



Department for Levelling Up,
Housing & Communities

Plan-making Reforms

Consultation on Implementation

3 August 2023
Planning Advisory Service Webinar Event



- Purpose of planning is to contribute to the achievement of sustainable development; development plans provide the foundations for delivering this, allocating land for development, setting out protections, and providing the policy environment needed to make balanced decisions on planning applications.
- Without up-to-date plans, communities at risk of exposure to speculative applications for development. Currently, only **35% of local planning authorities adopted a plan in the last five years**, and they take too long to prepare - **7 years on average** (but often much longer). This creates uncertainty.

Our vision is for plans to be simpler to understand and use, and positively shaped by the views of communities about how their area should evolve. We want them to clearly show what is planned in a local area – so that communities and other users of the plan can engage with them more easily, especially while they are being drawn up. We want them to be prepared more quickly and updated more frequently to ensure more planning authorities have up-to-date plans that reflect local needs. And we want them to make the best use of new digital technology to drive improved productivity and efficiency in the plan-making process.



What are we consulting on?

16 thematic chapters with between 1 & 5 questions per chapter:

- Local Plan Content
- The new 30 month local plan timeframe
- Digital plans
- The local plan timetable
- Evidence and the tests of soundness
- Gateway assessments during plan-making
- Local Plan Examination
- Community engagement and consultation
- Requirement to assist with certain plan-making
- Monitoring of local plans
- Supplementary Plans
- Minerals and Waste Plans
- Community Land Auctions
- Approach to roll out and transition
- Saving existing plans and planning documents
- Equalities Impact



What are we NOT consulting on in this consultation?

Provisions in the Levelling Up and Regeneration Bill

NPPF changes (for either the current system or future system)

Key plan-making implementation dates, set out below, and SPD transitional arrangements (all contingent upon Royal Assent of the Levelling Up and Regeneration Bill, and Parliamentary approval of the relevant regulations)

Local Plan Commissioners or the new Alignment Policy

Current system

Submission deadline:
30 June 2025

Adoption deadline: **31 December
2026**

Future system

Regs, policy & guidance in place so
plan-making can start: **Autumn 2024**



Our ambition is that new local plans are simpler, shorter and more visual, showing more clearly what is planned in local areas so users can engage more easily.

To help achieve this aim, the Levelling Up and Regeneration Bill sets out parameters for the content of new-style local plans and minerals and waste plans. They will focus on locally specific matters and have more weight in decision making.

We are seeking views on:

- a proposed set of core principles for local plan content
- a new requirement for plans to include focused, specific and measurable visions, shaped by community views and informed by key baseline information
- a framework for local development management policies
- an approach to nationally-defined digital templates, to help authorities draw up better plans more easily and enable more consistency, whilst maintaining space for flexibility



Please see consultation for the full diagram

The new 30 month plan-making timeframe

We believe that a 30-month timeframe strikes the appropriate balance between needing plans to be made more quickly and kept up to date more effectively, with a realistic view on what is achievable.

We do not intend to set required timings for all stages in regulations.

However, we propose to set out in policy that authorities should adopt their plan (at the latest) 30 months after the plan preparation process begins (i.e. after Gateway 1).

We are seeking views on:

- how best to set the 30 month time limit
- a 'Project Initiation Document' to help define the scope of the plan and be a useful tool throughout the plan making process

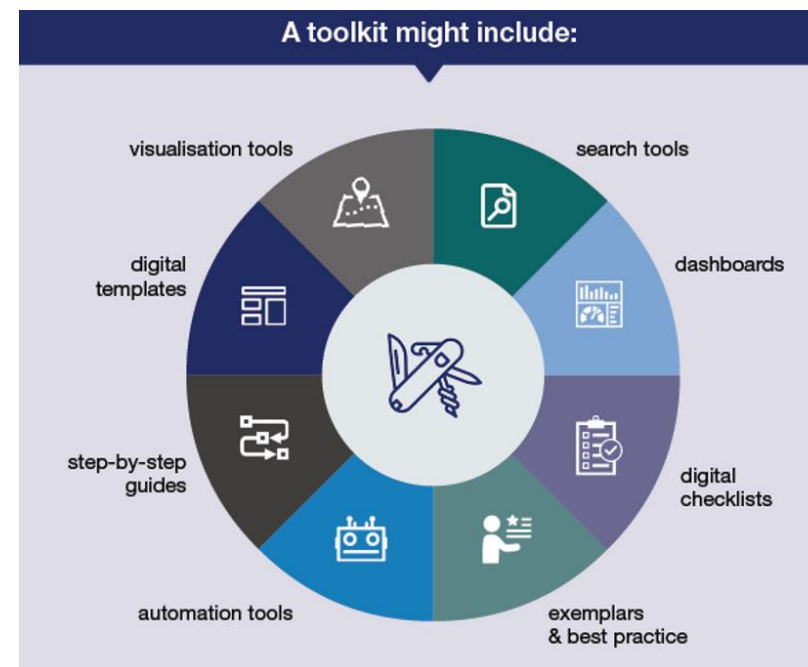


Our ambition is to bring planning and plan making into the digital age and transform how things are done for the better; to provide faster, simpler, more accessible plans and policies to deliver better outcomes, informed by up-to-date data and shaped more actively by communities and other stakeholders.

The Levelling up and Regeneration Bill will allow us to prescribe a common format for standardised data across plan-making. We think this should be supported and complemented by a toolkit of services and products that will allow planning authorities to prepare plans more quickly and produce simpler, visual and accessible plans.

We are seeking views on:

- the information produced during plan-making that would most benefit from data standardisation and/or open publication
- challenges faced in the current plan-making system where digitalisation could support better outcomes
- opportunities for digital tools and products that should be prioritised to deliver efficiencies in how plans are prepared and used





Local Development Schemes (LDS) and Minerals and Waste Development Schemes (MWDS) are typically long, complex, technical and out of date.

The Levelling Up and Regeneration Bill replaces the existing requirement to adopt an LDS/MWDS with a new, simpler requirement to prepare and maintain a local plan timetable or minerals and waste timetable. We propose to require planning authorities to prepare their proposed timetable consistently, reporting against the same milestones in the same way.

We are seeking views on:

- what information, in addition to that prescribed in the Bill, should be included in the new timetables
- when planning authorities would be required to update them
- the format in which timetables should be prepared and made available



Evidence base and the tests of soundness

The amount of evidence produced to support a local plan takes a significant amount of time and resource to produce. We want to ensure that evidence is proportionate, to meet our ambitions for a 30 month end-to-end plan-making timeframe, as well as allowing planners to focus on important activities e.g. community engagement.

However, evidence will remain an important part of plan-making, allowing planning authorities to develop robust and effective plans, and allowing them to be communicated and scrutinised.

We are seeking views on:

- a direction of travel for national policy and guidance to provide more clarity on what evidence is expected
- standardisation of key evidence and data for certain topics
- the potential to freeze evidence or data at certain points in the plan-making process
- whether to require authorities to only submit to examination supporting documents that are related to the soundness of the plan










A challenge in the current system is the number of plans submitted for examination with deficiencies, causing delays and, in some cases, the failure of plans late in the preparation process

In the new system, authorities will need to undertake gateway assessments to help address issues earlier in the process, ensuring a more supportive approach, and provide more visibility on progress.

We are seeking views on:

- the overarching purpose of gateway assessments
- the frequency and timing of gateway assessments and who should undertake and manage them
- the gateway process and scope key topics to be addressed
- proposals to charge for gateway assessments, to ensure financial sustainability and delivery of a quality and consistent service

Gateway assessments

	 Gateway 1 (Advisory)	 Gateway 2 (Advisory)	 Gateway 3 (Stop/Go)
 Focus	<ul style="list-style-type: none"> • Ensuring the plan sets off in the right direction • Supporting early diagnosis of potential issues – legal and procedural requirements and soundness 	<ul style="list-style-type: none"> • Supporting early resolution of potential soundness issues, where possible • Ensuring legal and procedural compliance • Monitoring and tracking progress 	<ul style="list-style-type: none"> • Checking the plan is ready to proceed to examination • Ensuring legal and procedural compliance • Monitoring and tracking progress
 Role	<ul style="list-style-type: none"> • Advising, observing and supporting 	<ul style="list-style-type: none"> • Advising, observing and supporting 	<ul style="list-style-type: none"> • Validating that key requirements have been met (a “stop/go” check)
 Duration	<ul style="list-style-type: none"> • 4 weeks (up to 6 by exception) 	<ul style="list-style-type: none"> • 4 weeks (up to 6 by exception) 	<ul style="list-style-type: none"> • 4 weeks (up to 6 by exception)
 Assessor	<ul style="list-style-type: none"> • Independent, specialist hands-on support • May involve Planning Inspectors (as required) 	<ul style="list-style-type: none"> • Planning Inspectors • Optionally supported by technical specialists 	<ul style="list-style-type: none"> • Planning Inspectors



Examination is a critical part of the plan preparation process, and will remain so in the reformed plan-making system. The examination process broadly continues to provide a good basis for testing plans – but examinations frequently take too long, in extreme cases lasting several years.

We are proposing that examinations of local plans and minerals and waste plans should take no longer than six months; if a consultation on proposed modifications to the plan is needed, this should add no more than three months to the overall process. We do not intend to prescribe these timeframes in regulations, but will work closely with PINS to ensure these timeframes are routinely met.

The Levelling Up and Regeneration Bill provides a new power for Inspectors to pause the local plan examination for a timebound period, formalising a mechanism to properly consider and address issues with plans outside the examination process.

We are seeking views on:

- various proposals that we think will contribute to speeding up plan examinations
- details of the new ‘examination pause’ process, including a proposal to cap the pause at six months



Community engagement and consultation

Communities remain at the heart of the plan-making process, and local people should have a meaningful say on planning policies that will affect them and their local areas.

Requirement to outline ambitions and approach to engagement and consultation in Project Initiation Document

Retain the two existing formal consultation periods and proposing a new 'early participation' requirement

LPA approach will be subject to independent oversight through the Gateway assessments.

Govt guidance on local plan community engagement, plus Digital toolkits.

We are seeking views on:

- Community engagement and the Project Initiation Document
- The new early 'notify and invite' proposal
- Clearer role and purpose for the two mandatory consultation windows
- Representation templating



Requirement to assist with certain plan-making

National and sub-national public bodies and infrastructure providers have a significant role to play in supporting the plan-making process, providing vital inputs and evidence that shape better outcomes. But this input can sometimes come too late in the process, causing delay and creating uncertainty.

Using provisions in the Levelling Up and Regeneration Bill, planning authorities will be able to require that “prescribed public bodies” assist in the development or review of a local plan, supplementary plan, spatial development strategy, infrastructure delivery strategy, marine plan or policies map.

We are seeking views on:

- the proposed prescribed public bodies that the requirement may apply to.
- a proposal to generally reserve the power for cases where the planning making authority is not getting the engagement and/or information from a public body.



Monitoring of local plans

Monitoring and reporting are important to ensure that there is transparency about how local plans are meeting their key objectives and that policies are effective. Monitoring can also be a powerful tool to shape updates of plans. But limited detail about what is expected results in a variable approach to monitoring and it is not always clear that monitoring genuinely assists in supporting updates to plans.

The Levelling Up and Regeneration Bill provides a power for the government to require planning authorities to provide information on the implementation of policies relating to the authority's area. They would also be required to monitor the environmental effects of the implementation of the plan, and once reforms to environmental assessment processes are in place, the delivery of specified environmental outcomes.

We are seeking views on:

- the proposed approach to monitoring in the new system, comprising a light touch annual return and a detailed return, four years after adoption of the plan, to inform updates.
- the proposed monitoring metrics, which planning authorities would need to report on annually.



Supplementary plans will help to provide clarity and simplify the development plan framework.

Our reforms will remove Supplementary Planning Documents and Area Action Plans.

Supplementary plans will have the same weight as other parts of the development plan.

Site-specific supplementary plans can cover a specific site or two or more nearby sites.

Area-wide supplementary plans can set out a design requirements.

SPDs will remain in force until planning authorities adopt a new style local plan.

We are seeking views on:

- factors to consider when assessing whether two or more sites are ‘nearby’ to each other
- preparation, consultation and examination procedures



Minerals and waste plans will continue to form an important part of the development plan under the reformed system.

Many of the proposals in the consultation apply equally to minerals and waste plans.

We are seeking views on:

- whether there are any unique challenges facing the preparation of minerals and waste plans which we should consider in developing the approach to implement the new plan- making system



Community Land Auctions (CLAs) are a longstanding idea for capturing uplift in land value, akin to competitive tendering, and are a process of price discovery. They provide an alternative approach for identifying land for allocation for development which seeks to improve land value capture for the benefit of local communities.

Proposed CLA Process

1. Landowners 'bid' to have their land selected for allocation in an emerging local plan by stating the price at which they would willingly sell their land for development which becomes a legally binding option.
2. Piloting authorities will assess the land put forward for allocation including financial benefits that can accrue from CLA options.
3. The examination of local plans where a CLA arrangement is in place will be the same as the examination of local plans in areas where CLA arrangements are not being piloted.
4. Once the local plan is adopted and sites are allocated, the piloting authority can sell the CLA options over the land the piloting authority has allocated for development or exercise the option and develop the land themselves.

We expect that CLA arrangements will be put in place and run in a small number of local planning authorities, who will put themselves forward to participate in the pilot. If any authorities are interested in finding out more about CLAs at this stage, we encourage you to get in touch.

We will also be running a dedicated workshop with the Planning Advisory Service on 12 September 2023.



Roll out, transition and saving

We want to ensure a smooth transition to the new system for planning authorities.

The latest date for plan-makers to submit local plans for examination under the current system will be 30 June 2025. We also confirm our intention that those plans will, in general, need to be adopted by 31 December 2026. these dates are contingent upon Royal Assent of the Levelling Up and Regeneration Bill.

Small cohort of around ten “front runner” authorities to prepare new-style local plans

The “front runners” could start plan-making from autumn 2024.

Other LPAs would be grouped and allocated a 6 month plan-making commencement window (a “wave”),

Alternatives are proposed, along with proposals around protections from speculative development

We are seeking views on:

- options for rolling out the new plan-making system (including protections)
- a proposal for existing development plan documents and saved policies to remain in force until the planning authority adopt a new-style local plan



- The consultation will be open until **18 October 2023**
- Responses encouraged to use Citizen Space: <https://consult.levellingup.gov.uk/planning/plan-making-reform-consultation/>
- Questions should be directed to: planmakingconsultation@levellingup.gov.uk