

REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

28th October 2020

TITLE OF REPORT: Planning White Paper Consultation

REPORT OF: Anneliese Hutchinson, Service Director, Development, Transport and Public Protection

Purpose of the Report

To inform Planning and Development Committee about Ministry of Housing, Communities and Local Government (MHCLG) consultation on the Planning for the Future White Paper (August 2020) which sets out reforms to the planning system in England.

Background

The Government published for consultation the Planning White Paper – Planning for the Future, in August 2020. This sets out a package of proposals for reform of the planning system in England to streamline and modernise the planning process, improve outcomes on design and sustainability, reform developer contributions and ensure more land is available for development where it is needed. It will have an impact on plan-making, development management, development contributions, and other related policy proposals.

In brief the proposed reforms include:

Simplifying and streamlining local plans

- Local Plans will be required to identify land under three categories
 - Growth Areas – suitable for substantial development, including urban extension or regeneration sites, and sites around universities, for example
 - Renewal Areas – existing built-up areas where there is potential for development, including town centres and villages, for example
 - Protection Areas – area with important environmental, cultural or historic characteristics (Conservation Areas, LWSs and areas with significant flood risk, for example)
- The NPPF will be the focus for generic development management policies, with local plans much more locally focused and shorter in length
- A standard method for setting binding housing requirements which would have regard to the size of existing urban settlements, affordability, land constraints and other factors.
- The duty to cooperate would be abolished and the tests of soundness and sustainability would be replaced by a single sustainable development test

- Local Plans should use the latest digital technology to be visual, interactive and map based - moving from documents to data. Text should be more limited and spatially specific to be digitally accessible.
- A new statutory timetable for preparing and reviewing local plans (30 months) will be introduced. There will be a statutory duty for local authorities to adopt a new Local Plan by a specified date – either 30 months from the legislation being brought into force, or 42 months for local planning authorities who have adopted a Local Plan within the previous three years.

Streamlining the development management process

- Development within Growth Areas would benefit from automatic outline planning permission, with detailed consent secured in one of three ways:
 - a reformed reserved matters process;
 - a Local Development Order prepared by the LPA in parallel with the Local Plan and linked to a master plan / design codes; or
 - for exceptionally large sites a Development Consent Order under the Nationally Significant Infrastructure Projects regime could be an appropriate.
- There would be a presumption in favour of development for proposals within Renewal Areas, with consent granted in one of 3 ways:
 - for specific development a new permission route granting automatic consent if the scheme meets design and other prior approval requirements;
 - for other development, a faster planning application process where an application would be determined in the context of the Local Plan description and the NPPF; or
 - a Local or Neighbourhood Development Order.
- In Protected Areas where development is restricted proposals would come forward as now through planning applications, except where they are subject to permitted development rights or development orders, and judged against policies set out in the National Planning Policy Framework.
- More emphasis on consultation at the plan making stage, with less consultation as part of the planning application process
- The time limits of 8 or 13 weeks for determining an application from validation to decision to be a firm deadline, with automatic refunds where not met
- There will be a greater digitalisation of the application process:
 - shorter and more standardised application forms requiring less and machine-readable information
 - data-rich application registers will be created so information can be easily accessed and monitored at a national scale
 - data sets on supporting information, planning decisions and developer contributions to be standardised and made open and digitally accessible
 - standard national planning conditions to cover common issues; and a streamlined approach to developer contributions.

A new focus on design and sustainability

- The introduction of a fast-track for beauty through changes to national policy and legislation
- Design guidance and codes to be prepared locally, setting the rules for the design of new development on allocated sites in the Local Plan
- A new body to support the delivery of design codes in every part of the country to be set up, and each local planning authority to have a chief officer for design and place-making
- The improvement in the energy efficiency standards for buildings to help deliver a commitment to net-zero by 2050

Planning for infrastructure and connected places

- The replacement of planning obligations (S106) and the Community Infrastructure Levy with a nationally set, value-based flat rate charge (the 'Infrastructure Levy') which would be charged as a fixed proportion of development value above a set threshold
- Widening the applicability of the Levy to apply to changes of use allowed under permitted development rights, and fewer restrictions on how the levy is spent, including affordable housing
- The potential for local authorities to borrow against the levy to deliver infrastructure in their area

Conclusion

All ward councillors have been consulted on the proposed changes and a draft response was presented to Cabinet on 20th October for discussion in order to respond to the consultation by the deadline of 31st October 2020.

Recommendation

It is recommended that the Committee note the report for information.

Contact: Emma Lucas- extension 3747

1. FINANCIAL IMPLICATIONS

Nil

2. RISK MANAGEMENT IMPLICATIONS

Nil

3. HUMAN RESOURCES IMPLICATIONS

Nil

4. EQUALITY AND DIVERSITY IMPLICATIONS

Nil

5. CRIME AND DISORDER IMPLICATIONS

Nil

6. SUSTAINABILITY IMPLICATIONS

Nil

7. HUMAN RIGHTS IMPLICATIONS

Nil

8. WARD IMPLICATIONS

This applies to all wards.

9. BACKGROUND INFORMATION

Planning for the Future White Paper (August 2020) - [LINK](#)