

Independent Political Group session: Planning Reforms

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Levelling Up and Regeneration Bill: Planning Measures Overview

- New development plan – greater weight - national policy to take precedence
- Street votes – residents to propose development on their street and vote
- Duty to cooperate repealed – replaced by a flexible alignment test
- Local plan commissioners – deployed if councils fail to meet their statutory duties
- New Infrastructure Levy - non-negotiable and set locally
- New approach to environmental assessment
- Design codes – all councils to produce a code for their area – full weight
- New power to deal with empty commercial premises – high street rental auction
- CPO reform – easier to use and fairer compensation
- More effective planning enforcement

Key lobbying wins following the Planning White Paper:

- Greater focus on democratic input and community engagement
- Greater weight of local plans and limits speculative development
- Proposal for development zones has been dropped

Alongside the Bill: Planning Measures

- A timetable for plan production – five-year updates, produced within 30 months and two rounds of community engagement
- Removal of the requirement for a rolling five-year land supply
- Introducing the Levy through a test and learn approach
- Promise of further announcements on supporting faster build out of developments
- Implementation of biodiversity net gain through the planning system from late 2023 onwards
- Changes to the NPPF in relation to the reforms in the Environment Act - including the preparation of local nature recovery strategies
- Introducing a planning skills strategy to improve capacity in the planning system
- Planning fees increase (major 35%; minor 25%)

LGA Response post-Queen's Speech

- Briefed the chairman for a meeting with the housing minister on the infrastructure levy
- Met with stakeholders that have an interest in the levy to support lobbying activity – including GLA, NHF and CCN
- Met with the planning sounding board – collect views on planning reforms
- Met with EEHT lead members and the board to share and test our policy position
- The Director for Planning at DLUHC – Simon Gallagher – attended the most recent EEHT board meeting
- Published a position statement on the planning reforms
- Published a briefing on the second reading of the bill
- Deep dive of the bill – identified potential challenges to implementation
- Met with the planning sounding board – compulsory purchase consultation
- Amendment – development plan to take precedence over national development management policies

Levelling Up and Regeneration Bill: LGA View on Planning measures

- Welcome measures to simplify local plan process – concerns over national policy taking primacy over local policy
- Street votes risks stifling the production and implementation of local plans
- Concerned about powers for commissioners to intervene in local plans
- Infrastructure Levy – should deliver *more* affordable housing and infrastructure contributions not just ‘*at least as much*’
- Support the principle of local design codes – risk that it’s too wide – undermined by permitted development rights
- Welcome the new environmental assessment – must genuinely introduce environmental protections
- CPO reforms welcome – but could go further
- Measures on empty commercial properties broadly welcome – should be simple, inexpensive and effective
- Improved planning enforcement powers welcome

Alongside the Bill: LGA View on Planning Measures

- It is right that local plans should be kept up to date – need clarity on how the five-year measure will be reconciled with the 20-year local plans
- Five-year land supply changes will help to reduce speculative applications
- Disappointed not to see powers to incentivise build out
- Biodiversity Net Gain – skills development and resourcing will be key
- Welcome Nature Recovery Strategies – must be embedded and be material planning considerations
- Welcome commitment to increase planning fees and develop skills strategy – needs to be implemented quickly
- Office-to-residential PDR should be removed

Looking Ahead – What Next?

- Target date for royal assent: May 2023
- Consultations – CPO; EOR; IL; planning fees; the revised NPPF and National Development Management Policies
- Forthcoming guidance and regulations to support implementation
- Environmental Outcome Reports – seemingly radical - opportunity for joint process with BNG – skills and resourcing is a risk
- Infrastructure levy – compulsory; requirement for councils to develop charging schedules; staggered rollout; and test and learn
- Biodiversity net gain – rollout from 2023 - transition period – skills and resourcing is a risk
- Next steps for the LGA – including planned amendments

Thank You