



CPCA AGM

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WHITE PAPER: PLANNING FOR THE FUTURE

- **OBJECTIVES**

- One that is simpler, clearer and quicker to navigate, delivering results in weeks and months rather than years and decades.
- That actively encourages sustainable, beautiful, safe and useful development rather than obstructing it.
- That makes it harder for developers to dodge their obligations to improve infrastructure and opens up housebuilding to more than just the current handful of massive corporations.
- That gives you a greater say over what gets built in your community.

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- **INTENTION**

- Our proposals for Local Plan reform, changes to developer contributions and development management would require primary legislation followed by secondary legislation. The proposals allow 30 months for new Local Plans to be in place so a new planning framework, so we would expect new Local Plans to be in place by the end of the Parliament.
- We would implement any policy changes, including to set a new housing requirement, by updating the National Planning Policy Framework in line with the new legislation.

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Government Wish

- **BE MORE AMBITIOUS FOR THE PLACES WE CREATE** expecting new development to be beautiful and to create a 'net gain' not just 'no net harm';
- **MOVE THE DEMOCRACY FORWARD** in the planning process and give neighbourhoods and communities an earlier and more meaningful voice in the future of their area as plans are made, harnessing digital technology to make it much easier to access and understand information about specific planning proposals. More engagement should take place at the Local Plan phase;
- **IMPROVE THE USER EXPERIENCE OF THE PLANNING SYSTEM** to make planning information easier to find and understand and make it appear in the places that discussions are happening, for example in digital neighbourhood groups and social networks. New digital engagement processes will make it radically easier to raise views about and visualise emerging proposals whilst on-the-go on a smart phone;
- **SUPPORT HOMEOWNERSHIP**, helping people and families own their own beautiful, affordable, green and safe homes, with ready access to better infrastructure and green spaces;

Government Wish

- **INCREASE THE SUPPLY OF LAND AVAILABLE FOR NEW HOMES WHERE IT IS NEEDED** to address affordability pressures, support economic growth and the renewal of our towns and cities, and foster a more competitive housing market;
- **HELP BUSINESSES TO EXPAND** with readier access to the commercial space they need in the places they want and supporting a more physically flexible labour market;
- **SUPPORT INNOVATIVE DEVELOPERS AND HOUSEBUILDERS**, including small and medium-sized enterprises (SMEs) and self-builders, those looking to build a diverse range of types and tenure of housing, and those using innovative modern methods of construction (MMC);
- **PROMOTE THE STEWARDSHIP AND IMPROVEMENT OF OUR PRECIOUS COUNTRYSIDE AND ENVIRONMENT**, ensuring important natural assets are preserved, the development potential of brownfield land is maximised, that we support net gains for biodiversity and the wider environment and actively address the challenges of climate change; and
- **CREATE A VIRTUOUS CIRCLE OF PROSPERITY IN OUR VILLAGES, TOWNS AND CITIES**, supporting their ongoing renewal and regeneration without losing their human scale, inheritance and sense of place. We need to build more homes at gentle densities in and around town centres and high streets, on brownfield land and near existing infrastructure so that families can meet their aspirations. Good growth will make it easier to level up the economic and social opportunities available to communities.

PROPOSALS

- **FIRST WE WILL STREAMLINE THE PLANING PROCESS WITH MORE DEMOCRACY TAKING PLACE MORE EFFECTIVELY AT THE PLAN MAKING STAGE** and will replace the entire corpus of plan-making law in England to achieve this:
- **SIMPLIFYING THE ROLE OF LOCAL PLANS**, to focus on identifying land under three categories - areas suitable for substantial development, and where outline approval for development would be automatically secured for forms and types of development specified in the Plan; areas suitable for some development, such as gentle densification; and areas where – as the name suggests – development is restricted. This could halve the time it takes to secure planning permission on larger sites identified in plans. We also want to allow local planning authorities to identify sub-areas in their areas for self and custom-build homes, so that more people can build their own homes.

- GROWTH AREAS “SUITABLE FOR SUBSTANTIAL DEVELOPMENT” – we propose that the term substantial development be defined in policy to remove any debate about this descriptor. We envisage this category would include land suitable for comprehensive development, including new settlements and urban extension sites, and areas for redevelopment, such as former industrial sites or urban regeneration sites. It could also include proposals for sites such as those around universities where there may be opportunities to create a cluster of growth-focused businesses. Sites annotated in the Local Plan under this category would have outline approval for development (see proposal 5 for more detail). Areas of flood risk would be excluded from this category (as would other important constraints), unless any risk can be fully mitigated;
- RENEWAL AREAS “SUITABLE FOR DEVELOPMENT” – this would cover existing built areas where smaller scale development is appropriate. It could include the gentle densification and infill of residential areas, development in town centres, and development in rural areas that is not annotated as or Protected areas, such as small sites within or on the edge of villages. There would be a statutory presumption in favour of development being granted for the uses specified as being suitable in each area. Local authorities could continue to consider the case for resisting inappropriate development of residential gardens;
- AREAS THAT ARE PROTECTED – this would include sites and areas which, as a result of their particular environmental and/or cultural characteristics, would justify more stringent development controls to ensure sustainability. This would include areas such as Green Belt, Areas of Outstanding Natural Beauty (AONBs), Conservation Areas, Local Wildlife Sites, areas of significant flood risk and important areas of green space. At a smaller scale it can continue to include gardens in line with existing policy in the National Planning Policy Framework. It would also include areas of open countryside outside of land in or areas. Some areas would be defined nationally, others locally on the basis of national policy, but all would be annotated in Local Plan maps and clearly signpost the relevant development restrictions defined in the National Planning Policy Framework

- **LOCAL PLANS SHOULD SET CLEAR RULES RATHER THAN GENERAL POLICIES FOR DEVELOPMENT.** We will set out general development management policies nationally, with a more focused role for Local Plans in identifying site and area-specific requirements, alongside locally-produced design codes. This would scale back the detail and duplication contained in Local Plans, while encouraging a much greater focus on design quality at the local level. Plans will be significantly shorter in length (we expect a reduction in size of at least two thirds), as they will no longer contain a long list of “policies” of varying specificity – just a core set of standards and requirements for development.
- **LOCAL COUNCILS SHOULD RADICALLY AND PROFOUNDLY RE-INVENT THE AMBITION, DEPTH AND BREADTH WITH WHICH THEY ENGAGE WITH COMMUNITIES** as they consult on Local Plans. Our reforms will democratise the planning process by putting a new emphasis on engagement at the plan-making stage. At the same time, we will streamline the opportunity for consultation at the planning application stage, because this adds delay to the process and allows a small minority of voices, some from the local area and often some not, to shape outcomes.

- RESIDENTS will be able to engage in a much more democratic system that is open to a wider range of people whose voice is currently not heard. Residents will no longer have to rely on planning notices attached to lamp posts, printed in newspapers and posted in libraries to find out about newly proposed developments. Instead people will be able to use their smartphone to give their views on Local Plans and design codes as they are developed, and to see clearer, more visual information about development proposals near them – rather than current planning policies and development proposals presented in PDF documents, hundreds of pages long. And existing and new residents alike will gain from more affordable, green and beautiful homes near to where they want to live and work
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- COMMUNITIES will be able to trust the planning system again as their voice will be heard from the beginning of the process and better use of digital technology will make it radically easier for people to understand what is being proposed in their neighbourhoods and provide new ways to feed their views into the reformed system. Local Plans will be developed over a fixed 30-month period with clear engagement points, rather than the current inconsistent process which takes seven years on average. The Infrastructure Levy will be more transparent than Section 106, and local communities will have more control over how it is spent. Communities will be able to set standards for design upfront through local design codes. And with more land available for homes where they are most needed, and a renewed focus on the beauty of new development, communities will be able to grow organically and sustainably, and development will enhance places for everyone.

- LOCAL PLANS SHOULD BE SUBJECT TO A SINGLE STATUTORY “SUSTAINABLE DEVELOPMENT” TEST, and unnecessary assessments and requirements that cause delay and challenge in the current system should be abolished. This would mean replacing the existing tests of soundness, updating requirements for assessments (including on the environment and viability) and abolishing the Duty to Cooperate.
- LOCAL PLANS SHOULD BE VISUAL AND MAP-BASED, STANDARDISED, BASED ON THE LATEST DIGITAL TECHNOLOGY, AND SUPPORTED BY A NEW STANDARD TEMPLATE Plans should be significantly shorter in length, and limited to no more than setting out site- or area-specific parameters and opportunities.

- LOCAL AUTHORITIES AND THE PLANNING INSPECTORATE WILL BE REQUIRED THROUGH LEGISLATION TO MEET A STATUTORY TIMETABLE (OF NOT MORE THAN 30 MONTHS IN TOTAL) for key stages of the process, and there will be sanctions for those who fail to do so.
- Under the current system, it regularly takes over a decade for development sites to go through the Local Plan process and receive outline permission. Under our proposals, this would be shortened to 30 months, although we expect many local authorities could do this in a shorter time and we would encourage them to do so where this is practicable. We propose that the process covers five stages, with meaningful public engagement at two stages:
- Stage 1 [6 months]: The local planning authority “calls for” suggestions for areas under the three categories, including comprehensive “best in class” ways of achieving public involvement at this plan-shaping stage for where development should go and what it should look like.
- Stage 2 [12 months]: The local planning authority draws up its proposed Local Plan, and produces any necessary evidence to inform and justify the plan. “Higher-risk” authorities will receive mandatory Planning Inspectorate advisory visits, in order to ensure the plan is on track prior to submission.
- Stage 3 [6 weeks]: The local planning authority simultaneously (i) submits the Plan to the Secretary of State for Examination together with a Statement of Reasons to explain why it has drawn up its plan as it has; and (ii) publicises the plan for the public to comment on. Comments seeking change must explain how the plan should be changed and why. Again, this process would embody ‘best in class’ ways of ensuring public involvement. Responses will have a word count limit.
- Stage 4 [9 months]: A planning inspector appointed by the Secretary of State considers whether the three categories shown in the proposed Local Plan are “sustainable” as per the statutory test and accompanying national guidance and makes binding changes which are necessary to satisfy the test. The plan-making authority and all those who submitted comments would have the right to be “heard” by the inspector (whether face to face, by video, phone or in writing – all at the inspector’s discretion). The inspector’s report can, as relevant, simply state agreement with the whole or parts of the council’s Statement of Reasons, and/or comments submitted by the public.
- Stage 5 [6 weeks]: Local Plan map, key and text are finalised, and come into force.

- DECISION MAKING SHOULD BE FASTER AND MORE CERTAIN, within firm deadlines, and should make greater use of data and digital technology.
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- There will therefore be no need to submit a further planning application to test whether the site can be approved. Where the Local Plan has identified land for development, planning decisions should focus on resolving outstanding issues – not the principle of development.
- In areas suitable for substantial development (areas) an outline permission for the principle of development would be conferred by adoption of the Local Plan. Further details would be agreed and full permission achieved through streamlined and faster consent routes which focus on securing good design and addressing site-specific technical issues.

- 2.32. Detailed planning permission could be secured in one of three ways:
 - a reformed reserved matters process for agreeing the issues which remain outstanding;
 - a Local Development Order prepared by the local planning authority for the development which could be prepared in parallel with the Local Plan and be linked to a master plan and design codes; or
 - for exceptionally large sites such as a new town where there are often land assembly and planning challenges, we also want to explore whether a Development Consent Order under the Nationally Significant Infrastructure Projects regime could be an appropriate route to secure consents. Similarly, we will consider how the planning powers for Development Corporations can be reformed to reflect this new framework.
- 2.33. In areas suitable for development (areas), there would be a general presumption in favour of development established in legislation (achieved by strengthening the emphasis on taking a plan-led approach, with plans reflecting the general appropriateness of these areas for development). Consent for development would be granted in one of three ways:
- for pre-specified forms of development such as the redevelopment of certain building types, through a new permission route which gives an automatic consent if the scheme meets design and other prior approval requirements (as discussed further under the fast-track to beauty proposals set out under Pillar Two);
 - for other types of development, a faster planning application process where a planning application for the development would be determined in the context of the Local Plan description, for what development the area or site is appropriate for, and with reference to the National Planning Policy Framework; or
 - a Local or Neighbourhood Development Order.

- WE WILL STRENGTHEN ENFORCEMENT POWERS AND SANCTIONS so that as we move towards a rules-based system, communities can have confidence those rules will be upheld.
- WE WILL DEVELOP A COMPREHENSIVE RESOURCES AND SKILLS STRATEGY FOR THE PLANNING SECTOR TO SUPPORT THE IMPLEMENTATION OF OUR REFORMS— so that, as we bring in our reforms, local planning authorities are equipped to create great communities through world-class civic engagement and proactive plan-making
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- **SECOND**, WE WILL TAKE A RADICAL DIGITAL-FIRST APPROACH TO MODERNISE THE PLANNING PROCESS. THIS MEANS MOVING FROM A PROCESS BASED ON DOCUMENTS TO A PROCESS DRIVEN BY DATA

- **THIRD TO BRING A NEW FOCUS ON DESIGN AND SUSTAINABILITY**
- **ENSURE THE PLANNING SYSTEM SUPPORTS OUR EFFORTS TO COMBAT CLIMATE CHANGE AND MAXIMISES ENVIRONMENTAL BENEFITS**, by ensuring the National Planning Policy Framework targets those areas where a reformed planning system can most effectively address climate change mitigation and adaptation and facilitate environmental improvements.
- **FACILITATE AMBITIOUS IMPROVEMENTS IN THE ENERGY EFFICIENCY STANDARDS FOR BUILDINGS** to help deliver our world-leading commitment to net-zero by 2050.
- **ASK FOR BEAUTY AND BE FAR MORE AMBITIOUS FOR THE PLACES WE CREATE, EXPECTING NEW DEVELOPMENT TO BE BEAUTIFUL AND TO CREATE A “NET GAIN” NOT JUST NO NET HARM**, with a greater focus on ‘placemaking’ and ‘the creation of beautiful places’ within the National Planning Policy Framework.

- MAKE IT EASIER FOR THOSE WHO WANT TO BUILD BEAUTIFULLY THROUGH THE INTRODUCTION OF A FAST-TRACK FOR BEAUTY through changes to national policy and legislation, to automatically permit proposals for high quality developments where they reflect local character and preferences.
- INTRODUCE A QUICKER, SIMPLER FRAMEWORK FOR ASSESSING ENVIRONMENTAL IMPACTS AND ENHANCEMENT OPPORTUNITIES, that speeds up the process while protecting and enhancing England's unique ecosystems.
- EXPECT DESIGN GUIDANCE AND CODES – WHICH WILL SET RULES FOR THE DESIGN OF NEW DEVELOPMENT – TO BE PREPARED LOCALLY AND TO BE BASED ON GENUINE COMMUNITY INVOLVEMENT RATHER THAN MEANINGLESS CONSULTATION , so that local residents have a genuine say in the design of new development, and ensure that codes have real 'bite' by making them more binding on planning decisions.

- In and areas, the key and accompanying text would set out suitable development uses, as well as limitations on height and/or density as relevant. These could be specified for sub-areas within each category, determined locally but having regard to national policy, guidance and legislation (including the National Model Design Code and flexibilities in use allowed by virtue of the new Use Classes Order and permitted development). For example, it may be appropriate for some areas to be identified as suitable for higher-density residential development, or for high streets and town centres to be identified as distinct areas. In areas, we would also want to allow sub-areas to be created specifically for self and custom-build homes, and community-led housing developments, to allow a range of housing aspirations to be met and help create diverse and flourishing communities. In the case of self and custom-build homes, local authorities should identify enough land to meet the requirements identified in their self-build and custom housebuilding registers. For areas, the key and accompanying text would explain what is permissible by cross-reference to the National Planning Policy Framework.

- Local planning authorities and neighbourhoods (through Neighbourhood Plans) would play a crucial role in producing required design guides and codes to provide certainty and reflect local character and preferences about the form and appearance of development. This is important for making plans more visual and engaging. These could be produced for a whole local authority area, or for a smaller area or site (as annotated in the Local Plan), or a combination of both. Design guides and codes would ideally be produced on a 'twin track' with the Local Plan, either for inclusion within the plan or prepared as supplementary planning documents

- ESTABLISH A NEW BODY TO SUPPORT THE DELIVERY OF DESIGN CODES IN EVERY PART OF THE COUNTRY, and give permanence to the campaigning work of the Building Better, Building Beautiful Commission and the life of its co-chairman the late Sir Roger Scruton.
- ENSURE THAT EACH LOCAL PLANNING AUTHORITY HAS A CHIEF OFFICER FOR DESIGN AND PLACE-MAKING, to help ensure there is the capacity and capability locally to raise design standards and the quality of development.
- LEAD BY EXAMPLE BY UPDATING HOMES ENGLAND'S STRATEGIC OBJECTIVES TO GIVE GREATER EMPHASIS TO DELIVERING BEAUTIFUL PLACES.
- PROTECT OUR HISTORIC BUILDINGS AND AREAS while ensuring the consent framework is fit for the 21st century.
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- **FOURTH** – IMPROVE INFRASTRUCTURE DELIVERY - REPLACE CIL AND PLANNING OBLIGATIONS WITH NATIONALLY SET VALUE BASED FLAT RATE CHARGE (INFRASTRUCTURE LEVY)

- **FIFTH** – TO ENSURE MORE LAND IS AVAILABLE FOR THE HOMES AND DEVELOPMENT PEOPLE AND COMMUNITIES NEED AND TO SUPPORT RENEWAL OF OUR TOWN AND CITY CENTRES
- A NEW NATIONALLY DETERMINED BINDING HOUSING REQUIREMENT THAT LOCAL PLANNING AUTHORITIES WOULD HAVE TO DELIVER THROUGH THEIR LOCAL PLANS. This would be focused on areas where affordability pressure is highest to stop land supply being a barrier to enough homes being built. We propose that this would factor in land constraints, including the Green Belt, and would be consistent with our aspirations of creating a housing market that is capable of delivering 300,000 homes annually, and one million homes over this Parliament.
- •TO SPEED UP CONSTRUCTION WHERE DEVELOPMENT HAS BEEN PERMITTED , we propose to make it clear in the revised National Planning Policy Framework that the masterplans and design codes for sites prepared for substantial development should seek to include a variety of development types from different builders which allow more phases to come forward together. We will explore further options to support faster build out as we develop our proposals for the new planning system.
- •TO PROVIDE BETTER INFORMATION TO LOCAL COMMUNITIES, TO PROMOTE COMPETITION AMONGST DEVELOPERS, AND TO ASSIST SMES AND NEW ENTRANTS TO THE SECTOR we will consult on options for improving the data held on contractual arrangements used to control land.
- • TO MAKE SURE PUBLICLY-OWNED LAND AND PUBLIC INVESTMENT IN DEVELOPMENT SUPPORTS THRIVING PLACES, we will: ensure decisions on the locations of new public buildings – such as government offices and further education colleges – support renewal and regeneration of town centres; and
- explore how publicly-owned land disposal can support the SME and self-build sectors.

- PROPOSAL 9 NEIGHBOURHOOD PLANS SHOULD BE RETAINED AS AN IMPORTANT MEANS OF COMMUNITY INPUT AND WE WILL SUPPORT COMMUNITIES TO MAKE BETTER USE OF DIGITAL TOOLS
- Since statutory Neighbourhood Plans became part of the system in 2011, over 2,600 communities have started the process of neighbourhood planning to take advantage of the opportunity to prepare a plan for their own areas – and over 1,000 plans have been successfully passed at referendum. They have become an important tool in helping to ‘bring the democracy forward’ in planning, by allowing communities to think proactively about how they would like their areas to develop.
- Therefore, we think Neighbourhood Plans should be retained in the reformed planning system, but we will want to consider whether their content should become more focused to reflect our proposals for Local Plans, as well as the opportunities which digital tools and data offer to support their development and improve accessibility for users. By making it easier to develop Neighbourhood Plans we wish to encourage their continued use and indeed to help spread their use further, particularly in towns and cities. We are also interested in whether there is scope to extend and adapt the concept so that very small areas – such as individual streets – can set their own rules for the form of development which they are happy to see.
- Digital tools have significant potential to assist the process of Neighbourhood Plan production, including through new digital co-creation platforms and 3D visualisation technologies to explore proposals within the local context. We will develop pilot projects and data standards which help neighbourhood planning groups make the most of this potential.