for Crewe and Nantwich (Mr Timpson), I confirm that he, too, has been working tirelessly with planning action groups in his constituency, which is adjacent to mine, and also in Cheshire East. He recently arranged for the Planning Minister to speak to those groups so that they could hear the advice that the Department had for Cheshire East council on resolving the adoption of the local plan and housing supply. I would appreciate that advice and clarity being given today in the Minister's response.

**Mr Dai Havard (in the Chair):** Thank you. Mr Brady will take over from me shortly. I ask you to temper your enthusiasm with the pessimism of the intellect, and look more towards six minutes than seven for your future contributions. We now move back to the west midlands and Mr White.

2.59 pm

**Chris White (Warwick and Leamington) (Con):** It is a pleasure to follow my hon. Friend the Member for Congleton (Fiona Bruce), who gave a passionate speech. I also start by thanking my hon. Friends the Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) and my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) for securing this important debate. As we can see from the speeches that we have heard so far from around the country, this is an issue that affects so many of our constituencies.

During the past two years, Warwick district council has been seeking to create a new local plan that will guide the development of our community for the next 18 years. That is a hugely important document, but it has been mired in controversy and opposition since it was put forward. That highlights some of the problems

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in the current planning system. The local plan has been controversial because of the number of homes that have been proposed by the council, as well as their concentration and location. First, the scale of the proposed housing development is enormous. The local plan outlines the building, during the next 16 years, of more than 12,000 homes, in addition to the 6,000 that we built between 2001 and 2011. That would increase the number of dwellings in Warwick district by about 20% during the next two decades.

**[Mr Graham Brady *in the Chair*]**

The "Strategic Housing Land Availability Assessment" compiled by the council has indicated that the total capacity of the district is about 13,000 dwellings between 2014 and 2029, so the proposed local plan would use up 91.8% of the total capacity. Planning is something that we must consider over the long term. Once homes are built, we cannot turn back the clock to change the mistakes that we have made, so we must consider the long-term sustainability of our planning decisions as a whole. How can it be sustainable to build so many new homes and to use up so much capacity?

The concentration of development is also a deep concern and raises questions of fairness. The majority of the new properties will be in the area south of Warwick, Leamington and Whitnash, with 70% of the new homes being placed in that part of the district. That is despite the fact that there has been, and continues to be, a considerable amount of housing development in that part of the district and there are already concerns about the impact that the proposals will have on local infrastructure. I do not believe it is fair that such a concentration is allowed in that part of the district. Residents of those areas are rightly angry about the sacrifices that they are being asked to make in order to allow the development of so many new homes.

I shall take this opportunity to urge Warwick district council, once again, to pause the local plan process and start discussions with local residents so that we can build a consensus on creating a sustainable future for our

community. During the process, in the lead-up to the preferred options being outlined by the district council, it was clear that residents did not want to have that number of homes and that they wanted development to take place primarily on brownfield land, rather than greenfield land as is proposed. That will have an impact on the wonderful Warwickshire countryside. Our area has a large percentage of green belt, and I do not believe that we should develop on green-belt land. However, that does not give the local authority an excuse to concentrate developments on non-protected greenfield sites. If our district was 95% green belt rather than 80%, would that mean that all development would be concentrated in the unprotected 5%? Surely it would make sense to adjust the scale and ambitions of the development, rather than to ram through such large developments, which take no account of this situation.

However, the views to which I have referred have not been consistently accepted by the council to date. As a result, public confidence in it has been damaged, and that will undermine future efforts by the council to undertake consultations on new developments or infrastructure. I appreciate that councils have an obligation to ensure that there is enough housing to meet demand in the future, but I also think that we need to ensure that

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that obligation is met in the right way. I do not believe that Warwick district council has so far acted in the right spirit during this planning process.

I believe that the Government have done the right thing through the Localism Act 2011 to try to ensure that communities have greater control over planning matters. However, we also need to ensure that the process is carried out in the right way, in empathy with such localism, that councils do not ride roughshod over the desires of local people, and that the principles of localism are delivered on the ground.

The best way forward would be for the Government to get each local authority to sign up to a national planning compact that outlines how councils are expected to carry out their consultations on planning matters; the role that local communities should have in co-producing proposals such as the local plan; and best practice in terms of planning processes that have been carried forward and that have brought communities with them. Having such a compact would ensure that each local authority was taking a long, hard look at how it was developing its local plan.

We must have a system whereby people feel that they have ownership of the planning process and whereby they can have confidence in the decisions that are reached. That will ensure that we create plans that have the support of residents, are in the long-term interests of our community, will address real housing needs and will almost certainly create local economies that grow and prosper.

3.5 pm

**Julian Sturdy (York Outer) (Con):** It is a pleasure to serve under your chairmanship, Mr Brady, and to speak in this very important debate. I congratulate my right hon. and hon. Friends on securing it. Like many other Members, I would like to highlight some of the concerns in my constituency.

York, like so many other towns and cities across the country, is surrounded by green-belt land, which is vital in preserving and enhancing its character and setting. It is as important to the identity of our great city as the Gothic minster, the Roman walls and the National Railway Museum. To my mind, it is an essential part of York's DNA.

However, the very fabric of what makes York such a great and beautiful city is under threat from the misguided plans of the local authority. The City of York council published its draft local plan in April of this year and, to the utter dismay of many of my constituents, the plan proposes to take 1,400 acres out of York's green belt and build 16,000 new homes on that land during the 15-year life of the plan. As if that was not enough to satisfy the council's appetite for green-belt land, a further 1,000 acres will be removed from the green belt and safeguarded for future development. Sadly, the plan does not stop there. The council has also proposed more than 80 additional Traveller and showpeople pitches, all in inappropriate locations, on green-belt land, in quiet rural communities such as Dunnington, Knapton and Huntington in my constituency.

The icing on the cake is that the council is also pursuing its plans to destroy the open countryside that surrounds our great city with 40

“areas of search for renewable electricity generation”,

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covering vast swathes of green-belt land in my constituency. It was, until recently, pursuing those sites as potential wind farms. However, due to the unsurprising lack of sufficient wind speed in the Vale of York—something that was obvious to most local people, but that the council and the local taxpayer-funded studies failed to pick up—I have now been given the impression from the council that it is considering solar farms on the sites as an alternative.

I am therefore speaking on behalf of my constituents in welcoming the recent announcements from the Minister of State, Department of Energy and Climate Change, my right hon. Friend the Member for Bexhill and Battle (Gregory Barker), about the Government’s determination to crack down on inappropriately sited solar farms in the countryside by introducing the solar road map. I urge the City of York council to consider very carefully what the Minister has been saying on the matter and not to ignore the views of local residents.

Turning to the important issue of housing supply, I want to make it clear that, like many right hon. and hon. Members here today, I fully support the decision to scrap the rigid, top-down housing targets in the regional spatial strategies. The Government should be congratulated on doing that. However, three years on, there remains confusion among some local authorities about what housing targets are appropriate.

Some local authorities surrounding York are reducing their targets from the levels that they were at in the now redundant regional spatial strategy. Meanwhile, York, which is currently controlled by Labour, is proposing to increase its old housing targets by more than 40%. In doing so, the council is placing itself completely at odds with the guiding principle behind the modern planning framework—that development should always be sustainable.

York is an historic city in which the local infrastructure is already under strain. Adding tens of thousands of new homes will mean tens of thousands more cars on an already congested road network and thousands more pupils trying to gain entry to our excellent but already oversubscribed schools. That is not to mention the drainage and the strain on existing health care facilities.

With approximately two thirds of the council’s overall housing projections to be allocated to York’s established green belt, I am deeply concerned that the plan will push our already creaking local infrastructure to breaking point. The council has provided no guarantees that it will help secure the investment we need in our local infrastructure. It clearly believes the local plan will result in economic growth for York, but having investigated the issue, I fear that putting the cart before the horse and failing to guarantee the infrastructure investment York already needs will lead many of the city’s leading employers to question in the long term whether York is still a suitable base for their businesses.

In its current form, the plan has the potential to end in disaster for York on the economic stage. That is why I entirely agree with my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) that the requirement for infrastructure must be considered when granting planning consent—something that, to be frank, is blindingly obvious. I was reassured by the pledge from the former Minister of State at the Department, the right hon. Member for Tunbridge Wells (Greg Clark), that the requirement would form part of the planning

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guidance. I hope, therefore, that the omission will be rectified, as York’s future viability as a centre of commerce and enterprise could depend on it.

Local authorities that press ahead with unsustainable housing plans must be stopped and compelled to consider whether they have the necessary infrastructure in place; if not, they should change their plans accordingly. Equally, we must ensure that the important principles of sustainability and green-belt protection remain central to the national planning policy framework and that our local authorities understand that that is

the case. Otherwise, I fear that the towns and cities we are proud to represent will change out of all recognition.

In summary, the tension between our local planning authorities and the planning inspector is twofold. Where councils produce reasonable, appropriate and sustainable local plans, we face the problem of planning inspectors overstepping the mark and making unreasonable demands. In areas such as York, however, we appear to face the opposite problem, because the local authorities propose to decimate our open countryside and change it out of all recognition. I therefore reiterate that it is vital that we have a strong and fair Planning Inspectorate to protect our communities and countryside from unsustainable development. That means that infrastructure must be at the heart of any considerations.

**3.12 pm**

**Harriett Baldwin (West Worcestershire) (Con):** I, too, congratulate my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) and my hon. Friends the Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) on securing the debate.

The issue of planning also fills my postbag. I represent the thriving, beautiful constituency of West Worcestershire, which has one of the highest ratios in the west midlands of house prices to average earnings. It is also the birthplace of Elgar, and its countryside inspired much of his music.

Despite all the valid concerns colleagues have raised, I think we are in a much better place on planning than we were under the Stalinist diktats of the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown), and I agree with colleagues who have welcomed the abolition of the regional spatial strategy.

Shifting local planning decisions to councils, which makes so much democratic sense, has raised a range of issues. I particularly welcome the Government's introduction of neighbourhood planning. In the Malvern Hills district, the parishes of Kempsey, Clifton upon Teme, Leigh and Bransford, Alfrick and Lulsley, Martley, and Knightwick and Doddenham have all had their neighbourhood areas approved.

When we discuss planning, however, one thing that strikes me is that the beautiful villages we all love—in my area, I have the villages around Bredon Hill, the town of Pershore and the towns and villages of the Malvern Hills district—all grew up without our current planning regulations. Ironically, however, we would not be able to build those communities under today's planning rules. Their growth tended to be more organic and more bottom up; people built their own homes on their own land, which they had bought for that purpose. When the Victorians became concerned that Great Malvern was encroaching far too much on the Malvern hills,

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they established the world's first conservation area by Act of Parliament in 1884. Since then, the hills have been owned for the common good by the Malvern Hills Conservators charity. That organic approach has worked well for this country for the thousands of years there have been settlements in Worcestershire and elsewhere. That is why I am so supportive of the recent changes to the planning system, which move us back in the direction of the village and the neighbourhood, while embodying the countryside protections pioneered by the Malvern Hills Conservators.

In south Worcestershire, we may be a bit further ahead on our local plan than other colleagues are on theirs. Our three local councils—Worcester City, Malvern Hills and Wychavon, which my hon. Friend the Minister visited recently—have been working in partnership for many years to develop an ambitious and sound local plan. After the 2010 election, they presciently commissioned expert projections of population growth and perhaps got a head start on some other council areas. Their evidence base is now more up to date and fresher than those in some other parts of the country.

All three local councils democratically agreed the plan last December. I can assure hon. Members that that was not without a great deal of controversy, but one factor that encouraged councillors to vote in favour of the plan was that it would allow them to be in control. The south Worcestershire development plan has much

more up-to-date and adequate five-year land supply numbers and such ambitious plans for employment land that we are getting complaints from Birmingham councils.

When I say the plan was democratically agreed last December, people complain that a bit of whipping was involved. Well, I hate to tell my local councillors this, but Whips are often involved in democracy here in Westminster. However, despite the vote last December, it took a further five months to send the plan to the inspector for the examination in public and another few months for him to decide on his inspection plan and timetable. The inspection has just got under way, and I would not be surprised if it took the inspector well into 2014 before he recommends adoption.

I want this period of uncertainty to be over, so that we can move forward with the construction, growth and jobs embodied in the plan. A delay of 18 months to two years is too long, and it undermines the local democracy of the vote in December. As the Minister knows, I and the leader of the council in my area have written to him. I have also written to the local planning inspector urging him to respect the local plan unless there are actual factual inaccuracies in it. The inspector has written a helpful reply, assuring me that he will seek to complete his inspection as soon as possible, subject to the legal requirements on him. The Minister has also responded constructively.

Here is my wish list of four things I would like to ask the Minister for. First, as he finalises his latest national planning practice guidance, which will set out the exceptional circumstances in which a refusal may be justified on the grounds of prematurity, will he try to ensure that the democratically agreed plans that have emerged will get almost full weight in any decision making, allowing the fresh evidence base and the numbers in the plan to be used, unless the inspector sees actual errors of fact, rather than just a divergence of opinion?

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Surely the future of the area should be entrusted to south Worcestershire councillors, rather than shaped by contesting opinions—they will only be opinions—from Birmingham and elsewhere?

Secondly, may I ask the Minister for his thoughts on how we as MPs can best support emerging neighbourhood plans? I love neighbourhood planning, which is an excellent way of giving power to local people and bringing back an organic approach to planning, reducing the need for vast swathes of land to be swallowed up by urban extensions. Thirdly, can we reassure villages that, once they have agreed their neighbourhood plan and won a vote on it in a referendum, it will take precedence over the local plan, even if that has been adopted?

Finally, what can the Minister say to the octogenarian farmer in my local area who lives in a draughty five-bedroom home and who wants nothing more than to build a bungalow in the field next door for the final years of his life? Under today's rules, such building is prohibited in open countryside. If there is a neighbourhood plan, will my farmer have any hope that he can build his bungalow?

Once again, I congratulate my right hon. and hon. Friends on securing the debate, and I thank you, Mr Brady, for allowing me to pass on the concerns of my constituents in the glorious area of West Worcestershire.

**3.19 pm**

**David Rutley (Macclesfield) (Con):** It is a pleasure to serve under your chairmanship, Mr Brady. I am grateful to the Backbench Business Committee for securing the debate, and I congratulate my hon. Friends the Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) and my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) on making sure that we have a debate on such an important subject. The fact that there are so many o