



Changes to the Planning System

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What Boris Johnson said...

“ Why are we so slow at building homes by comparison with other European countries? In 2018 we built 2.25 homes per 1000 people Germany managed 3.6, the Netherlands 3.8, France 6.8

I tell you why - because time is money, and the newt-counting delays in our system are a massive drag on the productivity and the prosperity of this country and so we will build better and build greener but we will also build faster ”

“Planning for the Future” Government ‘White Paper’



- Two consultations – short term change and fundamental change to planning system
- Wide-ranging changes to streamline and modernise the system
- Short term proposals consultation paper closes 1st October
- Planning system white paper closes 29th October

<https://www.gov.uk/government/consultations/planning-for-the-future>

Short-term changes to the current planning system

Consultation on four interim changes to the planning system, including:

1. changes to the standard method for assessing local housing need (to apply from November 2021)
2. temporarily lifting the small sites threshold below which developers do not need to contribute to affordable housing in urban areas from 10 to 40 or 50 dwellings
3. securing First Homes as part of affordable housing requirements through developer contributions in the short term until the transition to a new system
4. extending the current Permission in Principle to major development

All to be put in place until the new planning system is brought into force

Key Considerations of the Short-term Changes

- Method for assessing local housing need – formula raises housing figure to around 4,000
 - Challenge in terms of delivery – consistently around 3,000 homes
 - Limited transitional arrangements – but does not relate to Local Plans which have been adopted until review period
 - Method is likely to change again as a result of proposals in White Paper

Key Considerations of the Short-term Changes

- Delivering First Homes – Support in principle, but:
 - need to set variable levels of discount
 - Should be a rural exception but note issues around Designated Rural Areas
- Increasing the affordable housing threshold in urban areas to 40 or 50 – Will impact on the delivery of affordable homes in Cornwall
 - Potentially up to 300 fewer affordable homes
 - Concern around existing permissions
 - Issues around the Designated Rural Areas
 - Alternative support for SME builders

Key Considerations of the Short-term Changes

- Permission in Principle
 - Complexity of major developments does not necessarily fit with PiP process
 - need a clear strategy for the determination of major PiP applications
 - Interaction with other legislation needs consideration e.g. EIA, HRA
 - Issue around s106 contributions and infrastructure

Planning for the Future – main proposals

Identifies 3 ‘pillars’

- Planning for the development – to simplify and speed up plan-making and planning decisions
- Planning for beautiful and sustainable places – design and master planning given greater importance
- Planning for infrastructure – new nationally set levy replacing current S106 and CIL

Planning for the Future – main proposals

A new planning system based on a 'land classification' approach designed to speed up plan making and planning decisions:

- New Local Plan process, required to be completed within 30 months of commencement
- Planning decisions must be made within statutory time periods
- Increased national control of planning policies, housing numbers and standards
- Design and masterplanning given increased importance
- S.106 and CIL replaced by new 'Infrastructure Fund'
- Role of Neighbourhood Plans remain important but exact role unclear in the paper. Will continue to receive infrastructure fund share

Pillar one – Planning for the development

Local Plan prepared to identify three classifications of land:

- **Growth** - land identified for substantial development (could be new settlements, urban extensions or areas for redevelopment). Automatically granted outline planning permission upon adoption of the Local Plan.
- **Renewal** - land within existing built up areas for small scale development (could be infill development or development in town centres or rural areas). A statutory presumption in favour of development granted for specific, suitable uses in these areas as well as PD for certain building types and uses.
- **Protected** – areas of environmental or cultural character for more stringent development controls, such as AONB, Conservation Areas, Local Wildlife Sites, areas of flood risk or important green spaces and including countryside. A planning application required for development in these areas.

Planning for the Future – Local Plans

- 30 month process end to end
- A new nationally set housing requirement
- Planning policies will generally be set nationally
- Local plan will classify land, allocate sites and set out only site specific design requirements
- Design codes and standards produced alongside communities
- Automatic outline permission granted to allocated sites in growth areas
- Prior approval process for specified development types in renewal areas
- Greater digitisation of plans (all online) and interactive mapping for proposals

Pillar two – Planning for beautiful and sustainable places

- Design and master planning given greater importance
- Creation of a body to support local design codes and a ‘chief officer for design’ in each local authority
- Fast-track planning approval process for sites which accord with local design codes and masterplans
- Quicker environmental assessment process, more use of national data and fewer site-specific surveys (detail subject to consultation in Autumn)
- Listed Buildings and Conservation Act to be reviewed separately
- Climate change – net zero by 2050 - Reviewing and implementing the Future Homes standard and setting national standards through Building Regulations

Pillar three – planning for infrastructure and connected places

- S.106 and Community Infrastructure Levy to be replaced with a single infrastructure levy to charge a nationally-set rate based on fixed proportion of development value above a threshold
- Infrastructure Levy should deliver affordable housing provision
- Extended scope for Infrastructure Levy to capture changes of use through permitted development rights
- More freedom for local authorities over how they spend the Infrastructure Levy and authorities could borrow against the levy fund
- Develop a comprehensive resource and skills strategy for the planning sector
- Strengthen enforcement powers and sanctions

Design coding and beauty

- Model design codes through new national approach
- Creation of a body to support local design codes and a 'chief officer for design'
- Design guide becomes more important, but bar for engagement is also raised
- Role for Council, NDPS or developers
- Precedence for national guide and code until replaced locally
- Considerable scale of work across Cornwall – potentially increased role for guides?
- National pattern book of popular design?



Environment

- Reduction in the number of assessments undertaken
- Continued commitment to Biodiversity Net Gain and street trees
- One stop environmental assessment process to replace existing regimes
- Protection allocation and links to Nature Recovery Networks
- Protection allocation and local green space
- Limited actions for climate change mitigation



Neighbourhood Planning

- The future role is unclear, but still viewed as important
- Recent confirmation of continued funding
- National policies will apply
- Importance of role in explaining local character increases
- Greater positive role in design and patterns of development?
- Support for greater digitisation
- Plans should continue production



Digitisation

- Visual and map based
- Machine readable plans – national database
- Based on a template
- Plans are simplified to interactive maps
- Greater emphasis on digital presentation
- Accessible by smartphone
- Greater sharing of data



Policy

- Greater use of national policy
- Reduction of generic policies
- Site specific policies
- Design coding and standards will increase in importance

Combined infrastructure levy

- Combination of S.106 and Community Infrastructure Levy
- Proportion set nationally
- Payment at occupation, set at levy in force at the time
- Authorities can borrow against expected levy to front load infrastructure
- Affordable housing to be provided from levy
- Up to 25% top slice to be retained for parishes

Climate Change

- Climate change has little detailed reference
- Implications for:
 - Coastal change and flooding?
 - Net zero ready development – is there provision for offsetting and renewables as standard?
 - Policy for renewable energy (and suitable areas)?
 - Biodiversity net gain and nature recovery networks – how these will be embedded
 - Tree planting and canopy cover

Summary

- Plan-making is the focus – significant resources required to identify different areas for growth, renewal and protection against a challenging Local Plan statutory timetable
- Master plans and design codes – resources required to develop these alongside a Local Plan
- Clarity needed on the continued role of Neighbourhood Plans
- Unclear what the national development management policies will cover
- Clarity needed on proposals for reducing duplication in environmental assessment
- How can build out be incentivised?

Summary

- Detail needed around the role of communities, committees and members in the determination of planning applications
- Concern around popular ‘anywhere’ design – limited reflection of local context and potentially stifling innovation
- Single Infrastructure Levy welcomed but need to retain other aspects of s106 – legal agreements
- How will the Levy rate be set nationally – will this mean less funding for Cornwall?
- No guarantee that the new Infrastructure Levy will deliver affordable housing



Thank you / Meur ras

If you have any questions or comments

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