



Report to: Cabinet

19 October 2020

Lead Cabinet Member: Councillor Tumi Hawkins, Lead Cabinet Member for Planning Policy and Delivery

Lead officer: Stephen Kelly, Director of Greater Cambridge Planning Service

Response to Government Consultation: Planning for the Future White Paper

Executive Summary

1. The purpose of this report is to inform the Council's response to the Government's White Paper - Planning for the Future consultation, the deadline for responses is 29 October.
2. This report sets out the key response points and the direction of the response for discussion, to be refined following the meeting. The full response is being developed with a range of officers and departments. Discussion with Cambridge City Council suggests that there is potential to prepare a joint response on some or all issues.

Key Decision

3. No

The decision was first published in the September 2020 Forward Plan.

Recommendations

4. It is recommended that Cabinet:
 - a. Note and consider the initial response to the Government's White Paper (Planning for the future) consultation as set out in appendix A.
 - b. Agree to delegate the wording of the final joint response and any individual response to the Joint Director of Planning and Economic Development, in consultation with the Lead Cabinet member for Planning Policy and Delivery.

Reasons for Recommendations

5. The outcome of the White Paper could have significant implications for how the Council plans for the area in future. The draft consultation response identifies issues where there are positive opportunities, such as digital approaches to planning, but raises a number of concerns with proposals to change the nature of local plans, the development management process, and the approach to funding infrastructure.
6. There is potential for a joint response with Cambridge City Council. They considered the same draft response on 29 September 2020 at their Planning and Transport Scrutiny Committee, and agreed to delegate the final response to an out of cycle decision by their Executive Councillor for Planning Policy and Open Spaces.

Details

White Paper – Planning for the Future consultation

7. The Government is consulting on a White Paper ([Planning for the future](#)) between 6 August and 29 October 2020. The five main proposals are described as:
 - A streamlined planning process with more democracy taking place more effectively at the plan-making stage, replacing the entire corpus of plan-making law in England;
 - A radical, digital-first approach to modernise the planning process moving from a process based on documents to a process driven by data;
 - To bring a new focus on design and sustainability;
 - To improve infrastructure delivery through reform of developer contributions;
 - To ensure more land is available for the homes and development people and communities need, and to support renewal of our town and city centers.
8. The issues are grouped under three themes (or pillars), listed as follows:
 - Planning for Development;
 - Planning for beautiful and sustainable places; and
 - Planning for infrastructure and connected places.

Proposed Response to the White Paper– Planning for the Future consultation

9. An initial draft response to each question in the White Paper is included in Appendix A to this report.
10. Due to the timing of this meeting, and the significant level and range of input required for the responses, and the opportunity to develop a joint response with Cambridge City Council, the draft responses provide a 'direction of travel' to capture the key response points, and allow debate on these prior to finalising a comprehensive response for sign off via an out of cycle decision.

General Comments

11. Overall, officers' emerging views are that there are opportunities to improve the planning system that should be welcomed, such as simplifying processes and taking advantage of more digital approaches. There may be opportunities for the Councils to work with government as a pathfinder on these, as they reflect many of the goals we have for the Greater Cambridge Local Plan.
12. However, the consultation also raises many uncertainties and concerns, about how the system would enable consideration of the particular characteristics, issues, and opportunities facing the Greater Cambridge area. There also appear to be many unanswered questions, and limited details on many aspects of the proposed changes to the planning system.

Theme 1: Planning for Development

13. **Consultation Proposals:** Under this theme a new approach to local plans is proposed. They would become more map-based documents, which would identify land in three classifications – growth, renewal, and protected. Development management policies would be created at the national level rather than locally. Plans would be tested using a consolidated 'sustainable development test', replacing existing mechanisms like sustainability appraisal and duty to cooperate. Housing requirements would be set nationally. Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development through the local plan. The reserved matters process is envisaged to be a quick and streamlined process analysing compliance with agreed design codes and national development management policies. The plan making timeline would be streamlined, with a 30 month period for the creation of new local plans.
14. **Summary of Proposed Response:** There are opportunities to speed up plan making. The Councils have already embracing digital opportunities through their plan making process, and would be keen to work with government towards achieving best practice. However, there are significant concerns with the proposals.
15. A local plan where development levels and planning policy were set nationally, with three area classifications available to determine locally, would reduce the ability to develop a vision and shape the development of an area based on local communities' aspirations, or to fully reflect local concerns.
16. The new style local plans would be challenging to create in the 30 month time period proposed. This is particularly concerning given the added significance of them, in effect granting outline level permission for the principle of development in identified 'growth areas' on the adoption of the local plan. It also has significant resource implications for Councils, with the front loading of tasks previously done through the development management process into the plan making process. It is

not clear how this is reconciled with the reduced income such a system could bring.

17. Many significant developments are also already underway and will continue to go through the current development management process while the new style planning making would be taking place. Appropriate transitional arrangements need to be in place if plan making is not to be delayed with the uncertainty the proposals would create.

Theme 2: Planning for beautiful and sustainable places

18. **Consultation Proposals:** Climate change would be addressed at the national level through ambitious improvements to energy efficiency standards. It proposes to strengthen the use of design guidelines and design codes, with an expectation that they would be prepared locally, and be given greater weight.
19. **Summary of Proposed Response:** Changes to the process would reduce the ability of Local Planning Authorities to respond to climate change through their local plans, so national policy changes would be crucial. Design Codes can help the quality of development and they provide certainty for developers. However, there is a significant financial cost in producing these guides for different areas of the districts, and with the changes to the planning process proposed this cost could lie with the Councils.

Theme 3: Planning for infrastructure and connected places

20. **Consultation Proposals:** that the Community Infrastructure Levy and the current system of planning obligations will be reformed as a nationally set, value-based flat rate charge (the 'Infrastructure Levy'). It proposes to give local authorities greater powers to determine how developer contributions are used.
21. **Summary of Proposed Response:** There is agreement, in principle, that the current use of Community Infrastructure Levy and Section 106 planning obligations are not fit for purpose and should be replaced with a new system where the contribution is charged as a fixed proportion of development value that is invested in new infrastructure and public services. The scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights, to finance direct mitigation the cost of which is currently borne by the taxpayer. There should be flexibility regarding how funding is spent. Local authorities should be permitted to borrow against the Infrastructure Levy, to support infrastructure delivery in their area ahead of Infrastructure Levy receipts from being received when the development is complete. However, given the desire to in many cases deliver infrastructure upfront, there is concern that this places the risk onto local authorities.

Options

22. Members could decide to not respond, or to agree an alternative response. They could also not seek a joint response with Cambridge City Council.

Implications

23. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Financial

24. There are no direct financial implications. However, the outcome of the consultation and changes to the planning system could have financial staffing and other implications.

Staffing

25. There are no direct staffing implications. However, the outcome of the consultation and changes to the planning system could have staffing and other implications.

Risks/Opportunities

26. Changes to the planning system could significantly impact on Council services, but also present opportunities. This would depend on the outcome of the consultation.

Climate Change

27. There are no direct implications. However, the outcome of the consultation and changes to the planning system could have environmental and other implications.

Consultation responses

28. Members were engaged through a joint member briefing. The following summarises key issues being raised:

- Positive opportunities for Greater Cambridge to be a pathfinder in aspects like digital approaches to planning, where the Councils have already taken significant steps.
- Concern reading the impact on community involvement and engagement in the planning process, including the impact on the democratic process.

- Proposals have been developed by a small group with a relatively narrow focus. Before such significant changes to the planning system are made, they should be informed by a commission, with input from a wider range of experts and stakeholders across a wider variety of fields.
- Lack of detail regarding the proposed Levy and how it would work. Concerns how the Levy paid at the end of the development process would enable upfront delivery of infrastructure.
- Concerns regarding capacity of Local Authorities to implement and resource the proposals in the short time scales proposed.
- The focus of these proposals being on the upfront permissions process, rather than identifying measures that would actually speed up delivery.

Growing local businesses and economies

29. There are no direct implications from responding, but there are issues raised in the consultation that would impact on how the Council could respond to this priority area.

Housing that is truly affordable for everyone to live in

30. There are no direct implications from responding, but there are issues raised in the consultation that would impact on how the Council could respond to this priority area.

Being green to our core

31. There are no direct implications from responding, but there are issues raised in the consultation that would impact on how the Council could respond to this priority area.

Background Papers

Government White Paper: Planning for the future

<https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

Appendices

Appendix A Outline Proposed Response to the White Paper– Planning for the Future consultation

Report Author:

Jonathan Dixon, Planning Policy Manager
Telephone: 07514 925952