



**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:**
24 September 2020

CABINET: 13 October 2020

PLANNING COMMITTEE:
15 October 2020

Report of: Corporate Director of Place and Community

Relevant Portfolio Holder: Councillor David Evans

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**SUBJECT: PLANNING FOR THE FUTURE WHITE PAPER AND CONSULTATION
ON CHANGES TO THE PLANNING SYSTEM**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To consider the proposed Council response to MHCLG's consultation on both the Planning for the Future white paper and the technical changes to the planning system.

2.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 2.1 That the proposed Council response to the Planning for the Future white paper at Appendix A be considered and agreed comments of the committee on that response be considered by Cabinet on 13th October.
- 2.2 That the proposed Council response to the technical consultation changes to the planning system at Appendix B be considered and agreed comments of the committee on that response be shared with the Corporate Director of Place and Community for consideration prior to a final response on the technical consultation being agreed in consultation with the Portfolio Holder for Planning and submitted before the deadline of 1st October.

3.0 RECOMMENDATIONS TO CABINET

- 3.1 That the agreed comments of Executive Overview & Scrutiny Committee provided at Appendix C be noted and considered.

- 3.2 That the proposed Council response to the Planning for the Future white paper at Appendix A be agreed, subject to the consideration of the agreed comments of Planning Committee on 15th October.
- 3.3 That authority to agree and submit the Council's response to the Planning for the Future white paper be delegated to the Corporate Director of Place and Community, in consultation with the Portfolio Holder for Planning, following consideration of the agreed comments of Planning Committee on 15th October.

4.0 RECOMMENDATIONS TO PLANNING COMMITTEE

- 4.1 That the proposed Council response to the Planning for the Future white paper at Appendix A be considered and agreed comments of the committee on that response be shared with the Corporate Director of Place and Community for consideration prior to a final response being agreed in consultation with the Portfolio Holder for Planning and submitted before the deadline of 29th October.
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5.0 BACKGROUND

- 5.1 On 6th August 2020, the Government published their Planning for the Future white paper as well as a separate (but related) technical consultation on changes to the planning system. The White Paper can be viewed at: <https://www.gov.uk/government/consultations/planning-for-the-future> and the technical consultation on changes to the planning system can be viewed at: <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>.
- 5.2 The white paper sets out proposals for a wide-ranging change to the planning system in England, with some of the key proposals being:
- A new zonal-style of Local Plan that would involve automatically giving outline planning permission for development in areas zoned for growth in such a Local Plan. Local Plans would zone all parts of a district as either a growth zone, a renewal zone or a protected zone, with different scales and types of development allowed in each zone and different ways of securing planning permission in each zone. Instead of general policies for development (which would be set nationally instead), Local Plans would be required to set out site- and area-specific requirements for development, alongside locally produced design codes.
 - A "binding" housing requirement would be introduced, calculated using an updated standard method (see below), that local planning authorities would have to deliver through their Local Plans.
 - Large building sites would be split between multiple developers and housebuilders to accelerate delivery of housing.
 - Local Planning Authorities would be given new powers to drive up design and sustainability standards, with a greater focus on "placemaking" and "building beautiful" and the use of design codes.

- A new, nationally-set, flat rate, single Infrastructure Levy to replace CIL and S106s and to fund both new infrastructure and affordable housing from the same pot of funding.
- The planning process would be increasingly digitised, with Local Plans and policy moving from being document-based to a process driven by data and expressed more visually and map-based in nationally standardised, open and accessible formats.
- Community consultation and engagement on specific sites for development would be brought forward and upfront to the Plan-making stage, meaning that consultation at the planning application stage would be streamlined and reduced, because the principle of the development would have been established at the Local Plan stage.

5.3 The separate technical consultation covers details of four key proposals that the Government had been working on even prior to wider changes proposed in the white paper:

- A proposed change to the standard method for calculating housing requirements for strategic plans (Local Plans) – which would become a "binding" requirement under the white paper proposals.
- Delivering the Government's "First Homes" concept
- Supporting small and medium sized developers
- Proposals to extend the Permission in Principle consent regime

6.0 PROPOSED COMMENTS

6.1 Appendices A and B set out a suggested Council response to the consultation questions that the Government have posed in relation to the white paper and the technical consultation respectively, and members are invited to consider this fully and agree comments on possible improvements to those responses for Cabinet / the Corporate Director of Place and Community to consider before agreeing a final response to both consultations.

6.2 In relation to the white paper's proposals, it is quite difficult to be precise in supporting or raising concerns about the proposals because there is very little detail on how the proposals would be implemented, and whether they would be positive changes would very much depend on the detail of *how* they would be implemented. However, there are two major areas where officers have significant concerns that it is recommended should be flagged with MHCLG through the consultation response, alongside the responses to the other consultation questions. These two major areas are:

- The new-style zonal Local Plan, with associated design codes and changes to how permission is granted – while the overall idea of the new-style Local Plan and granting outline planning permission automatically in growth zones could potentially work, the lack of detail on the "how" it would be implemented has generated quite a bit of concern in the planning sector. It

is likely to create a lot more work in preparing a Local Plan, including preparing detailed design codes (which is not something local planning authorities often have to do at the moment) and greater public engagement on site-specific matters, and all within a shorter timescale for preparation and examination (30 months). At the same time, local planning authorities will have less control at planning application stage and likely reduced planning application fee income.

- The proposed new single Infrastructure Levy – this would replace the existing CIL and S106 arrangements to fund not just infrastructure, but affordable housing as well. It would involve setting a flat rate nationally, and deducting any costs incurred providing on-site affordable housing. As such, while it would ultimately depend on what the flat rate is set at, it is likely that the new Infrastructure Levy would result in less funding for infrastructure and / or less affordable housing being delivered.

6.3 In relation to the technical consultation on changes to the planning system, officers do have some concerns about the precise way in which First Homes are to be promoted above other forms of affordable housing, about the potential temporary changes to affordable housing requirements on developments of up to 50 dwellings, and about the wider use of the Permission in Principle consent route (which has not proved popular amongst local planning authorities or applicants thus far, and could reduce planning fee income for local planning authorities whilst doing little to reduce workload in dealing with such applications). However, the proposed changes in technical consultation are fairly modest and not wholly unreasonable.

6.4 The proposed revision to the standard methodology for calculating a district's housing requirement would raise the housing requirement for West Lancashire (based on the current data) from 193 dwellings a year under the current standard method to 277 dwellings a year under the proposed new standard method, which is more in line with what would be expected in West Lancashire based upon experience over the past 10-20 years. However, while the proposed standard method results in a more sensible housing requirement figure for West Lancashire, it is not without criticism as it produces extremely high figures in other parts of the country (most notably London and the South East) and there is concern that it is still not a robust basis for housing requirements where it utilises questionable household projections for some authorities.

7.0 SUSTAINABILITY IMPLICATIONS

7.1 There are no direct implications for sustainability from the recommendations in this report, as they are only considering a proposed Council response to the Government's proposals to change the planning system in England.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

8.1 The recommendations in this report have no financial and resource implications for the Council. However, the Government's proposals to change the planning system in England will likely have significant (negative) impacts on the Council's finances and resources, but until the Government provides more detail on how the new planning system would operate, it is not possible to estimate this impact.

9.0 RISK ASSESSMENT

- 9.1 There are no risks for the Council associated with the recommendations in this report. However, the changes to the planning system proposed by Government that are being considered in this report will likely bring significant risks for the Council, but until the Government provides more detail on how the new planning system would operate, it is not possible to estimate this risk.

10.0 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 There are no direct implications for health and wellbeing from the recommendations in this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

This report does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Appendices

Appendix A – Proposed Council response to the Planning for the Future white paper

Appendix B – Proposed Council response to the technical consultation on changes to the planning system

Appendix C – Minute of Executive Overview & Scrutiny Committee 24 September 2020 (Cabinet & Planning Committee only)

Appendix D – Minute of Cabinet 13 October 2020 (Planning Committee only)