



CABINET

Tuesday 3 November 2020

RESPONSE TO THE PLANNING WHITE PAPER – PLANNING FOR THE FUTURE

EXECUTIVE SUMMARY

1. The Ministry of Housing, Communities and Local Government (MHCLG) is consulting on the Planning White Paper – Planning for the Future. The White Paper proposes radical reforms to the planning system.
2. This report provides the Council's response to the consultation (Appendix A) and seeks endorsement of the response.

Is the report Open or Exempt?	Open
Wards Affected:	All
Cabinet Member:	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
Supporting Officer:	Philip Ridley Head of Planning and Coastal Management 01394 444432 Philip.Ridley@eastsoffolk.gov.uk

1. INTRODUCTION

- 1.1 The Government has published the Planning White Paper for consultation for a period of 12 weeks from 6 August to 29 October 2020. The timing of this Cabinet meeting falls just after the deadline, so the Council's response, as set down in Appendix A has been sent to MHCLG as a holding response to meet the deadline. Should there be any changes to the response these will be sent through following this meeting.
- 1.2 In his Foreword to the White Paper, the Prime Minister proposes 'Radical reform unlike anything we have seen since the Second World War.' '...building from the ground up, a whole new planning system for England. One that is simpler, clearer and quicker to navigate, delivering results in weeks and months rather than years and decades.'

2. BRIEF OVERVIEW OF THE CONTENT OF THE CONSULTATION

- 2.1 The White Paper (link included under Background Papers) sets down a new vision that includes a focus on place making and the design of beautiful places, housing delivery and greater community engagement and involvement through a better user experience including digitisation of documents and the service as a whole. Much of this will require new primary and secondary legislation and other aspects will require a review of the National Planning Policy Framework (NPPF). The Government propose to develop a comprehensive resources and skills strategy for the planning sector to support the implementation of the reforms, including a focus on the new planning system being principally funded by the beneficiaries of planning gain rather than the national or local taxpayer.
- 2.2 The consultation sets down proposals focused around three Pillars; Pillar One – Planning for development; Pillar Two – Planning for beautiful and sustainable places and Pillar Three – Planning for infrastructure and connected places.
- 2.3 Pillar One – Planning for development – Proposals to streamline the planning process include:
- Simplifying the role of Local Plans to focus on identifying three types of land – growth areas suitable for substantial development, renewal areas suitable for development and areas for protection. An interactive web-based map will detail the administrative area, making data and policies easily searchable through a key and accompanying text. Areas and sites would be annotated and colour-coded in line with their designation.
 - Local Plans would need to be prepared in 30 months to a strict timeline for each of the 4 key stages, with 'best in class' community engagement. Transitional arrangements are proposed.
 - Masterplans and design codes to be prepared, preferably alongside Local Plans.
 - Development management policies would be established at a national level with local plans subject to a single statutory 'sustainable development' test, replacing the existing tests of soundness. The sustainability appraisal system would be removed, as would the duty to cooperate.

- Neighbourhood Plans would be retained but changes are likely.
- A streamlined development management process with automatic planning permission for schemes in line with Local Plans.
- Decision-making should be faster and more certain, with firm deadlines and greater use of technology and a stronger focus on the build out of housing developments through masterplans and design codes and seeking to include a variety of development types by different builders.
- A standard method for establishing housing requirement figures at the national level is proposed, factoring in land constraints and opportunities to use land effectively, such as brownfield sites.
- In relation to housing delivery, retaining the Housing Delivery Test and Housing Action Plans where required and removing the need for 5-year Housing Land Supply statements.

2.4 Pillar Two – Planning for beautiful and sustainable places - Proposals to provide a framework for quality, including a fast track for beauty include:

- In the autumn the Government will publish a National Model Design Code to supplement the National Design Guide.
- Design guidance and codes to be prepared locally with community involvement.
- Revival of 'pattern books' to be prepared nationally to articulate standard building types in areas zoned as suitable for development (*Renewal* areas in Local Plans) – these developments would benefit from permitted development. Local planning authorities or neighbourhood planning groups could use local orders to modify the standard types in their area.
- Incentivise and accelerate high quality development which reflects local character and preferences through expediting proposals that comply with pre-established good design principles.
- The Government will legislate in areas for significant development (*Growth* areas in Local Plans) to require a masterplan and site-specific codes to be agreed as a condition of the outline permission that is granted through the Plan.
- The NPPF will be amended to ensure that a reformed planning system can more effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.
- A quicker and simpler framework for assessing environmental impacts will be designed, listed building and conservation area policy will be reviewed and ambitious improvements in energy efficiency standards for buildings to deliver net-zero will be facilitated.

2.5 Pillar Three – Planning for infrastructure and connected places – Proposals to introduce a consolidated approach to deliver infrastructure and affordable housing include:

- The community infrastructure levy (CIL) should be charged as a fixed proportion of the development value above a threshold, with mandatory nationally set rate

- or rates, or locally set rates and the current planning system of planning obligations (Section 106) abolished.
- The current system should be consolidated under a reformed, extended ‘infrastructure levy’, which could be extended to capture changes of use through permitted development rights.
 - The new Levy should also deliver affordable housing.
 - More freedom could be given to local authorities over how they spend the Infrastructure Levy revenue.
 - Local authorities would be able to borrow against future Infrastructure Levy revenues to forward-fund infrastructure.

3. RESPONSE – KEY POINTS

- 3.1 There is much in the White Paper that is to be welcomed, at least in principle, particularly given the increasingly complex nature of the current system and the challenges for local communities in engaging with it. Proposals relating to greater public participation in the plan making process through greater digitisation, streamlining of plan making and decision making are positive proposals. The proposed removal of the 5-year housing land supply requirement would be welcomed and the removal of the duty to cooperate, provides the opportunity to bring back a wider spatial approach to cross boundary issues and strategic planning. The retention of Neighbourhood Planning is strongly supported.
- 3.2 However, there are proposals that cause concern as set out in Appendix A. Overall, it is not clear that the proposals will make the system less complex and there is doubt over the scope for some decisions to be made locally. Through three different consent processes proposed, depending on the status of the area, the Local Plan and Development Management processes could become more complex and confusing. The proposal to define areas of ‘Growth’, ‘Renewal’ and those which are ‘Protected’ is not sufficiently explained to enable confidence that this would not become a confusing and divisive approach to the designation of large parts of the District. Each designation would have considerably different effects on how development may come forward or be restricted and the designation process itself will be an incredibly challenging process. There is limited detail in relation to many of the proposals that has made it difficult to comment but where possible positive suggestions for the way forward have been made.
- 3.3 Also of note, producing a Local Plan within 30 months is likely to be a particular challenge given the level of detail required, the increased emphasis on community engagement and the regimented staged approach. There are concerns over the proposals for setting housing requirement figures nationally; the adherence to design codes and ‘pattern books’; the use and interpretation of subjective terms such as ‘beauty’ rather than design quality; and fast tracking development that is considered ‘beautiful’. Other concerns relate to granting permission in principle through Local Plan allocations; the refunding of planning application fees if the applications are not determined on time or are allowed on appeal; and a new Infrastructure Levy with nationally set rates and that would also need to fund the delivery of affordable housing.
- 3.4 With respect to housing delivery, in recognition that sufficient supply of land does not guarantee delivery, the Government propose to retain the Housing Delivery Test. In East Suffolk there are over 9,000 dwellings consented that are yet to be built, so incentivising development will be crucial to support delivery. Proposals to diversify the market through a

variety of development types and builders on major sites and the production of masterplans and design codes go some way towards achieving this. However, the additional Government commitment to explore further options to support faster build out rates, although to be welcomed, must ensure the measures have 'teeth'.

4. HOW DOES THIS RELATE TO THE EAST SUFFOLK STRATEGIC PLAN?

- 4.1 The proposed response to the White paper is consistent with all 5 themes of the East Suffolk Strategic Plan; Growing our Economy, Enabling our Communities, Remaining Financially Sustainable, Delivering Digital Transformation and Caring for Our Environment.

5. FINANCIAL AND GOVERNANCE IMPLICATIONS

- 5.1 This is a consultation, so there are no financial and governance implications in relation to responding to this consultation.
- 5.2 However, the proposals themselves if taken forward are likely to have implications. For example, there may be a loss of planning application fees should the allocation of development sites remove the need for outline planning permission or fees need to be refunded for applications that are not determined on time or are allowed on appeal; there could be implications in relation to funding for infrastructure if the new Infrastructure Levy is also required to deliver affordable housing; and additional resource would be needed to implement the proposals for the digitisation of plan making and decision-taking; and to ensure the necessary staff resource and skills are in place. New burdens funding is likely to be forthcoming from the Government to support the implementation of the changes but the extent of the funding is unknown.

6. OTHER KEY ISSUES

- 6.1 An Equality Impact Screening Assessment is not necessary as this report relates to a response to a consultation.

7. CONSULTATION

- 7.1 The proposals in the White Paper were considered by the Local Plan Working Group in September and have informed this response.

8. OTHER OPTIONS CONSIDERED

- 8.1 An alternative option would be to not endorse a response to the consultation. It is important for the Council to make its views known in respect of the implications of the proposals for East Suffolk so this option has been ruled out.

9. REASON FOR RECOMMENDATION

- 9.1 To provide the views of East Suffolk Council on the White Paper consultation.

RECOMMENDATIONS

That the content of Appendix A to this report is endorsed as the East Suffolk Council response to the Planning White Paper – Planning for the Future.

APPENDICES	
Appendix A	Response to the Planning White Paper – Planning for the Future

BACKGROUND PAPERS		
Please note that copies of background papers have not been published with the Cabinet report but are available to view on the Government website, as set out below.		
Date	Type	Available From
August 2020	Planning White Paper – Planning for the Future	https://www.gov.uk/government/consultations/planning-for-the-future