

MHCLG: White Paper – ‘Planning for the Future’

Summary and commentary on the main proposals

The Planning Reforms White Paper is intended to be a radical overhaul of the planning system. It is seen as a simplification of the system and intended to speed up the process of development. There is another set of policy changes being put forward at the same time affecting the current system. Where this is specifically the case it is highlighted below.

Some of the proposals are at a ‘high level’ with little specific detail, and it is hard to be certain about the precise impacts on West Norfolk. We can expect more consultation on different aspects as policy directions firm up in coming months.

Main headline elements:

1. Local Plans - new format

- These are different to those prepared currently. Essentially, they divide districts into types of area - ‘Growth’; ‘Renewal’; and ‘Protected’. This seems to be the main task for LPs.
- They will **not** contain development management policies; these will be set nationally.
- new format will be far shorter in terms of wording be map based and digital.
- clear emphasis upon consultation and community engagement
- A strict timetable is to be imposed of 30 months start to finish, 42 months for our first one as we will have a recently adopted Local Plan.
- It could therefore be a simpler process, especially if evidence required is also streamlined – less evidence to prepare and fewer ‘tests’.
- Evidence base will be streamlined to a single sustainability test, but no sustainability appraisal.
- ‘Duty to Cooperate’ to be scrapped
- Could be intensive for the LPA as shorter timescale, it’s new and it would appear that design codes/guides and master plans would need to be prepared at the same time as the Local Plan if it is to all fit together
- Important to stress that Local Plans will remain key to a truly plan-led system

Comment

- The degree of direct relationship to the local policy issues and circumstances will be reduced
- Permission in Principle is secured on allocations automatically, therefore reducing timescale to deliver development.
- Not clear whether types of development other than housing are included. The White Paper is housing focused
- We need to complete our Local Plan Review to ensure continuing local policies in the transition period, and ability to deliver important sites.
- An up-to-date Local Plan will be vital for planning appeals, it is likely that some of the changes proposed will take some time to be fully implemented

2. Design guidance

- Local design codes are proposed, in addition to a national set of guidelines. 'Pattern books' are proposed.
- This is intended to ensure better architecture and relationships between places and how they function.
- Anticipated to be prepared locally

Comment

- Design is an important element in the development process, and Members take a keen interest, so it would provide additional democratic input.
- For what geographical area would they be prepared? Different towns, villages? Urban / rural? What is the relationship to NPlans?
- Would most likely need to be prepared at the same time as the Local Plan
- There may be resource / expertise issues in preparation.

3. Housing numbers for the local area

- There are to be revised methodologies for deriving figures.
- Indications are that this does not change those for West Norfolk.
- Nationally set and binding.
- 5yr HLS test to be scrapped but HDT to be retained

Comment

- The Borough Council is neutrally affected by the changes as outlined by the proposals within the changes to the current planning system consultation
- Could streamline the appeal process/time as no 5yr HLS test

4. Affordable Housing provision

- Developments of less than 40 or 50 units would not be required to provide a % affordable housing contribution as at present. (***Proposed in changes to the current planning system consultation***).
- This is a temporary change for approximately 18 months to reduce the burden of developer contributions on smaller sites most likely to be built out by SME's. Existing lower thresholds can be maintained in 'Designated Protected Areas'.
- A proposal for a category of affordable housing called 'First Homes' (discounted market sale) is made an obligatory element of affordable housing provision secured via S.106 agreements (min 25% of Affordable Housing delivered via S.106 should be First Homes)
- A proposal for First Homes Exception site to policy to replace existing Entry Level Exception site policy, including removal of current 1ha. Does not apply to Designated Protected Areas.
- For Designated Protected Areas existing approach to rural exception sites remains. Further guidance to be published.

Comment

- Increase in thresholds would see less affordable housing provided across the Borough, especially in areas of greatest need ie towns and some larger villages that aren't a DPA i.e. Heacham, Terrington St Clement, Dersingham and South Wootton

- Much of our affordable housing is delivered via developer contributions ie S.106. The proposal to increase the threshold to 40/50 would be detrimental for affordable housing delivery in the Borough. (See LIT below also).
- 'First Homes' (effectively replaces 'shared ownership' element of current affordable housing policy ie 70:30 rent to S/O) First Homes is an entirely different product to that of S/O. The Borough's current Housing Needs Assessment identifies S/O as the most effective and affordable intermediate product that best meets identified housing need. The replacement of this model will impact on the Council's ability to meet housing need.
- First Homes Exception sites would provide opportunity for larger scale First Homes Developments in non-Designated Protected Areas
- Retaining existing rural exception site policy for Designated Protected Areas is welcomed and encouraged.
- As affordable housing will be delivered through the levy, Custom and Self Build will effectively be exempt from affordable housing delivery. This is likely to result in a reduction in affordable housing delivery, particularly in rural areas.

5. CIL / Local Infrastructure Tax

- A tax on development at the point of occupation is proposed to replace CIL.
- It would be nationally set, with few exceptions (as there currently are for CIL).
- Aims to reduce cashflow risks for developers.
- Custom and Self Build would likely still be exempt from the levy.

Comment

- It would replace S106 and could be spent on affordable housing unlike at present.
- Local infrastructure would need to come with an application, but be offset against a LIT? Would this reduce the amount for affordable housing?
- The key consideration is the rate at which it is set / income for the area, as it needs to cover significant infrastructure spends to support development.

6. Neighbourhood Plans

- These are envisaged to remain for local communities to prepare.
- Local design guides are seen as a key component of Neighbourhood Plans.

Comment

- These are popular documents and will require continued resource to support (currently 30+ in preparation).
- The degree of 'local policies' possible is not clear.

7. Development Management

- A key objective of the White Paper is to streamline the development management process with a view to ensuring development gets planning permission faster and can therefore be delivered quicker.
- Development Management Policies to be set nationally and no local ones contained with the new look Local Plans.
- Certain areas as defined by the Local Plan will have 'automatic' planning permission. Other areas there will be a presumption in favour of defined development.

Comment

- Radically different role for Development Management
- Less focus could potentially be given to small scale development (i.e. extensions) with a greater focus on major housing developments
- Democratic input is moved 'upstream' to the Local Plan stage
- Could be a changed role with less proposals going before the Planning Committee