

COUNCIL MEETING – 13 OCTOBER 2020

PLANNING WHITE PAPER: PLANNING FOR THE FUTURE

1.0 Purpose of Report

- 1.1 To allow all Members of the Council opportunity to comment on the Government's Planning White Paper reforms and consider the Council's proposed response.

2.0 Background Information

- 2.1 On 6 August 2020 the Government published two sets of consultations in relation to the planning system;
- The Planning White Paper: Planning for the future sets out a fundamental change to the Planning system.
 - Proposed Changes to the current system proposes interim changes to address immediate issues.
- 2.2 These consultations were considered at the Economic Development Committee on 9 September 2020 along with proposed District Council responses. The minutes of the Committee meeting appear for noting later on this Agenda. The response to the Proposed Changes to the Current System was agreed and subsequently submitted before 1 October 2020 deadline. Consultation on the Planning White Paper concludes on 29 October 2020.
- 2.3 The Economic Development Committee AGREED (unanimously) that:
- (a) the proposed consultation responses be approved for submission in response to the consultations, subject to any additional comments;
 - (b) a report be taken to the October Meeting of Full Council to offer all Members the opportunity of debating the proposed planning reforms arising from the White Paper; and
 - (c) a letter be written to the Secretary of State setting out the Council's views on the White Paper.

3.0 White Paper Proposals

- 3.1 The White Paper (<https://www.gov.uk/government/consultations/planning-for-the-future>) proposes the complete remodelling of the planning system based on the following approach:
- Replacing the current Local Plan system with a 'simplified' version. It is that Local Plans should identify only three types of land – *Growth* areas suitable for substantial development, *Renewal* areas suitable for development, and areas that are *Protected*. The Government has stated that it is prepared to consider other 'binary' approaches to planning for development.

- Development Management policies for determining planning applications set at National Level.
- Enhanced consultation via online platforms including interactive mapping.
- Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development.
- Automatic approvals would be available for pre-established development types in other areas suitable for building.
- To make design expectations more visual and predictable, it will be expected that design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.
- The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.

4.0 District Council Response

4.1 The Planning White Paper identifies a number of issues and problems with the planning system which it is argued cannot be addressed by further incremental changes to the existing system. The Government therefore proposes a series of fundamental changes to the Planning System, ones which will have a significant impact on the built environment of Newark and Sherwood, the development industry, local communities and District Council's planning service.

4.2 The White Paper contains 37 consultation questions and the Council's proposed detailed response is included at **Appendix A**. Those questions highlighted in grey are not particularly aimed at Local Planning Authorities (LPA) and 4 of the proposals do not have consultation questions. The proposed response was considered and agreed at Economic Development Committee having been drawn up by officers following discussions with the Local Development Framework Task Group. In considering the District Council response it was felt the following key issues needed to be highlighted to the Committee:

1. Whilst the document is titled as a 'White Paper,' and it is intended that legislative and regulatory changes required will follow shortly afterwards, the proposals lack a significant amount of detail which makes it challenging to properly judge the impact of many of the proposals.
2. Whilst focusing on continuing to find ways to address the housing crisis is welcomed, unfortunately this appears to be in many places to the exclusion of all other concerns which need to be addressed. Matters in relation to specialist housing such as Gypsies and Traveller provision and type and tenure of housing are little discussed. Issues such as a climate change, town centres, sustainable economic growth are raised but then not discussed in any particular detail, nor are the impact of the proposed changes on these subject areas.
3. Place making is confused with design of place; this may seem to be a matter of semantics and clearly good design is at the heart of place making but in order for the Local Planning Authority or anybody else to create positive change intervention in the built environment needs to occur. If the current planning policy tools to do this are no longer available how will this occur? Similarly good design is confused with 'beautiful' design and it is proposed to reward beauty in development proposals.

4. Shifting of costs, risks and responsibilities to Local Planning Authorities; whilst simultaneously removing local discretion and decision making powers. Examples include:
 - a. Given the requirement to frontload the Local Plan process by effectively granting outline consent through allocating sites for growth this means that a significant proportion of the cost of technical work required to support consent will likely have to be shouldered by the LPA. It also seems unlikely that such a process could be completed in 30 months.
 - b. The new Infrastructure Levy will be payable upon completion which could result in no contributions being secured in the event of a developer collapsing leaving the District Council to pick up the responsibility for mitigating the impact of the development. Equally, there is an issue with the definition of 'completion' with development sites perhaps not reflecting the total numbers approved, often due to various re-plans and site constraints. The levy will also remove the direct link between development and the contributions that mitigate its impact; making it harder to demonstrate to the public the positive benefits of new development.
 - c. With development management policies nationalised and many forms of development having deemed consent local involvement will be restricted to matters of design and without the certainty of a planning consent the LPA may well become involved in many more enforcement matters.

5.0 RECOMMENDATION

That the proposed consultation responses attached at Appendix A be approved for submission in response to the White Paper consultation; subject to any additional comments the Council may have on the consultation proposals.

Background Papers

Planning White Paper

For further information contact Matt Lamb on ext 5842 or Matthew Norton on ext 5852.

Matt Lamb

Director – Planning & Growth