

On the 6 August 2020, the Ministry of
Homes, Communities and Local
Government published a consultation
paper and a White Paper

Proposing radical reform to the planning
system. The former contains temporary
and transitional policies until the changes
in the White Paper are inaugurated.



Changes to the current planning system

Consultation on changes to planning policy and regulations

Ministry of Housing, Communities & Local Government

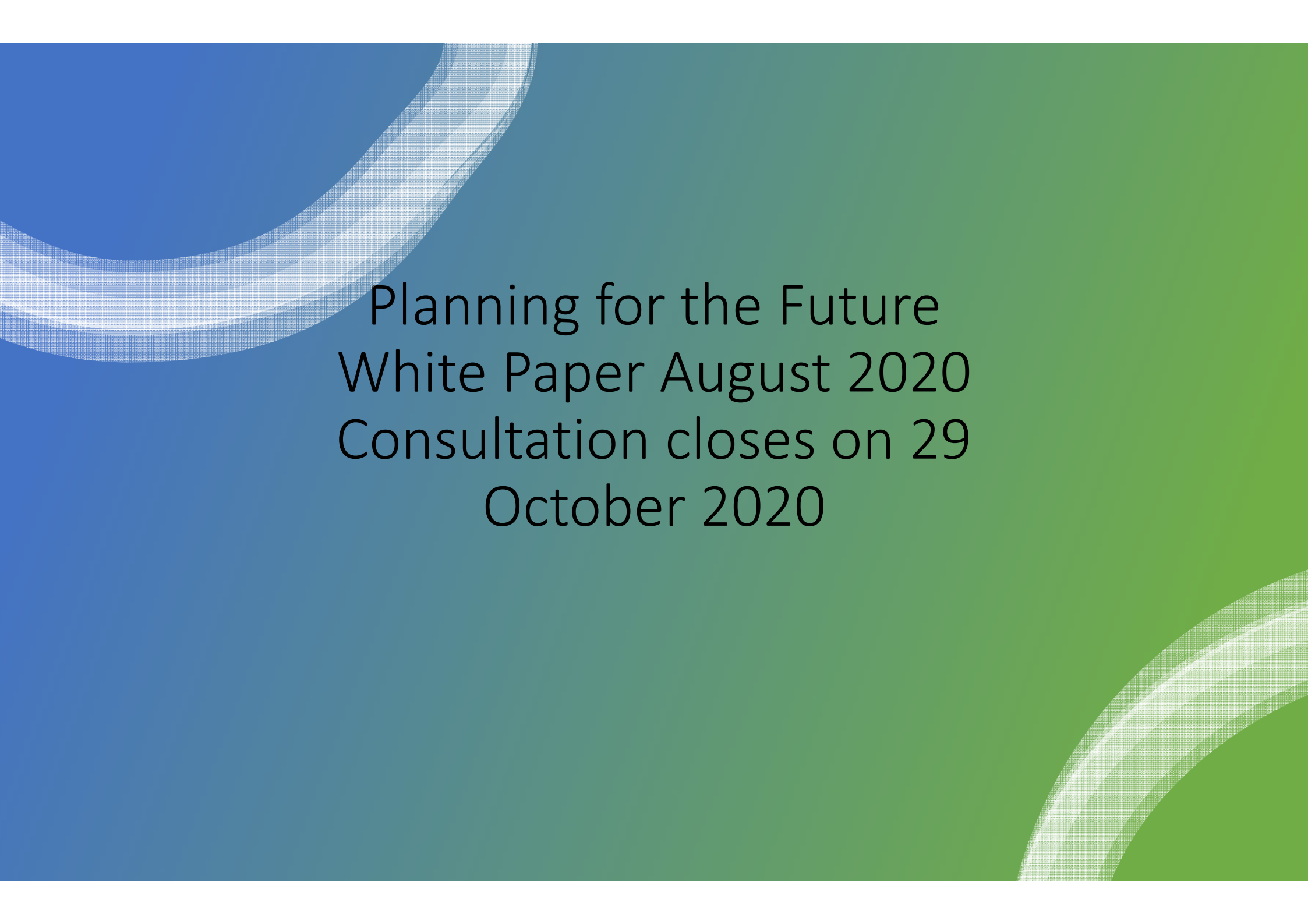
Published on 6 August with consultation ending on 1 October 2020

Changes to the current planning system

- This consultation proposes 4 short term measures designed to “improve the effectiveness of the current system”
- 1. New standard methodology for calculating housing need : this is the most far reaching change proposed. A ‘blended’ approach is proposed consisting of weighting for affordability, number of existing houses and population projections.
- The result of this new methodology being employed would be the requirement for England increasing from 300,000 pa to 337,000 pa with all Kent authorities increasing with the exceptions of Medway and Gravesham. The reason is likely to be the affordability weighting.
- In terms of transition to the revised standard method, from the publication date of the revised guidance (i.e the Planning Practice Guidance PPG), authorities which are already at Regulation 19 (second stage) will have 6 months to submit their Plan for public examination. Authorities close to publishing their Regulation 19 should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 and a further 6 months to submit to the Planning Inspectorate.

Changes to the current planning system

- 2. Securing at least 25% 'First Homes' (discount of at least 30% of market value) as affordable housing to first time buyers through developer contributions until a new consolidated infrastructure levy is introduced.
- 3. Temporarily (18 months) lifting the small sites threshold (below which developers do not have to provide affordable housing) from 10 up to either 40 or 50 residential units. This is to support SMEs recover from the economic impact of Covid-19.
- 4. Extending the current Permission in Principle regime to major development therefore providing a fast track to securing the principle of development without having to work up detailed plans first and the associated uncertainty.



Planning for the Future
White Paper August 2020
Consultation closes on 29
October 2020

Planning for the Future

- There are 5 key changes proposed with sub elements to these and below are the most important
- 1. “Streamline the planning process with more democracy taking place more effectively at the plan-making stage” :
 - a) Local Plans would categorise land into the following types – growth, renewal and protection areas. In growth areas then allocation would equate to outline permission.
 - b) Within the growth and renewal areas there would be ‘rules based’ policies for sites and specific areas covering heights, densities etc and accompanied by design codes. General and strategic policy would be set nationally and contained in the National Planning Policy Framework
 - c) Engagement would be “re-invented” particularly reaching out to ‘the young’ making use of modern media and models of communication.
 - d) The existing ‘tests of soundness’ would be replaced by a single statutory ‘sustainable development’ test and the Duty to Co-operate would be abolished.
 - e) There would be a statutory time limit of 30 months for the production of Local Plans and Local Plan Reviews. There would be sanctions against failing authorities.

Planning for the Future

- f) decision making: faster decisions and firmer deadlines.
- g) stronger enforcement powers
- h) resources and skills strategy to enable the “profound” changes to be implemented.
- 2. Radical, digital-first approach to modernise planning : this means making the most of the latest technology to act as a visual aid and to take away more mundane tasks (e.g validation) so that users of the service can engage more effectively and the planning system becomes much more efficient.

Planning for the Future

- 3. New focus on design quality and sustainability :
- a) Policies to achieve carbon neutral development will be set out in the NPPF
- b) There will be “ambitious” new energy efficiency standards set out in the Building Regulations.
- c) A clear objective of the planning system will be the creation of ‘beautiful places’ and fast tracking of proposals of ‘beautiful design’.
- d) Introduction of quicker and simpler environmental assessments.
- e) Onus on planning authorities to deliver through design guidance and codes setting clear ‘rules’.

Planning for the Future

- 4. Improve infrastructure in all parts of England
- a) S106 legal agreements would be abolished and the Community Infrastructure Levy reformed into a “Consolidated Infrastructure Levy” .
- b) The new infrastructure levy would include affordable housing and would be charged upon occupation. Rates would be set nationally.
- c) Flexibility for local authorities on how monies are spent.
- d) Removal of CIL exemptions

Planning for the Future

- 5. Ensuring more land is available for homes and other development :
 - a) Nationally determined binding housing requirements that local authorities would have to deliver through local plans.
 - b) Promote greater competition and more diverse methods of construction.

Cross cutting themes and challenges

- **1. Finance / Resources** : the Government do acknowledge that the proposed changes will have a major impact on resources , in particular the need for a new skills set for planners and that digital technology comes at a price. They also acknowledge (following a national survey) that spending on planning departments has dropped significantly. Therefore, they do offer up the possibility of some of the consolidated infrastructure monies being spent on planning (particularly local plans and enforcement) but only a small proportion. Planning application fees will remain being set nationally.
- It seems likely that the proposals will accelerate the trend toward more 'commissioning' and employing aspects of delivery models such as development corporations.

Cross cutting themes and challenges

- **2. Increased centralisation** : through a standard housing method the Government is effectively setting binding housing requirements. Secondly, strategic/general policies will be set at national level. Planning will become much more 'technical' being at the site or area specific level.
- **3. Timing** : many local authorities have struggled with their existing housing numbers and there is little time to react to significant increases in a relatively short space of time. This is likely to delay the progress of many local plans particularly those at an early stage of production.

Cross cutting themes and challenges

- 4. Evidence to demonstrate that significant increases in housing supply have stabilising or downward impact on property prices ?
- 5. **Infrastructure Delivery** : the Government allow local authorities to forward fund infrastructure projects. However, as with CIL and s106s, this is dependent on the vagaries of the local housing market. Markets can change quickly, for example if a large employer cuts back, leaving the local authority with a 'gap' in funding and the associated risk. At a practical level, project planning needs specific timelines e.g any road improvement will have to be planned months in advance following public consultation and highway space assigned to the project over a specific period.