

Planning for the Future

The Government's White Paper, published on 6 August, called "Planning for the Future" sets out in 82 pages reform of the planning system, to simplify, speed and create more certainty.

The proposals involve a greater use of data and technology to help deliver of 300k homes per year with policy falling into three key headings or 'Pillars'.

The White Paper is based on the following 5 key objectives for reform to:

- **streamline the planning process**
- **digitise the planning system - for plan-making and decision-taking**
- **focus on design and sustainability**
- **revise developer contributions and infrastructure delivery**
- **make more land available for housing delivery and supporting town centre regeneration**

The proposed reforms have received a mixed response and have attracted some controversy.

Pros: Several large developers and builders have offered support for the proposals and particularly the commitment to build 300,000 new homes a year. The Confederation of British Industry has said that the reforms would allow housebuilders to get to work and good quality homes could help meet climate targets.

Cons: There has been some criticism. The Royal Town Planning Institute (RTPI) has voiced concern about the approach that the white paper was expected to take and the "planner bashing rhetoric" and argued that sweeping away the planning system was not the right response. The Royal Institute of British Architects agreed that the planning system needed to be reformed but branded the white paper's proposals as "shameful". The Campaign to Protect Rural England voiced concerns about how community involvement would work within a zoning system and "missed chances" around carbon-neutral, affordable housing. The housing charity, Shelter, expressed concern at the reforms' potential impact on social housing. The Local Government Association said it was vital that new homes should be delivered through a locally-led planning system and communities should retain the right to shape the areas in which they live.

The White Paper proposals fall into three main "pillars":

Pillar One – Planning for Development involves a concept of "zoning" land into three categories:

- **Growth** - suitable for sustainable development, including new settlements, urban extension sites, former industrial sites and urban regeneration sites. Sites categorised as such in any Local Plan would have 'outline approval' for development. However, all flood risk areas would be excluded from this

category. Any land contained within these designated areas will no doubt increase in value as a result.

- **Renewal** - suitable for development: to include existing built areas that are suitable for smaller scale development, including infill and edge of town sites. A statutory presumption in favour of development would not stop LPAs resisting inappropriate development in places such as residential gardens. Renewal areas would benefit from a general presumption in favour of development. One of the overarching policy aims of the White Paper is to make the planning system more accessible for smaller-scale developers, however with the value of land in these two zones no doubt increasing it is questionable whether this outcome will be achieved. The Conservation Area protection would remain.
- **Protected** areas – unsuitable for development because of Green Belt, AONB and other protected habitats and Conservation Areas. Rye is surrounded by such protected land.

Is this radical change? The existing Local Plan system already sets zones to show land for different types of development and therefore the proposed system is not particularly radical. Our approach to the Rye Neighbourhood Plan followed these lines.

Presumption about Permissions

What is radical is that once zoned it is assumed that the land designated has 'permission in principle'. But, a fundamental change to the existing system will take significant time and effort to become embedded and while a transitional period is indicated, it is not clear how long this would remain in place. Change on this scale has a potential downside risk of causing delay in the delivery of new plans and in timely decision-making.

Local Housing Number Requirements

The proposed system of distribution of the national house-building target of 300,000 new homes annually moves away from using the current projections and focuses on the existing amount of housing stock in an area. The government envisages that every local authority will be bound by targets set by a renewed "standard method" for calculating housing need. The standard method will be based on how many existing homes are in an area, the projected rise in households, and changes in affordability. But, what about second homes? How will they feature in the new calculation?

"First Homes" are expected to take priority over other forms of affordable home ownership. For example, if a local plan required 30% of affordable housing to be shared ownership before, under the new rules it should require 25% First Homes

and just 5% shared ownership. This could have a serious negative impact on the supply of new shared ownership homes.

Local Plans

Local authorities will have 30 months to produce a new-style stripped back local plan, down from a current average of seven years. While the new plans will be more powerful in that they will confer planning permission to “growth” sites, councils will lose the ability to set local policies. Instead, all planning policy will be set nationally with local plans restricted to development allocation and the specific codes and standards to be applied to projects in the development zones. The plan should include “an interactive web-based map of the administrative area where data and policies are easily searchable”, with colour-coded maps reflecting the zoning, key and accompanying text setting out “suitable development uses, as well as limitations on height and/or density as relevant” within the zones. Rother District is embarking on its revise of the Core Strategy (Local Plan) . Will it start to reflect these changes?

Neighbourhood Plans

The Neighbourhood Plan is here to stay as a means of securing community input as part of a reformed planning system – the White Paper makes this clear in Proposal 9.

Pillar Two – Planning for Beautiful and Sustainable Places focuses on design codes 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 (another layer of bureaucracy and subjectivity?). 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 (more delays?). In addition, this section deals with sustainability and a renewed commitment to net-zero by 2050 alongside ambitious improvements to energy efficient standards. Other points are:

- General development management policies will be set nationally;
- Local plans will be focused on identifying site and area-specific requirements, alongside developing local design codes;
- Local plans will set out core standards and requirements for developments;
- Local plans are expected to be reduced by two-thirds;
- Neighbourhood planning to be focused on producing design guides and code;
- Local Plan preparation process to take 30 months and introduction of statutory targets;
- A single ‘sustainability test’;
- Abolish the Sustainability Appraisal, Duty to Cooperate.

New design code body A new body is to be set up to be given the role of supporting local authorities in the creation of local design codes, and each local authority will be expected to employ a chief officer for design and place-making to oversee quality. Local design codes must have community input to be valid.

Digital planning

It is intended that public involvement in local planning is to be expanded by digitisation to allow much easier public access to planning documents. Proposals will be published online in standardised formats with “digitally consumable rules and data”, allowing people to respond to consultations on their smartphones. That will be fine for those with access but not for others?

Pillar Three – Planning for Infrastructure and Connected Places and proposes a new Infrastructure Levy to replace all CIL and current planning obligations.

Section 106 scrapped in Favour of the Community Infrastructure Levy

Instead of negotiated Section 106 Agreements and the separate, locally set CIL, the government is proposing to introduce a single, nationally set “Infrastructure Levy”. The new Infrastructure Levy would be a nationally set tax on the land value uplift that occurs through the grant of planning permission. Affordable homes delivered on-site would be offset against the proposed Levy, with First Homes also incentivised this way and to be sold at a 30% minimum discount to market homes. The principle behind CIL was that it would reduce the complexity of the Section 106 process. Negotiating and agreeing Section 106 agreements, particularly on larger sites, remains a complex and challenging process post resolution and is a major cause of delay. However, it does create a direct link between new development and the measures necessary to mitigate the effects of new proposals. It remains to be seen how the new levy would address this complex issue and ensure mitigation at a site level is adequately funded and infrastructure delivered at the time it is required.

Bottom Lines

The white paper’s intent is to deliver more homes, faster. It emphasises the need for clarity and simplicity and highlights net gain and the need to overcome generational divide and inequality of home ownership. This is to be commended but, the big and urgent environmental and social issues will never be resolved by developing land on a site-by-site basis. Most solutions can only be delivered through an integrated plan at scale, whether that is sustainable infrastructure, environmental mitigation, health and wellbeing rooted in active travel, biodiversity or landscape restoration.

- local communities will be consulted from the very beginning of the planning process. By harnessing the latest technology through online maps and data, the whole system will be made more accessible.
- Valued green and protected spaces will be protected for future generations by allowing more building on brownfield land and “new streets to be tree lined”.

- Much-needed homes will be built quicker by ensuring local housing plans are developed and agreed in 30 months – down from the current seven years.
- Every area to have a local plan in place – currently only 50% of local areas has a plan to build more home.
- 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 at appeal.
- A new simpler national levy to replace the current system of developer contributions which often causes delay.
- The creation of a fast-track system for beautiful buildings and establishing local design guidance for developers to build and preserve beautiful communities.
- An ambition that new ‘zero carbon ready’ homes delivered under our new system will not require any future retrofitting
- The focus is on planning for housing with lack of detail on how other development, such as renewable energy which will be critical to achieving net zero carbon emissions by 2050, will be considered.
- There is also no mention of delivering housing to rent, a significant recent contributor to meeting the range of England’s housing needs.

Rye Town Council Comments

1. Will all this change be properly resourced? The planning system has struggled in recent years with systematic under-resourcing. We know this from the challenges of securing support for our own Neighbourhood Plan making. There needs to be serious investment in the ‘means and measures’ – the parameters and codes and standards that would be essential to success.
2. Effective public engagement will be critical, indicating a need for high-profile, visible, plan-making that is ambitious and exciting enough to attract the publics’ attention. This will require more not less!

3. Pleased to see that Neighbourhood Plans are supported. Communities like Rye spent years developing its own community plan and we consider that this process provides the best way from local communities to influence future development.
4. Affordable housing is an issue in Rye. With around 400 second homes of a total stock of 2500, and demand for homes for incomers, particularly from London, how realistically is housing need to be calculated?
5. Digital innovation is to be welcomed but what about those who are digitally challenged? How will they gain access to the system?
6. In Rye we have a made Neighbourhood Plan which conforms to higher level policy. Rother District has embarked on a revision of its local plan/core strategy. With these national proposals and the prospect of a revised NPPF, how will all the policy tie together?