

Planning – A Way Forward



Too few high-quality new homes are being built in this country. Our economy, our communities and whole swathes of our society – not least our younger generations – are suffering as a result.

The reasons for the shortage of new homes are many and varied, but include a malfunctioning and poorly resourced planning system, delays caused by prolonged planning reform discussions, a perception within some communities that new housing will be harmful and/or poorly designed, and that additional housing may put undue pressure on local infrastructure.

The Levelling Up and Regeneration Bill aims to address some of these issues – with a particular emphasis on beauty, design and infrastructure delivery – as should the future consultations on many aspects of the planning system recently announced by the Secretary of State.

But against a background of a growing resistance against development, we must make every effort to allow more high-quality family homes and affordable housing to be built, together with homes for the elderly, self and custom builders and other specialist sectors. If we are to truly increase housing delivery we must also significantly increase the contribution SME housebuilders can make to the supply. This is vital if we are going to be successful in levelling up, and extending opportunities to many of those local people and groups currently priced out of the market. Local authorities, developers, housing associations and local people all have their part to play – as does central Government.

We and our members believe that there is an opportunity to introduce some short-term, easily-implementable changes to policy and practice that will help address issues within the planning system and lay the foundations for long-term change. In particular, it needs to be easier for local authorities to do the right thing and to enable more homes to be built. At the moment, too many are held back due to under-resourcing and a lack of incentives to update local plans.

This '**Planning – A Way Forward**' document outlines the LPDF's proposals for change. Many of these reforms could be done through changes to the NPPF or Planning Practice Guidance, without the need for further legislation, and they would have an immediate positive effect.

We believe the Government should adopt the following measures which will help to transform our planning system for the benefit of local people and communities across the country. This document breaks down our suggested measures into five areas:

- **A Focus on Plan Making**
- **Preparing New Planning Guidance**
- **Providing Incentives**
- **Addressing Barriers to Growth**
- **Issuing a Written Ministerial Statement**



Below we have expanded on each of these areas and set out specific, actionable and effective reforms the Government can introduce to achieve real success.

A Focus on Plan Making

Plan-making is a key part of ensuring that housing and development can be delivered and beautiful homes are built. A succinct, aspirational and up-to-date local plan sets the basis for growth. The Government, by taking the following steps, will help local communities to have more clarity about development in their area and encourage sustainable and affordable new housing. The Government should:

- set out positive messages on the need for new homes and provide clarity on how housing need is calculated. If necessary, it should revert to locally assessed housing need (following clear guidance which sets out the key factors to take into account) or alternatively determine housing provision at a County or Housing Market Area level which is independently reviewed and robustly tested at Examination;
- establish a two stage local plan process with the first part identifying the area's housing and employment requirements, potentially at a more strategic scale. This would be examined separately and if found sound, the requirements would be fixed for a period of two years. The second part would allocate sites to meet the land requirements established in part one;
- ensure that local plans deliver a wide range of suitable sites (both brownfield and greenfield) of different tenures and types of dwellings (e.g. senior living, self and custom build and sites suited to delivery by SME housebuilders). They should also allocate a variety of employment sites so that business growth is not stifled by a lack of suitable premises;
- establish a duty for local authorities to independently review and update local plans every five years; changes should be made to Paragraph 33 and Footnote 39 of the NPPF to emphasise the need to keep local plans updated and to maintain a rolling 5-year housing land supply across of the country;
- ensure that all local plans include sufficient reserve sites so that in the event of non-delivery or slow delivery of an allocated site, immediate housing land releases could be made to ensure delivery of the annual housing requirement.

Preparing New Planning Guidance

Uncertainty in the operation of the planning system is a big problem for councils, developers and communities. Introducing clear and definitive guidance will restore confidence in the planning system and help stakeholders to properly engage with it. To achieve this, we believe that the Government should:

- simplify and strengthen the presumption in favour of sustainable development (paragraph 11d of the NPPF) by making it clear that it will apply if a local plan is more than five years old and the proposal being considered is sustainable;
- set out the need for local authorities to maintain a rolling five-year affordable housing land supply to ensure a significant increase in the level of affordable housing delivery;
- outline that if there is no up-to-date local plan in place, the decision maker should place a reduced level of weight on any conflict with the policies contained within the plan;
- set out that local authorities must prove 'exceptional circumstances' where they choose to refuse permission for a site which is either allocated in the local plan or has an officer recommendation for approval;
- extend exception policies for smaller sites up to 20 units for self and custom build and sites to be delivered by SME housebuilders (to be defined), with reduced, but not exempt from, affordable housing delivery to support these sectors.

Providing Incentives

Government should offer incentives to help under-resourced planning departments. These measures would allow local authorities to benefit from keeping local plans up-to-date and supporting housing delivery. The Government should:

- allow local authorities to be able to set their own planning application fee levels where this can be justified and an up-to-date plan is in place;



- offer a significant boost to the New Homes Bonus for authorities with an up-to-date plan in place and to re-introduce Planning Delivery Grants;
- require applicants to pay a fee upon submission of an Appeal, proportionate to the application fee, which would be refunded by the local authority in the event that the Appeal is allowed. They should also refund planning application fees to all successful appellants to incentivise positive decision-making by local authorities.

Addressing Barriers to Growth

Certain barriers exist in the current planning system which hinder development and ultimately cost communities the opportunity to live and work in their local areas. To address these, we believe the Government should:

- ensure that Natural England and the Environment Agency urgently review the impact of their policies on nutrient, water and recreational neutrality and take action accordingly;
- establish the principle that developer contributions can be considered as appropriate mitigation for purposes of the Habitat Regulations, to accelerate improvements in Wastewater Treatment Works and water efficiency schemes;
- ensure that all Planning Committee Members are appropriately qualified and undertake detailed training on an annual basis to minimise poor decision-making. This will maintain the delivery of an efficient high-quality service in the planning system and help with staff retention.

Issuing a Written Ministerial Statement

This should highlight:

- the importance of the plan-led system and the need to incentivise local authorities to prepare and adopt up-to-date local plans and sanction those that chose not to do so;
- the critical importance of the housebuilding, commercial, infrastructure, energy and construction sectors to the economy. Decision makers should ensure that significant weight is accorded to the economic benefits of proposals when considering the planning balance;
- the need to address the housing crisis and in particular, ensure the increased delivery of housing of all types and tenures, especially affordable housing;
- that local authorities need to objectively plan for employment land to ensure that housing and employment provision is integrated and that the imperative to meet the demand for housing, particularly on brownfield sites, does not force out other uses and create problems for the future.



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