

Strategic Planning Board

Date of Meeting: 14 October 2020

Report Title: White Paper: Planning for the Future

Senior Officer: Frank Jordan, Executive Director of Place

1. Report Summary

- 1.1. This report is a briefing on the governments proposed changes to the planning system published in the white paper: Planning for the Future. The report outlines the main changes proposed in the white paper and includes a draft consultation response for consideration at Appendix 1.

2. Recommendations

- 2.1. That the Strategic Planning Board:
- 2.2. Note the draft consultation response that will be finalised in consultation with the Head of Planning and the Portfolio Holder for Planning, prior to submission by the 29th October 2020.

3. Reasons for Recommendations

- 3.1. There is no statutory requirement for the Council to respond to this consultation; there is also no formal decision to be taken by this committee. However, responding to the consultation may help shape future changes to the planning system.

4. Other Options Considered

- 4.1. The Council is under no obligation to respond to the consultation. Responding to the consultation is important to ensure the Council takes the opportunity to potentially shape the outcome of the process.

5. Background

- 5.1. The proposed changes put forward in the governments Planning for the Future White Paper represent a very significant re-modelling of the planning

system which will fundamentally change the way that local plans and individual planning decisions are made.

- 5.2. The core aims of the reforms are to speed up the planning system, secure delivery of 300,000 homes per year and drive a more joined-up national approach through a focus on digital information.
- 5.3. There are many important and significant proposals being put forward and a more detailed response on individual matters within the White Paper is presented at Appendix 1. At its core, the White Paper seeks to make the planning system more responsive and efficient primarily by:
 - 5.3.1. Re-focusing public engagement away from the planning application stage to the development of the local plan.
 - 5.3.2. Changing the way local plans are written, focusing on clear development standards rather than local plan policies (that rely more heavily on the exercise of planning judgement).
 - 5.3.3. Defining three development zones within local plans: growth zones (areas for significant new development); renewal zones (existing developed areas) protection zones (areas of heritage, countryside, green belt, national parks etc).
 - 5.3.4. Speeding up the development process by ensuring that land allocated as a growth zone will benefit from outline planning permission on the adoption of the local plan, with any reserved matters to be dealt with primarily by professionals (not planning committees);
 - 5.3.5. Speeding up the production of local plans through reducing and removing the evidential burden placed on plan making and significantly reducing the scope to write local development management policies. Housing targets will be established nationally, taking into account local constraints; the duty to co-operate will be removed; the approach to sustainability appraisal and environmental impact assessments will be revised and reduced; and most development management policies will be established at a national level. The reduced plan-making burden is expected to speed-up the process and there will be a statutory requirement to produce plans within 30months.
 - 5.3.6. Creating a focus on quicker consent routes for good design, supported by local design codes (either within the local plan or through the neighbourhood planning process).
 - 5.3.7. Replacement of S106 and CIL with an 'Infrastructure Levy' that authorities can spend widely and lend against.

- 5.4. The proposals represent fundamental changes to the system but rest on existing concepts that are already well understood such as the concept of local plans; outline planning permission; and public engagement.
- 5.5. Inevitably, at this first stage of consultation, much of the detail of how the proposals will work in practice is yet to be presented therefore the response given here is subject to such detail, and in many instances it is difficult to support the proposed measures without further information that may help clarify the impact
- 5.6. The white paper sets out some positive ambitions but, overall, what is proposed takes away some significant and important features of the current system, and without assurance that what is lost will be sufficiently mitigated for, it is difficult to lend the proposals full and open support at this stage.
- 5.7. Most importantly, for LPAs to deliver the proposals Councils must be fully resourced to do so and through the infrastructure levy, must be able to capture at least the same uplift in land value as is possible now (arguably a new system should capture more). If Local Planning Authorities are not resourced to deliver it, and cannot secure the right resources from it, the proposed planning system will not achieve its ambitions.
- 5.8. Therefore, because of the lack of detail, worked examples or specific mechanisms that will be used to calculate housing requirements or infrastructure levy receipts (amongst other matters); and without any clear detail on how the reduced democratic oversight will be enhanced through the local plan process, or how cross boundary matters will be resolved; it is very difficult to reach a strong view on much of what is proposed. Whilst much of what is proposed could be positive if additional measures are put in place to secure positive outcomes, more information is needed on what those measures may be.
- 5.9. There are serious concerns over how transparent and democratically accountable the proposed system could be and whilst reducing the evidential burden on plan-making may be a reasonable approach to ensure the resource dedicated to this part of plan making is proportional, there is no reassurance as to how fundamental issues will be accounted for in plan preparation. Very significantly the removal of the duty to co-operate (without an alternative mechanism being proposed) leaves a gap in regard to how authorities will be required to demonstrate cross boundary co-operation on a range of issues from infrastructure planning, growth strategies and environmental issues (particularly in regard to flooding).
- 5.10. The response attached at Appendix 1 recognises the lack of detail provided in the White Paper itself and accordingly, it is a cautious response that seeks further information, upon which a clearer view can be reached.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. None at this time.

6.2. Finance Implications

6.2.1. Unknown at this stage but the implications of any new and significant legislative changes may bring financial pressures for additional resources.

6.3. Policy Implications

6.3.1. None in the short term. Potentially significant in the longer term.

6.4. Equality Implications

6.4.1. None relevant.

6.5. Human Resources Implications

6.5.1. Unknown at this stage but the implications of any new and significant legislative changes may require additional resources for implementation

6.6. Risk Management Implications

6.6.1. None.

6.7. Rural Communities Implications

6.7.1. None.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. None.

6.9. Public Health Implications

6.9.1. None.

6.10. Climate Change Implications

6.10.1. None

7. Ward Members Affected

7.1. All Wards. The implications of the proposals are relevant to the whole of Cheshire East.

8. Consultation & Engagement

8.1. There is no requirement to formally consult on a response to a government consultation.

9. Access to Information

9.1. Key Documents:

9.1.1. Appendix 1: Draft CEC Response to the Planning for the Future White Paper

10. Contact Information

10.1. Any questions relating to this report should be directed to the following officer:

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