

Update on reforms in planning

Context

- Planning has (recently) and is still undergoing one of the most intense periods of reform and change, since 1947.
- One of the key drivers for the reform and change has been the Government's aim to get Britain building (out of recession). Lessening the burden on developers and making a more streamline and simpler planning system has been identified as one way in which this can be done.
- The Localism agenda has also been a driver for change in the planning system.

So what has happened?

- Removing the regional tier of plan making and introducing neighbourhood plans as part of the formal development plan.
- Condensing and reducing the amount of national planning policy and guidance. NPPF – 2012, NPPG – 2014.
- Key directive from Central Government to LPA's – renegotiate s.106 agreements to get previously stalled schemes progressing.
- Extending permitted development rights in May 2013 – larger ground floor rear extensions (8m from 4m and 6m from 3m), office to residential (Kendall Court, Railway Road, Newhaven – loss of office to 24 residential units).
- Certain extended PD rights exclude the National Park (residential extensions).
- Certain PD rights only apply for a temporary period, but indications are that these could be extended.
- April 2014 – further permitted development rights introduced. This includes agricultural to residential (prior approval still required and certain considerations, such as highways impact, noise, flood risk and impact upon the building still need to be taken into account – feasibility is also a key consideration). Retail to residential and financial and professional services now also allowed under PD. National Park's lobbied successfully for exclusion.
- NPPG (2014) – clarified issues on weight to be attached to emerging policy (inc. neighbourhood plans), how LPA's should plan to meet housing need.
- Attempts to boost the supply of housing and implications of not having a five year supply.
- National prescribed sustainable building standards (through Building Regs) and removing the ability for LPA's to set their own standards.
- Community Infrastructure Levy – regulations amended significantly. LPA's now required to pass a proportion of CIL receipts onto town and parish councils.

What could/is likely to happen?

- Increased emphasis from the Government on the time taken and quality of decisions on planning applications. Threat – special

measures and LPA's losing decision making powers on major planning applications; withholding New Homes Bonus.

- Introducing minimum thresholds for s.106 agreements (10 residential units) – will contradict the LDC/SDNPA policy.
- Speeding up discharge of planning conditions (if Council fail to approve on time, it will be treated as approved).
- Pilot for passing benefits of development directly to households within the vicinity of development.
- Introduction of minimum room size standards and removal of the Code for Sustainable Homes.
- Making the production of a Local Plan a statutory duty.
- Further additions to Permitted Development rights – industrial units to residential?
- Increased role for Local Enterprise Partnerships in strategic planning?
- Election 2015.....