

# Latest Issues in the Planning System - Reform Proposals and Consultation

Update for Local Councils  
Autumn 2024

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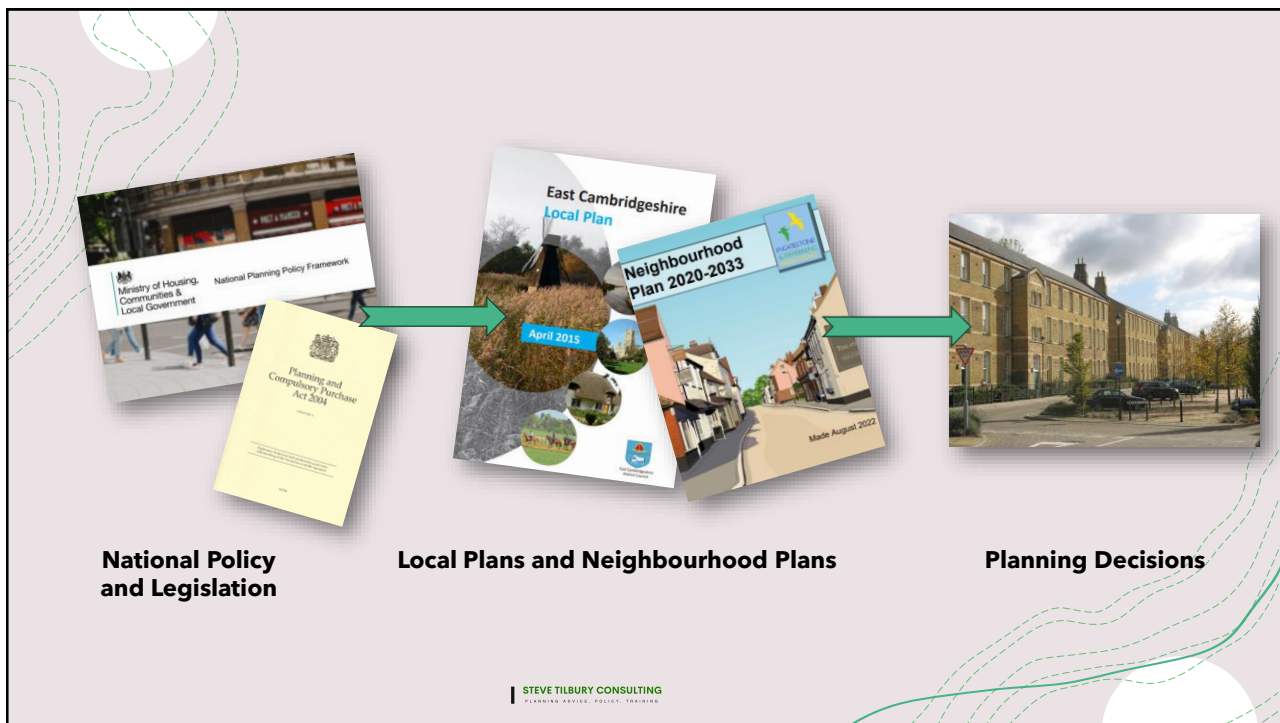
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## What we'll cover in the session

- the government's approach to key planning issues
- proposed changes to the National Planning Policy Framework
- calculating housing requirements and what that means for plan making
- the role of neighbourhood plans
- changes we are still expecting to hear more about
- what it means for local planning authorities, local councils and communities

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## Common ground that there are problems with the system

### what's happening

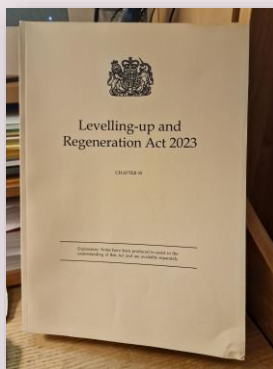
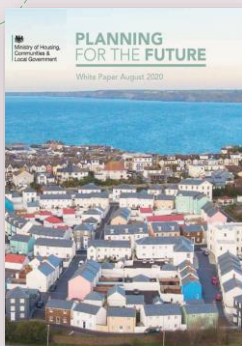
- not enough housing being delivered
- decision making takes too long and is too expensive
- infrastructure delivery is not properly coordinated
- the quality of the outcomes we achieve is patchy
- communities do not have confidence in the process

### some of the reasons

- too few up to date local plans
- decision makers are under resourced
- the quality of decision making is not always as good as it should be
- the tension between different local and national objectives is unresolved
- there are too many competing objectives

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## Where we were (are): December 2023



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## What are the new government's priorities?

- improve the quality and speed of decision making
- get more homes built
- get more affordable homes built
- deliver premises to meet new business requirements
- create more opportunities for renewable energy
- emphasise use of brownfield land
- retain protections for environment and historic buildings
- improve the delivery of major infrastructure projects



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## What's happening now

- consultation on a new National Planning Policy Framework - closed 24<sup>th</sup> September 2024
  - a new way of calculating housing requirement
  - revisions to the plan making timetable
  - new investment in affordable housing
- and still to come:**
- 'proper' strategic planning
  - national development management policies
  - a Planning and Infrastructure Bill
  - changes in process and procedure



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## The fundamentals of the system are not changing



we will still have a 'plan led' system



producing plans should be quicker and more streamlined but their role is the same (but a modification of that is coming)



the way applications are made and processes for granting permission will be largely the same



the role of decision-makers and consultees is unchanged



Nationally Significant Infrastructure Projects regime remains in place - with modifications

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## What else is not changing under any of the reforms?

- the status and protections for National Parks and National Landscapes (AONBs)
- the role or process for making neighbourhood plans
- Community Infrastructure Levy - no replacement
- nutrient neutrality rules - but something expected
- Environmental Impact Assessments - not yet at least
- Biodiversity Net Gain

## Speeding up plan making

- proposals to speed up plan-making will be implemented
- to ensure that coverage of up to date plans is more comprehensive
- national development management policies will reduce size of local plans
- inspectors told to be 'less pragmatic' - no more five year examinations!



## Rolling back the December 2023 NPPF

- all the changes to create more latitude in calculating 5 year housing land supply will be reversed (except one which is important for neighbourhood plans
- back where we were pre-December for the purposes of decision making, including appeals
- but decisions will be taken in accordance with the NPPF until the changes are brought into effect



## Renewables and Net Zero

- on shore wind farms now possible again
- more emphasis on renewables
  - wind
  - solar
  - large scale battery storage
- food production or energy production – a judgement for each application



## Enabling business growth

- a requirement to provide for 'the needs of a modern economy':
  - laboratories
  - gigafactories
  - datacentres
  - digital infrastructure
  - freight and logistics
- changes to the thresholds for Nationally Significant Infrastructure Projects



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## 'Vision Led' Transport and Active Travel Planning

Revisions to reflect the move from:

- "predict and provide" - where we assume the worst and try to engineer solutions
- to
- "decide and provide" - where we identify a preferred future and try to make sure it happens

More flexibility to demonstrate that there is a deliverable option in which the impact is not 'severe'



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## The significance of housing numbers

- the new government has set a policy requirement for 370,000 new planning consents to be delivered every year
- expectation that this translates to 300,000 homes every year
- that is the same as previous government
- the commitment to delivering the target - and the approach to doing so - has changed
- planning can be a constraint but by no means the only one - also materials and labour costs, finance, infrastructure delivery and staffing in LPAs and consultees



## Standard Method to calculate housing need



housing requirement for each LPA worked out according to a formula set by government



the current formula was introduced in 2018, and is now being amended



new formula based on housing stock and affordability



no cap and no extra weighting for large cities

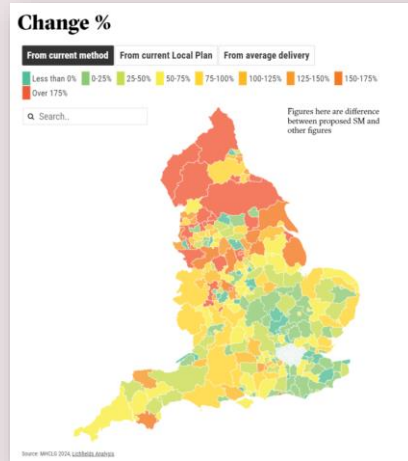


using the formula is mandatory not advisory



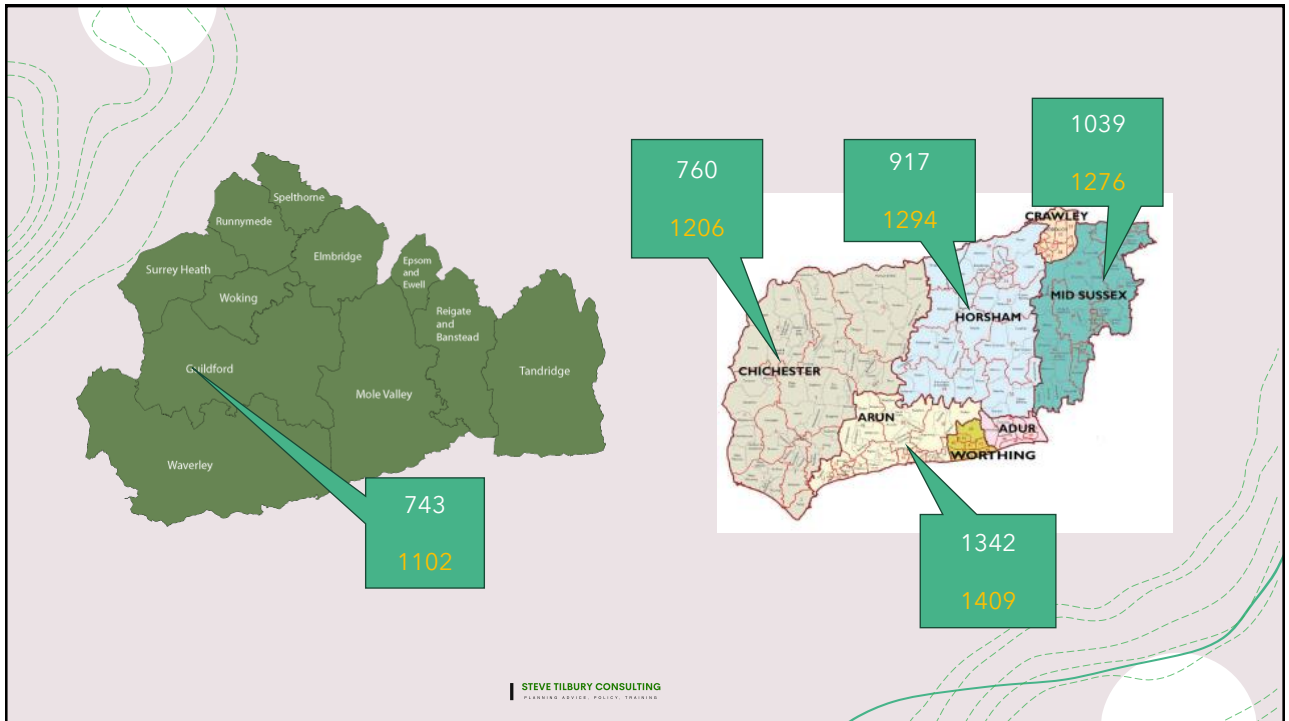
# What's the impact of the new standard method?

- lower housing targets for some larger cities (including Brighton and Hove)
- an uplift in housing requirement for many authorities
- most of the largest % increases are in the north but greatest numbers are in the south-east



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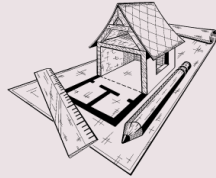
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## Two stage approach retained



Housing need  
calculated by  
standard method



'Hard constraints' on the  
extent or location of  
development



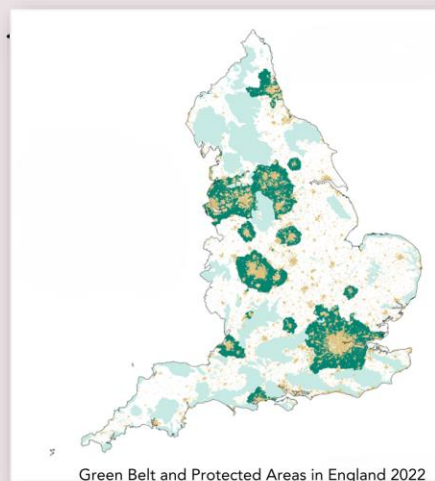
**Allocations**

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## Releasing Land from the Green Belt

- Green Belt is a formal designation to prevent 'urban sprawl'
- **not** an environmental designation
- Green Belt land may also be covered by other protections which **do** reflect quality and character
- Green Belt status gives very strong 'in principle' protection from development
- approximately 3% of Green Belt land might be described as either poor quality or previously developed



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## The government's proposal

to differentiate between land which is

- fully performing Green Belt; and
- 'grey' belt land
- grey belt defined as land which is previously developed or makes less contribution to the purpose of the Green Belt by virtue of condition or location
- developing grey belt land will be permitted in a wider range of circumstances



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## Affordable Housing Policy

- more emphasis on affordable **rented** property
- particularly social rent
- 'grey belt' approval will depend on high percentage of affordable housing
- local authorities and community organisations encouraged to build
- considerable financial constraints and challenges beyond planning
- review of funding, right to buy policies and delivery constraints

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## Strategic planning

### Currently

- 'duty to cooperate' across borders
- no requirement for planning at regional or sub regional level
- voluntary arrangements often fail as soon as tensions emerge
- LURA proposed to abolish duty to cooperate with no replacement

### Proposed

- duty to cooperate will continue until replaced
- cross border requirements strengthened and given more emphasis
- Inspectors told to pay more attention to meeting unmet need
- new strategic planning process to be laid out in future legislation

## Neighbourhood Planning

- no changes are proposed to the role or operation of neighbourhood plans
- Para 14 of the NPPF is unchanged - which might be considered a surprise
- but more neighbourhood plans may be significantly out of date as a result of changes to the NPPF and local plans being reviewed
- LPAs will have to decide their strategic approach to guide neighbourhood planning



## Transitional arrangements



submitted for examination

the plan will be examined under the relevant previous version of the NPPF - but if it provides for 200 per annum less housing than the new SM figure, an immediate review must follow



at Regulation 19

if you are within 200 per annum - continue to examination. If not 'rework' your plan to achieve SM requirement within 18 months with government assistance



any earlier stage

start/continue using the new SM requirement

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## More detail and consultation to follow

- new towns -where, when and how
- fully implemented strategic planning
- national development management policies
- changes to planning committee/delegation procedures
- Government intervention where performance is below expectations
- environmental outcomes

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## What will this mean in practice?

- it does depend on whether the government sticks to its position ... but that seems likely
- significantly higher housing numbers in many LPAs
- local plans will be under constant review
- more resources into LPAs (but will it attract staff?)
- difficult conversations with many communities
- uncertainty and frustration at delays (inc. to neighbourhood plans)

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## What happens next?



consultation on revised NPPF and housing numbers until 24 September 2024



changes implemented soon after - 'by the end of the year'



LPAs will review and revise plan-making timetables and targets



five year housing land supply positions will be updated



individual planning decisions will reflect and reference new policies



further changes to be announced and consulted upon



try to stay as informed and flexible as possible - it's a great deal for everyone to absorb

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