

Consultation response to the Planning White Paper – Planning for the Future

Responsible Officer

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1. Summary

The Government is proposing significant changes to the planning system first introduced with the 1947 Town and Country Planning Act and published a White Paper: Planning for the Future for consultation on 6th August.

This is a 12 week consultation closing on 29th October and the paper proposes a series of radical reforms to the process of plan making, decision taking and infrastructure contribution and delivery mechanisms. The Government describes the consultation as reforms of the planning system to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed. The proposals set out in the White Paper are considered under three thematic pillars and 26 questions are posed. Officers have considered the document and the draft response attached as Appendix A sets out the implications of the proposals for planning, development and infrastructure in Shropshire.

2. Recommendations

That Cabinet confirms its response to the White Paper: Planning for the Future as provided in Appendix A

REPORT

3. Risk Assessment and Opportunities Appraisal

Analysis of the effects on equality

The White Paper takes into account potential equalities impacts issues as part of the consultation and seeks views on the potential impact on the proposals

raised in the consultation on people with protected characteristics and whether further reforms could broaden access to planning for people in diverse groups and ensure inclusivity is achieved for a wide range of groups. it is the Government's intention to make the planning system more accessible, accountable, digital and transparent to increase access and engagement for all groups. the outcome of the consultation will determine whether this aspiration is realised.

Data protection

There are no data protection implications arising from the recommendation of this report, the White Paper consultation sets out in Annex A how personal data will be managed and used through the consultation process.

Human Rights

No issues identified

4. Financial Implications

No issues identified by the consultation but the recommendations in the white paper would have a number of resource implications which are set out in the the Council's response at Appendix A

5. Background

5.1 The White Paper: Planning for the Future was published on 6th August. The 12 week consultation runs to 29th October and the Government expects changes to be introduced next year. The 82 page White Paper considers the existing planning system to be out dated and ineffective, opaque and uncertain for developers and for communities wishing to engage with the process being based more on discretion than rules leading it suggests frequently to poor outcomes. Themes of modernisation, increased use of data and technology run through the paper which also seeks to meet the Governments aspiration to deliver 300,000 new homes each year.

5.2 Its vision is for the planning system to:-

- *be more ambitious for the places we create, expecting new development to be beautiful and to create a 'net gain' not just 'no net harm'*
- *Enhance democracy and engagement*
- *improve the user experience of the planning system*
- *support home ownership*
- *increase the supply of land available for new homes*
- *help businesses to expand with readier access to the commercial space they need*
- *support innovative developers and house builder*
- *promote the stewardship and improvement of our precious countryside and environment*
- *create a virtuous circle of prosperity in our villages, towns and cities*

5.3 The proposals in the White paper are set out under three thematic headings described as “Pillars” and the paper poses 26 questions for consideration throughout the text under these pillars

5.4 **Pillar One – Planning for Development.** This provides a simplified approach to identifying land suitable for development by zoning land into three broad categories:-

Growth areas that are suitable for sustainable development including new settlements, urban extension sites, former industrial sites and urban regeneration sites. Sites categorised as such in the Local Plan would have 'outline approval' for development. All flood risk areas would be excluded from this category.

Renewal areas that are suitable for development to include existing built areas that are suitable for smaller scale development, including densification, infill, town centres and village-edge sites. A statutory presumption in favour of development would not stop Local Planning Authorities resisting inappropriate development on residential gardens.

Protected areas including Green Belt, AONB and Conservation Areas where there would be more stringent control over new development.

5.5 **Pillar Two – Planning for Beautiful and Sustainable places.** This outlines proposals to provide a system where there are binding design codes and a planning framework which is rooted in local preferences and character. A new design body would be supported by a new chief officer for design and place-making in each local authority. A proposal to fast-track *planning for beauty* by accelerating high quality development reflecting local character and preferences is one of the areas where meaningful engagement will be required with local communities. In addition, this section deals with sustainability and a renewed commitment to net-zero carbon emissions by 2050 alongside ambitious improvements to energy efficient standards.

5.6 **Pillar Three – Planning for Infrastructure and Connected Places.** This proposes a new Infrastructure Levy to replace all CIL and current s106 planning obligations. The new flat-rate charge would be set nationally at either a single rate or area-specific rates and would be charged on the final value of a development and collected at that time rather than on commencement. The levy also applying to Permitted Developments. While greater certainty over contributions is expected, the plan is also to include affordable housing contributions within this levy and for local authorities to have more freedom over how they spend it, which will see more trade-offs between infrastructure investment and affordable housing.

5.7 The Government states that communities will be consulted from the beginning of the planning process and help to shape design codes to guide what development will happen in their area.

5.8 Government considers that the reforms will mean:

- Much-needed homes will be built quicker by ensuring local housing plans are developed and agreed in 30 months – down from the current 7 years it often takes.

- Every area to have a local plan in place - currently only 50% of local areas has an up-to-date plan to build more homes.
- The planning system will be made more accessible, by harnessing the latest technology through online maps and data.
- Valued green spaces will be protected for future generations by allowing for more building on brownfield land and all new streets to be tree lined.
- The planning process to be overhauled and replaced with a clearer, rules based system. Currently around a third of planning cases that go to appeal are overturned.
- A new simpler national levy to replace the current system of developer contributions which often causes delay – this will provide more certainty about the number of affordable homes being built.
- The creation of a fast-track system for beautiful buildings and establishing local design guidance for developers to build and preserve beautiful communities.

6.0 Climate Change Appraisal

- 6.1 The White Paper makes provision to require development to respond to the challenge of climate change and include a requirement for all new homes to be 'zero carbon ready', with no new homes delivered under the new system needed to be retrofitted as we achieve our commitment to net zero carbon emissions by 2050

7.0 Conclusions

- 7.1 The White Paper proposes significant and ambitious changes to the planning system although it also acknowledges that many practical issues need to be worked through and the Housing Minister Robert Jenrick has also acknowledged in a keynote speech to the Create Streets annual conference on 22nd September that it will be "very challenging" for local authorities, many of whom have experienced funding cuts and reduced capacity, to cope with the government's proposed changes to the planning system as set out in the Planning For The Future white paper. It is considered that the current planning system, while not perfect does have merits and provides a balance between appropriate consultation, regulation and delivery. In Shropshire the Planning Service has demonstrated significant housing delivery against an adopted local plan with a rising growth trajectory. The potential impacts of the White Paper for Shropshire could be significant in terms of housing numbers and other matters which are considered in detail in Appendix A

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

The Planning White Paper Consultation: Planning for the Future

[file:///V:/Planning/Management%20Team/Government%20Consultations/200805_Changes to the current planning system FINAL version.pdf](file:///V:/Planning/Management%20Team/Government%20Consultations/200805_Changes_to_the_current_planning_system_FINAL_version.pdf)

Cabinet Member (Portfolio Holder)

Councillor Gwilym Butler, Portfolio Holder - Communities, Place Planning and Regulatory Services

Councillor Robert Macey – Portfolio Holder, Portfolio Holder for Housing and Strategic Planning

Local Member

All Members

Appendices

Appendix A – Shropshire Council Response to the White Paper: Planning for the Future.