LOCAL PLANS – WHAT'S THE LATEST?

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The Government set out a bold new vision for the future of planning toward the end of 2020. Whilst the proposals might be innovative in their own way, they have been met with outcry from leading professionals within the industry. However, all the parties involved in planning can agree on one thing, changes are needed to deliver the places that we all want to live, work, and enjoy in the future.

'The ideals of planners and the system itself is to create places that are sustainable by preserving the past, encouraging growth, and providing enough homes for future generations.'

This latter point, the delivery of housing, is high on the agenda for the Government in terms of policy. Concerns were raised by commentators, the public, and industry figureheads by the Government's proposed 'algorithm' to determine housing numbers for Local Authorities.

People from all walks of life should have an interest in these matters, whether they are opposed to new housing or, if like many people, find it difficult to ever see themselves in a home that they own, in the location they desire. Local Plans are the driving force behind housing, they decide where houses should go, how many are built within a geographic area, and even as far as a site-specific number within an allocated site.

Local Plans – As they are.

Local Plans are the policy documents that guide development over a period of fifteen years. These documents

are reviewed periodically and have a nasty habit of going out of date quickly. Local Plans are broad in the topics that they cover, but they must align with the National Planning Policy Framework, which is covered below. These documents facilitate the key principles of the planning system, with each planning application being determined based on its own merits in accordance with the policies contained in the Local Plan, unless material considerations indicate otherwise.

'When the planning system works, it works, but we have seen in recent years that in many cases, Local Plans tend to go south quickly.'

Local Plans have become expansive documents and, in the absence of strategic level planning, the Duty to Cooperate becomes particularly challenging. Without strategic planning the need for neighbouring authorities to work together has become more important in the Local Plan process, hence the particular difficulties in this respect. Therefore, the Government believes that we need a whole new planning system, with the Prime Minister proposing a “once in a generation” shake up.

Local Plans – Transitional changes.

Before we consider the new system, there are some changes that have come in with immediate effect. This includes changes to the National Planning Policy Framework, which put forward a design-focused agenda. We wrote about these changes previously; you can read it here: NPPF Consultations

Local Plans – Zoning and more.

The Government put forward their vision for the planning system in the White Paper that was issued August 2020. The paramount aim of the ‘new’ planning system overhaul is to simplify and accelerate the entire process. They are admirable aspirations, certainly, but it’s more an entirely new approach, rather than an overhaul.

Growth, Renewal, and Protection are the three categorisation areas, or zones. Next time you walk around your neighbourhood, consider which zone you may fall in. If you are in a growth area, the area will benefit from effectively automatic planning permission, if a proposal meets pre-determined criteria. In renewal areas, new development will benefit from “Permission in Principle”. This already exists, but it is not often enacted, and it isn’t particularly functional for smaller sites.

With that in mind, the growth and renewal areas are where you want your proposed site to be. These areas are allocated as part of the Local Plan process. Few people take part in the Local Plan process; it’s a long process with a lot of experts and lawyers, and if you aren’t going into battle with a small fortune, it may be hard to see how you can sway the proceedings. This, however, ties in with another change the government is trying to make to level the playing field for SME developers. In this regard, proposals are being considered that would remove the S106 agreements with an Infrastructure Levy, meaning that developers would pay a fixed proportion of the development’s value over a certain level.

A great number of our clients are SMEs and it is often a case of finding a site and moving forwards from that.

'Our apprehension to this, however, is that the area of the site will determine the value. It isn't so bad if you have a land bank and have participated in the new Local Plan process and know that you're in the right areas, but those looking to scale-up may struggle if they are priced out.'

Moving back to the subject of this blog, Local Plans, here are just some final points.

Where development goes will be front-loaded, and the policies that currently determine what development goes where would not be in place. The current system allows for developments that go against the grain, but there is a certain degree of control over this. Residents do currently have the power of democracy on their side, and they are able to comment on individual planning applications. There are well-placed fears that the new system may bring around a lack of democracy. The fear is that if a development has permission by default, will this dramatically reduce the ability of local people and stakeholders to participate in the process?

Finally, a brief nod to the political dynamic. Cities and towns are much more likely to be Labour run and are all expected to be the areas where planning permission is a thing of the past. The debate on housing allocations points to city centres and urban locations, which tend to naturally be more sustainable, particularly in terms of transport and access to employment. However, we must consider that the Government is pushing for 300,000 new homes a year, and whether the new system can handle the complexities of new towns and urban extensions without the problems the current system brings remains to be seen.