



Report of	Meeting	Date
Central Lancashire Authorities	Central Lancashire Strategic Planning Joint Advisory Committee	10 November 2020

## PLANNING FOR THE FUTURE: PLANNING WHITE PAPER

### PURPOSE OF REPORT

1. Between 6 August and 29 October 2020 the Government published its Planning White Paper (Planning for the Future) for consultation. The White Paper proposes some very significant changes to the planning system, to the extent that by 2024 much of what is done in the planning system will be done differently to the way it is done today.
2. The purpose of this report is to summarise the key changes to the system proposed in the White Paper for Members. The three Councils have submitted a formal response to Government on the White Paper separately.

### RECOMMENDATION(S)

3. That the report be noted.

### EXECUTIVE SUMMARY OF REPORT

4. The White Paper emphasises the need for a 'once in a generation' reform to the planning system, which Government state has become too complex, does not deliver enough new homes, suffers from a loss of public trust and simply results in delay to the development industry.
5. The new system is proposed to continue the 'plan-led' approach, and will require Local Planning Authorities (LPAs) to categorise all land in their administrative area for **Growth, Renewal** or **Protection** in the local plan. The categorisation will result in different approaches to securing planning permission.
6. In addition, the Government propose to revert to 'top-down' housing requirements for LPAs to plan for in their local plans. The housing requirement is proposed to be binding, and will be based on the standard methodology calculation, albeit factoring in localised constraints on development, a so-called 'policy on' approach.
7. The White Paper frames the proposed reforms in three separate 'pillars' to the new planning system. These pillars are set out in the next section of the report. This report does not set out all 24 proposals in the White Paper, only the key ones.

<b>Confidential report</b> Please bold as appropriate	Yes	No
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## **BACKGROUND**

### Pillar One: Planning for Development

#### A New Approach to Plan-Making

##### *Proposal 1: Role of Local Plans simplified to identify three types of land*

8. Growth areas would be identified for substantial development, and would include new settlements and urban extensions. Sites in this category in the local plan would have automatic 'outline type' approval.
9. Renewal areas would be suitable for development, and would for example cover existing built-up areas. Densification and infill could be included, inappropriate development of garden land would continue to be resisted.
10. Protected areas would include sites with environmental or cultural characteristics, such as Green Belt, AONBs, Conservations Areas and open countryside.

##### *Proposal 2: DM policies established at national scale*

11. National planning policy would become the primary source of DM policies, not local plans. There would be no provision for the inclusion of general DM policies in local plans.

##### *Proposal 4: National standard method for establishing a binding housing requirement*

12. The national standard method would deliver the Government's ambition to deliver 300,000 new homes annually and would remove the debate about housing numbers which dominates the plan-making process.
13. The binding housing requirement would factor in; the size of settlements; the affordability of places; the extent of land constraints, and; the opportunities to use existing brownfield land for housing.
14. This approach should ensure enough land is planned for and deliver certainty in to the process. This would mean that the continuing requirement to be able to demonstrate a five year supply would be abolished. The Housing Delivery Test would however remain.

#### A Streamlined DM Process with Automatic Planning Permission

##### *Proposal 5: Growth Areas would automatically be granted outline planning permission*

15. Under this proposal outline planning permission would be conferred by the adoption of the local plan in areas identified for Growth.

16. Detailed planning permission would only be required, and this could be achieved via a reformed reserved matters application, a Local Development Order or a Development Consent Order.
17. In Renewal areas there will be a general presumption in favour of development. For pre-specified development, a new route would be created to give automatic planning permission for schemes meeting prior approval requirements. A faster planning application process would be created for other forms of development.
18. In Protected areas, the normal planning application process would be required.

*Proposal 6: Faster and more certain decision-taking*

19. The statutory 8 and 13 week time limits for determining planning applications would be a firm deadline not an aspiration. In order to help achieve this there would be a standardisation of planning applications, where major development proposals for example would need to be accompanied by a single planning statement of no more than 50 pages in length.
20. Under this proposal all detailed planning decisions would be delegated to officers.
21. There would be potential for an automatic refund of the planning application fee to applicants where a decision has not been made within the specified time limit, or where a refused planning application is allowed at appeal.

A Streamlined, More Engaging Plan-Making Process

*Proposal 8: LPAs and PINS will be required through legislation to meet a statutory timescale for key stages of the process*

22. The plan-making process will cover five stages and should take no more than 30 months in total:

**Stage 1 (6 months):** Call for suggestions of areas under the three categories.

**Stage 2 (12 months):** LPA produces local plan and any necessary evidence.

**Stage 3 (6 weeks):** LPA submits local plan to PINS and publishes the local plan for public consultation. All responses will need to explain how the local plan should change and will have a word limit.

**Stage 4 (9 months):** PINS Inspector considers whether the local plan is 'sustainable' and proposes binding changes if necessary. Relevant parties can be heard by the Inspector at his/her discretion, and an Examination in Public is not essential.

**Stage 5 (6 weeks):** Local plan map and text are finalised and published.

23. LPAs who fail to get a plan in place within 30 months face Government intervention. The five year review requirement remains in place.

*Proposal 9: Neighbourhood Plans retained as important means of community input*

24. Neighbourhood Plans are to be retained in the reformed planning system and Government will consider the extent to which the content of such plans needs to be amended to reflect the proposals for local plans.

## Pillar Two: Planning for Beautiful and Sustainable Places

### Creating Frameworks for Quality

*Proposal 11: Make design expectations more visual and predictable, design guidance and codes to be prepared locally with community involvement*

25. A national model Design Code is to be published alongside revised national policy. That along with a revised Manual for Streets is to have a direct bearing on the design of new communities. Local plans will move away from policies to including lists of design standards, requirements and specifications.
26. Under this proposal community involvement in the creation of design codes is essential, design codes produced with no effective community input will be given no weight in decision-taking. Similarly where there are no local design codes, the national one will be used.

*Proposal 14: Introduce a fast-track for beauty to incentivise high quality development*

27. National policy will make clear that schemes which comply with design codes should gain swift approval. In addition Growth areas will have a site-specific design code as a condition of outline approval gained through the local plan.
28. The White Paper also discusses under this proposal the potential to widen and change the nature of permitted development to enable popular and replicable forms of development to be approved easily and quickly.

*Proposal 18: Ambitious improvements to energy efficiency standards to achieve net-zero carbon by 2050*

29. Under this proposal the Government ambition is for all homes built under the new planning system to not need retrofitting in the future to achieve carbon goals. The White Paper discusses the need to explore options for energy efficiency standards beyond 2025.

## Pillar Three: Planning for Infrastructure and Connected Places

### A Consolidated Infrastructure Levy

*Proposal 19: CIL reformed to be charged as a fixed proportion of development value above a threshold, with a mandatory set of national rates*

30. Under this proposal traditional Section 106 Agreements and CIL would be consolidated into a single new Infrastructure Levy. The Infrastructure Levy would be a flat-rate, value-based national rate. The new charge would be on final development value and would be levied upon occupation.
31. The new Infrastructure Levy would incorporate value-based minimum threshold below which a levy wouldn't be charged in order to prevent low viability development from becoming unviable.
32. In order to support timely delivery of infrastructure an option would be available for Council's to borrow against the Infrastructure Levy to forward fund.

*Proposal 21: Reformed Infrastructure Levy should deliver affordable housing*

33. Under this proposal securing affordable housing as a planning obligation would not be lost – the powers under Section 106 would be integrated into the Infrastructure Levy.
34. This could be via on-site delivery or off-site commuted sum. On-site delivery would be an ‘in-kind’ Infrastructure Levy contribution and as such would be offset from the final cash liability from the site.

*Proposal 22: More freedom to local authorities on how they spend Infrastructure Levy*

35. Once core infrastructure obligations are met there is scope under this proposal for increased flexibility on how the remainder could be spent. This could include improving other Council services or reducing Council Tax.
36. However it remains an important part of the Infrastructure Levy that finding is spent close to where development takes place to ensure the neighbourhood share remains part of the reformed planning system.

Delivering Change

*Proposal 23: Develop a comprehensive resources and skills strategy for the planning sector to support reform implementation*

37. The White Paper states that the cost of operating the new planning system should be covered by the principal beneficiaries of planning gain – landowners and developers. In that context planning application fees are to remain, with a more standardised approach to pre-application charging to be introduced.
38. A small proportion of Infrastructure Levy should be earmarked by LPAs to cover ‘general planning costs’.

Stronger Enforcement

*Proposal 24: Seek to strengthen enforcement powers and sanctions*

39. Finally the White Paper proposes to review and strengthen existing planning enforcement powers and sanctions available. This could include more powers to address intentional unauthorised development, including higher fines.

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