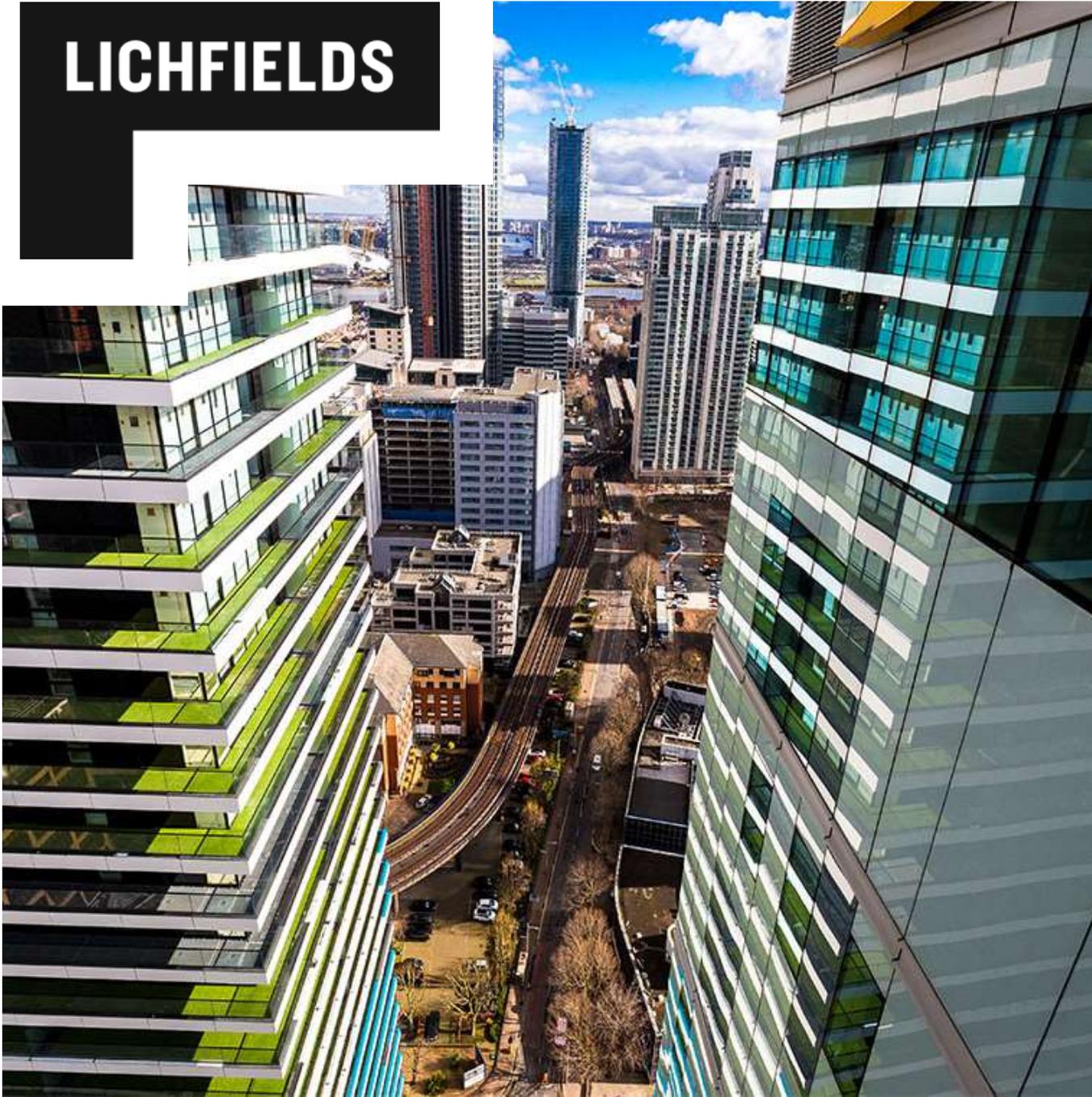


LICHFIELDS



Levelling Up and Regeneration Bill– a planning panacea?

Local plans and SPD implications



National Planning Forum

INSPIRING PLANNING

Plan-making

- Why change?
- Government has given reasons
- What are the other outcomes, deliberate or otherwise, of amending plan-making legislation?

Role of the development plan in England

- Clause 83 - Role of development plan and national policy in England

“The determination must be made in accordance with the development plan and any national development management policies, unless material considerations strongly indicate otherwise”.

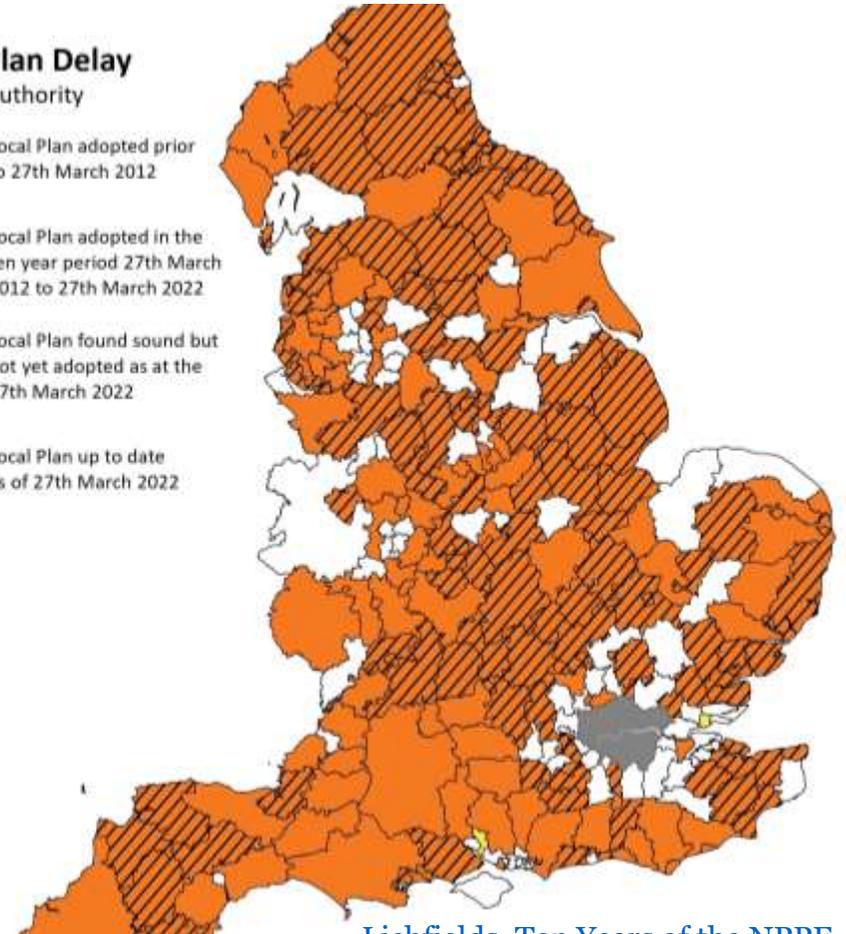
- Greater weight being given to the development plan than is currently the case
- Placing national development management policies above other national policy in some cases



Changes to the system of Local Plans (1)

- All LPAs expected to have up-to-date plans in place
- Plans to be shorter and simpler... though may be more prescriptive on design and infrastructure requirements
- LPAs to prepare detailed local plan timetables
- Plans to take no more than 30-months to prepare
- Potential intervention from *Local Plan Commissioners*
- Government to publish *National Development Management Policies*

Local Plan Delay by local authority



Changes to the system of Local Plans (2)

- Plans will still need to meet test of ‘*soundness*’ (...the test is expected to be reviewed, however)
- LPAs no longer need to maintain a five-year housing land supply (if plan up to date)
- New housing methodology yet to be announced, likely to come forward in future review of policy
- New requirement for public bodies to do all that is *reasonably required* to assist LPAs during the plan-making process
- Current *duty to cooperate* may also be scrapped (new alignment policy test)
- LPAs may produce joint plans



National Development Management Policies

[...] through this Bill, we hope to shift the onus of delivering on national priorities to central Government through introducing a set of national development management policies.

*These policies will cover the most important national planning issues facing the sector, including **net zero, tackling climate change and making sure that we are also dealing with heritage issues and protections of green belt.***

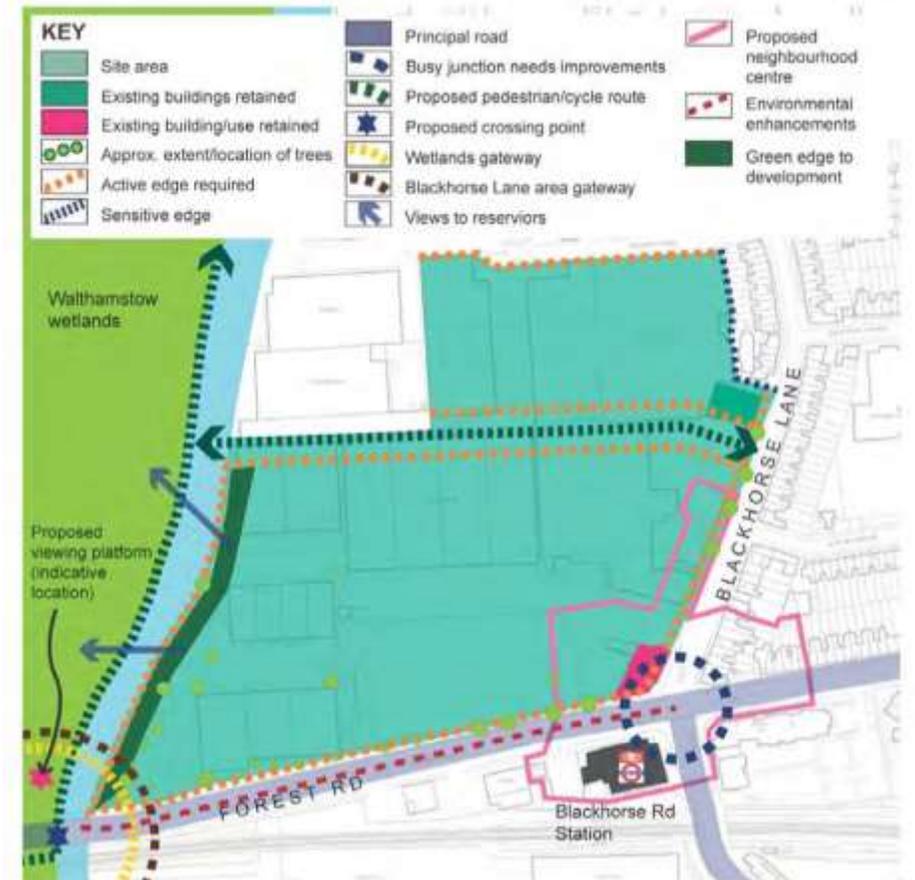
To those who are concerned that these provisions will somehow override local plans, I would say that that is not the intention.

The intention is to produce swifter, slimmer plans to remove the need for generic issues that apply universally, which will help us to reduce time-consuming duplication, and to ensure that local plans are more locally focused and relevant to the local communities.

I hope that, during the passage of this Bill, we will be able to give more assurance on that.

Supplementary Plans for area-based policies

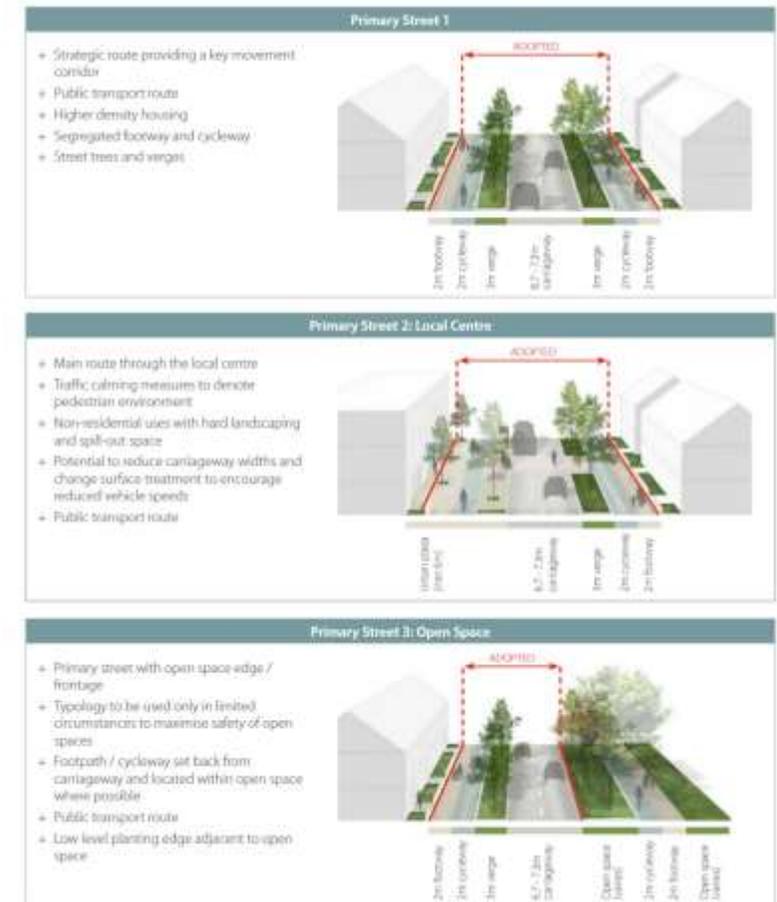
- Policy to be introduced through *Supplementary Plans*
- Envisaged as a streamlined process for preparing detailed policy for specific sites, types of development, or for the adoption of local design codes
- Part of Statutory Devt Plan
- Similar to *Area Action Plans*?
- Intended to remove some of the ambiguity of supplementary planning documents
- Subject to independent examination – generally via Written Reps (hearings in some instances)



Blackhorse Road AAP, LB Waltham Forest

Area-Wide Design Codes

- Design remains a key objective of planning reforms
- Planning authorities to produce area-wide design codes
- These will provide a “*framework for subsequent detailed design codes*”
- Brought forward under new supplementary plan process
- Also part of Statutory Devt Plan
- Based on the National Model Design Code
- Office for Place currently running second phase of pilots (39 pilots in total)



Arbury Design Code Pilot, Nuneaton & Bedworth

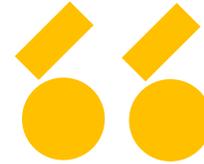
Also to consider...

- Infrastructure funding statements
- Joint spatial development strategies
- Neighbourhood planning & Street Votes
- Planning data collection and the digitisation of planning
- Environmental Outcomes Reports, replacing SEA and SA



Next steps

- In force from end of 2022/early 2023
- New system emerging from 2024
- First new-style Local Plans no earlier than 2026/27?
- Need to proactively engage – there is still time to influence



We will publish further details of our plans for transition, but in broad terms changes to planning procedures will begin to take place from 2024, once the Bill has Royal Assent and associated regulations and changes to national policy are in place. We recognise the importance of minimising disruption whilst transitioning to the new system, so that plans can and do continue to come forward in the meantime.

What happens before 2024?



Bill goes through Parliament

Further work on regulations, policy and guidance

Engage on transition



Consultations:

Infrastructure Levy and CPO

Environmental Outcomes Reports



Consultation:

Vision for new NPPF including on planning for housing

July 2022?



Consultation:

National Development Management Policies

Revised NPPF

2023?

Questions about achieving plan-making objectives...

- Does the Bill help or will it accentuate current hiatus in planning system?
- Will there be sufficient incentive for Green Belt and constrained areas to prepare a local plan?
- Will a SoS ever be motivated to truly intervene in plans?
- Will a revised Standard Method place homes in areas where they can be delivered?
- Are we universally in support of digitisation of the system?

Questions about the future of supplementary policy

- Where should resourcing on supplementary plans be prioritised?
- Will there be a role for local guidance?
- Will design codes be prioritised if the national model design code provides the fallback?
- Have we seen the end of the expansion of PD rights? Or might further PD expansion flow from detailed design codes?

Questions re relationship with NDMPs

- Government has referred to NDMPs relating to green belt, heritage, climate change and net zero – where should the line be drawn?
- NDMP can change quickly, with unclear consultation arrangements – is this a positive, so that planning policy can be agile? Or a power grab contrary to localism and devolution?
- Might national development management policies have a sudden, unintended impact on viability?
- Will NDMPs really save time?
- Will focusing on area based policies stifle innovation?
- Which SPD will fall away and which SPD will be national? – e.g. parking, residential design standards? S106?
- Does design guidance on housing extensions, for example, need to become statutory policy? Might this clog the appeal system further?