



Department for
Communities and
Local Government

PLANNING 2015

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Strategic change: overview

Local

Localism Act

Duty to cooperate

Regional Strategy revocation

Neighbourhood Planning

Sustainable

NPPF and Guidance Review

Robust Evidence of need and 5 year land supply

Presumption in favour of sustainable development

Strong protections still in place

1300 pages of policy down to less than 50

6000 pages of guidance reduced and now on web

NSIP

Simple

Proportionate

Deregulation and Simplification

Community Infrastructure Levy

Section 106

Use Class Order

Information requirements

Permitted development rights

Infrastructure Bill

Growth and Infrastructure Act

Major Infrastructure

Effective

Conditions

Tackling LA poor performance

Speeding up appeals

Award of costs

Statutory consultees

Unblocking stalled sites

Brownfield package



What's already changed?



Taken wholly or partially out of the system:

- Offices to residential
- Residential / commercial extensions
- Agricultural building conversions
- Broadband equipment
- State-funded schools
- Flats over shops
- Temporary uses

- Legal requirement for information requested to be reasonable
- Local lists must be updated every 2 years
- Cut design & access statement requirements
- Simpler requirements at 'outline' stage
- Ability to appeal against non-validation
- Guidance on more proportionate PPAs

- Planning guarantee (fee refund if no decision in 26 weeks)
- Designation of under-performing authorities
- Scrapped need to give reasons for approval
- Replaced by need to demonstrate positive approach

- Faster planning appeals
- Strengthened awards of costs at appeal
- Penfold – rationalisation of related consents
- 13 week limit for related consent decisions

Underpinned by:
NPPF; wholesale review of guidance; inflation-related fee increase for planning authorities; improvement plans for statutory consultees



October 2012

- Flats over shops

May 2013

- Change of use from offices B1(a) to homes (C3) for a three-year period (May 2013-May 2016)
 - More than 2,250 prior approval applications in first 6 months (Estates Gazette)
- Change of use from existing agricultural buildings to a range of new business uses
- A permanent permitted development right which allows businesses to temporarily change use to create new retail and business ventures for up to two years.
- Increased thresholds for change between business uses (B1 & B8)
- Change of use to a state-funded school
- Larger extensions to homes, offices and shops for a three-year period (May 2013 – May 2016)
- Removal of prior approval for fixed telecommunications for a five-year period

August 2013

- Permanent permitted development rights for mobile telecommunications

April 2014

- Change of use from shops to banks and building societies
- Change of use from shops (A1) or financial and professional services (A2) to homes (C3)
- Change of use from agricultural buildings for up to 3 homes (C3)
- Change of use from agricultural buildings to registered nursery or state-funded school
- Change of use to a registered nursery



Next Steps - Permitted Development

Technical Consultation - series of new measures that build on previous reforms and supports the government's commitment to a three tier planning system. It will help focus the planning system and ensure development proposals are assessed in a proportionate manner according to their complexity.

- 1.Full planning application
- 2.Permitted development rights with prior approval
- 3.Permitted development with no prior approval

To boost housing supply - new permitted development rights that will allow homes to be created from light industrial, warehouse, and some *sui generis* buildings.

To support the high street and retail sector - Consolidating the majority of existing A2 (financial and professional services) into the A1 (retail) use class while retaining betting shops, and pay day loan shops in class A2. Giving greater flexibility to change certain buildings to a restaurant, cafe or leisure use and providing new rights to retailers to support 'click and collect' services.

To support growth - Making the current increased home owner and business extensions permanent, making office to residential conversion rights permanent and increasing the rights to install solar PV arrays on commercial properties.

Creating new rights to support the film and media sector, and new rights for waste management facilities and sewerage undertakers.



NEXT STEPS - NEIGHBOURHOOD PLANNING - NATIONAL INFRASTRUCTURE

Neighbourhood Planning

- Changes to consultation process
- Changes to designation process
- Discussions with landowners

National Infrastructure

- Allowing changes to DCO
- Allowing 2 examiners
- Strengthening consents process



EIA Thresholds

- Raising size thresholds
 - industrial estate dev 0.5ha – 5ha
 - dwelling homes 0.5ha – 5ha
- Proportionality



Next Steps - Improve the Planning Application Process

Improving the use and discharge of planning conditions

Introducing a deemed discharge where local authorities have not made a decision on time

Reducing time limit for return of fee for applications to discharge planning conditions

Requiring that draft conditions are shared with applicants for major development before planning permission is granted

Requirement for local authorities to justify use and timings for discharge of pre-commencement conditions

Improving engagement with statutory consultees so they are consulted in a more proportionate way

Changing thresholds that govern when Natural England, Highways Agency, English Heritage must be involved in a planning application

Removing English Heritage's powers of Direction and authorisation in Greater London

Changes to the requirements for referring applications to the Secretary of State

More frequent use of existing flexibility not to be consulted at application stage in certain cases

Requirement to notify railway infrastructure managers of applications for development near railways



- Right to Build
- Brownfield Implementation Plan
- Development Benefits
- S106 Threshold
- CIL



There is significant potential in the custom build sector but access to viable 'shovel ready' building plots is a barrier to growth.

At Budget 2014 Government announced that it will consult on a Right to Build which will require councils to

- Create registers of prospective custom builders seeking a plot; and
- Make available, for sale at market rate, a sufficient number of suitable plots to meet demand

We are:

- Working with right to build vanguard councils to test how the Right might work in practice
- Legislating for the register in a Private Member's Bill this autumn
- Consulting on the detailed design of the Right later this year, with a view to the Right being implemented in full in the next Parliament



We have announced a package of measures to support the development of new homes on brownfield land suitable for housing.

We expect to see LDOs/planning permissions for homes in place on more than 90% of this land by 2020. It is estimated that this would provide for around 200,000 new homes.

The planning measures focus on the use of LDOs. Aim is to promote their advantages and see them used much more widely for housing.

The package includes:

- **LDO Incentive Fund:** Local authorities have been invited to bid for a share of £5 million funding in 2014-15 to undertake LDOs on larger brownfield sites suitable for housing
- **LDO support material:** PAS to develop advice and templates for LDOs which will help authorities produce LDOs for smaller sites
- **LDO Performance Measures:** We will consult on a range of measures to underpin the new drive to get planning permissions in place on brownfield sites
- **Mayoral Development Orders:** Proposing powers for the Mayor of London to produce MDOs that will remove planning obstacles to help deliver more housing in London
- **Housing Zones:** We are providing £400 million of recoverable investment funding to create Housing Zones to support development on brownfield land. An additional £200 million is being invested in London by the Mayor. We expect to create 20 new Housing Zones in London and 10 in the rest of the country.



The aim of development benefits is to reduce delays and blockages by providing a financial incentive directly to residents to reduce the incentive for residents to actively oppose development.

At Budget 2014 Government announced that it would *“launch a government-funded staged pilot for passing a share of the benefits of development directly to individual households, including further research and evaluation of the approach”*.

HM Treasury has provided £3.5 million to fund a development benefits pilot over 2014-2016.

DCLG are currently undertaking an initial evaluation of existing attitudes and behaviours towards individual benefits for development. This will inform our decision to go ahead with pilots and the design of the pilots.

We will be inviting local authorities and neighbourhood plan areas to take part in development benefit pilots in the autumn.



Section 106 Planning Obligations

- To tackle the disproportionate burden on small scale developers and incentivise brownfield development we consulted on excluding the following from section 106 affordable housing contributions:
 - developments below a 10-unit / 1,000sqm floorspace threshold.
 - domestic extensions and annexes.
 - buildings are brought back into use – other than proportionately for any increase in floor space.
- We also asked whether the proposed 10-unit / 1000sqm threshold should apply to other tariff style section 106 contributions based on standard formulae.



April 2010 – fairer, faster, more certain and more transparent contributions to Infrastructure

Coalition government has:

- **Retained** – committed to levy
- **Reformed** – Localism Act and the neighbourhood proportion of the levy
- **Amended** – technical changes, most recently in February 2014
 - Keeping the principles of the levy but increased flexibility
 - eg Payment in kind, differential rates by scale, self-build exemption

Implementation progressing well – 49 charging schedules adopted

Pooling restriction looming – no more than 5 pooled obligations from April 2015

2015 Review – commitment to review the levy during 2015



- Gypsy and Traveller Consultation
- Housing Design Standard Consultation
- Performance Announcement on 40%
- Sustainable Urban Drainage System
- Fracking and Planning
- Planning for Major Accident Hazards – transposing Sevesco III

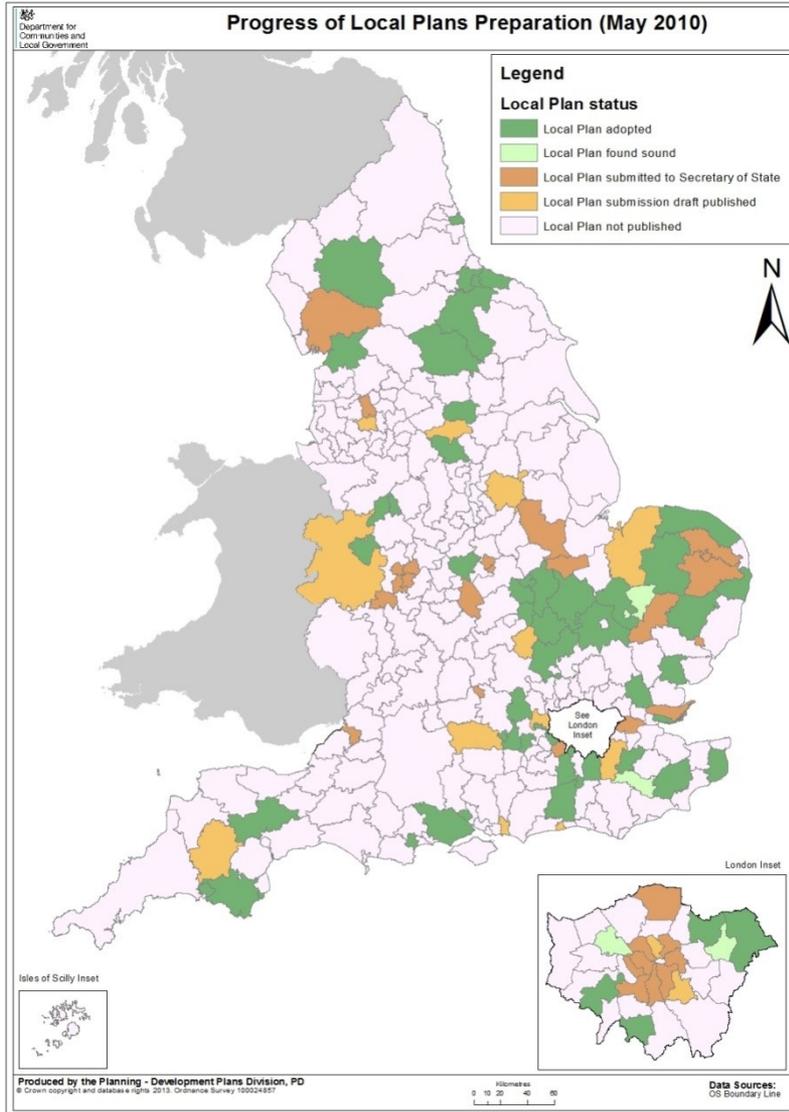


- More homes are being approved
 - 178,000 on major sites 2013/2014
 - Up 23%
 - 216,000 with minor sites
- 79% LPA: published a plan
- 57% Adopted
- Speed of determination 76% (majors) decided on time



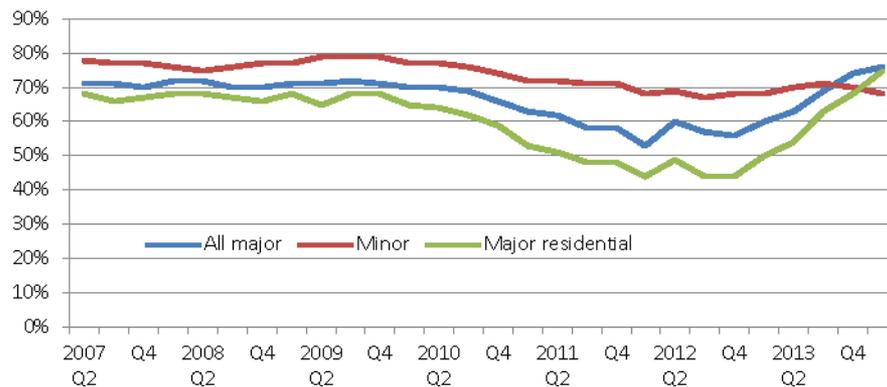
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Local Plans progress





C. Percentage of decisions in time



Latest 12 months compared to previous 12 months:

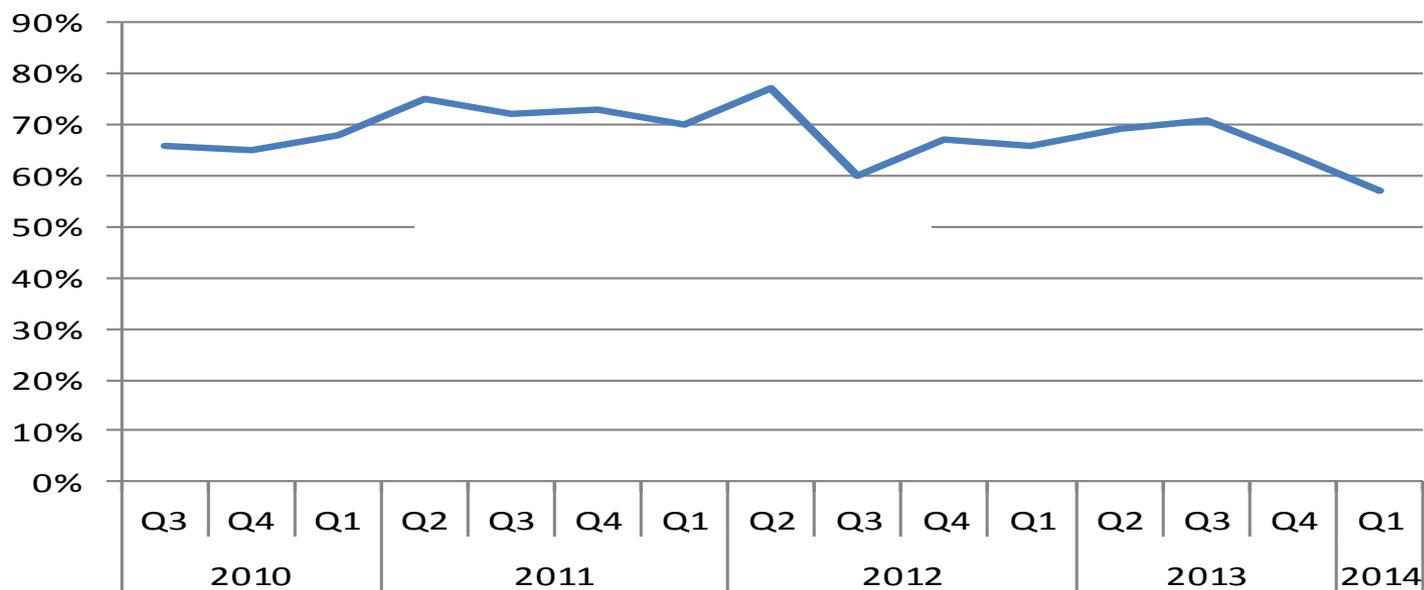
+21ppt (major)

+39ppt (major residential)

+3ppt (minor)



F. % builders citing 'planning delays' as major constraint to new supply



Annual change: -3ppt

Quarterly change: -7ppt



Progress on Neighbourhood Plans

- 1150+ communities have embarked on neighbourhood planning
- 120+ communities have published their neighbourhood plan for consultation
- 28 successful examinations and referendums
- 19 neighbourhood plans “made”
- 4 more referendums by the end of October
- Communities are using their new power to
 - choose where new housing should go e.g. Thame, South Oxfordshire
 - grant planning permission e.g. Cockermouth, Allerdale (NDO)
 - protect local green spaces e.g. Arundel, Arun

and more...



- Housing for an ageing population
- Off-site construction
- More starts/more houses
- Autumn Statement



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