

A Talking Town Planning Briefing Note

Planning For The Future

August 2020

Planning for the Future: Robert Jenrick, the Secretary of State for Housing, Communities and Local Government has announced new reforms to the English planning system in the Government's 'Planning for the Future' paper. The announcement signals the opening of a 12-week consultation ending on 29th October 2020. Proposals include reforms for a modern and streamlined planning system, a focus on design and sustainability, and an improved system for developer contributions towards infrastructure. The headline here is the move to a zoning-based planning system in England, designating land into one of three categories:

- **Growth** – suitable for substantial development, including new settlements and urban extension sites where outline approval for development would automatically be given for development types specified within the local plan.
- **Renewal** – covering existing built areas suitable for some development, such as densification and infill where smaller scale development is appropriate.
- **Protection** – areas where development is restricted, such as AONBs, Green Belt, local wildlife sites, and important areas of green space.

The reforms will see streamlined local plans setting clear rules rather than general policies for development, with a statutory duty to adopt a new style local plan within a 30-month deadline (or 42 months for local authorities who have adopted a local plan within the previous three years). These new style plans will be significantly shorter – expecting a reduction by two thirds, removing policies and setting core standards and requirements for development. Plans would now be subject to a single 'sustainable development' statutory test, replacing existing tests of soundness. Local plans should be visual, map-based, and standardised. Neighbourhood plans will be retained but should reflect local plans.

In terms of design, the reforms champion the 'beauty' aspect of new developments, with fast tracking for those displaying high-quality design. Design codes and guidance will be expected to be prepared locally and involve community engagement. A faster environmental assessment process is also targeted.

The proposals aim to improve infrastructure delivery through developer contribution reform. Proposed CIL changes will see a nationally set flat-rate charge to cut time negotiating section 106 agreements. Changes to the development management process will target faster decision making and more certain deadlines with



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a greater emphasis on technology. Finally, the reforms seek to improve energy efficiency standards for buildings to help deliver a 'world-leading' commitment to reach net zero emissions by 2050.

Build, Build, Build & Planning Reform: The Government made it clear in the build-up to this Paper being published that the economic recovery was being pinned on Boris Johnson's announcement in June to "Build, Build, Build" and Robert Jenrick's subsequent view that the currently "complex and slow" planning system would act as a "barrier to building homes".

It's clear the Government intends to speed up the planning process through land use zoning to bring homes and other necessary development forward as a means of recovery from economic downturn. The aim is to revitalise the construction industry and create thousands of jobs. A more streamlined planning regime is welcome in principle but how will it work in practice?

Implementation & Timescales: The radical proposals outlined in the Government's White Paper leave us asking how a zoning-based approach can be implemented but also more engaging whilst contributing effectively towards rapid economic recovery. Allocating land into one of three categories may lead to Local Planning Authorities ripping up and replacing current Local Plans across England with new style Zoning Maps and Zoning Regulations. Apart from mentioning standardised form and the use of data, the Paper does not explain the process for producing these, but it is likely that it will be a time-consuming process. By removing the ability to determine applications through a Development Management process, the allocation and categorisation of land will be of paramount importance.

The Local Plan Process: The planning reform will place enhanced levels of importance upon the plan making process. Site promotion will play a key role, as allocation within one of the three land use categories will essentially dictate future prospects and speed of bringing forward a development site. A standardised method for establishing housing requirement figures will also be implemented to release land where affordability is worst. This aspect of the development process points us towards a future requiring greater planning input at the time of local plan production and review. This will inevitably lead to changes in the way the development industry operates in the early phases of planning and its commitment to delivery.

Public Participation & Local Democracy: Whilst a clear set of rules and parameters for land use categories might be welcomed by developers, it has the potential to reduce the role of local democracy from the decision making process. Although neighbourhood plans are set to remain, it appears the content will need to reflect the wider new style local plan proposals. Under the reforms, public engagement will be



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limited to the plan preparation stages. Removing the opportunity for public engagement at the application stage may increase community resistance to certain development.

Cutting The Red Tape: Will the reforms achieve the Government's aims of "cutting red tape, but not standards" and place "a higher regard on quality and design than ever before"? The transition to a zoning-based approach requires clear standards and regulations that dictate the parameters and acceptability of development. Therefore, this will require a much higher level of prescriptive instruction and detailed guidance, such as design codes and pattern books. Will this structural change in the planning system deliver the urgent economic stimulus that the Government is trying to achieve? Proposals for greater digitalisation and modernisation of the planning process will be generally welcomed, with progress towards a more user-friendly digital platform benefitting all.

David Cowan, WYG's Managing Director for Planning, commented on the Paper: *"WYG welcomes the opportunity to reshape the planning system to meet the needs of the 21st Century. Whilst the planning system to date has, on the whole, delivered good outcomes for protecting the countryside and many aspects of the environment affected by development, it is not delivering the homes the country needs and too often we see good proposals delayed or even failing because of technicalities rather than merit. We agree that the planning balance needs to be reset so that well-formed proposals that are well-designed, sustainable developments get more certainty of outcome and timescale from a more transparent and effective framework of Local Plans. There are many changes proposed in the White Paper that will need detailed analysis of both effect and implementation but we welcome the opportunity to get a planning system that meets the needs of our clients and society as a whole and look forward to engaging in this consultation".*



