

# Planning in a Local Context

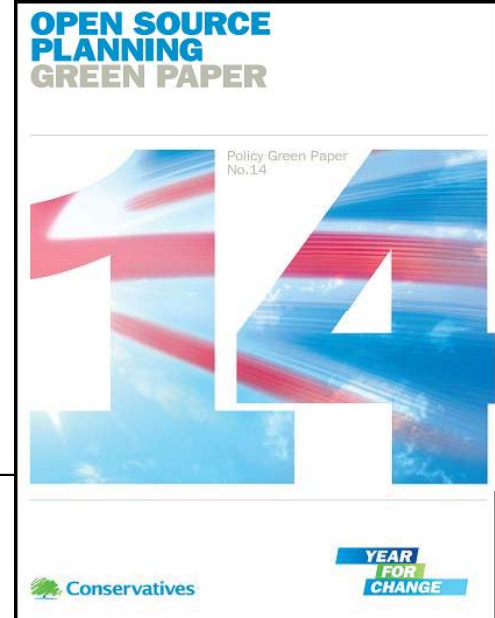
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**Communities & Local Government**

## The Government's vision Freedom, Fairness and Responsibility

- Fundamental change in the relationship between citizens and the state.
- Individuals and communities have more power and responsibility.
- Freedom from top-down controls.
- Extending transparency to every area of public life.

**The Coalition:**  
our programme  
for government



- Set the foundations for the Big Society by radically transforming the relationships between central government, local government, communities and individuals.
- Decisions should be taken as closely as possible to the people they affect.
- Localism can also mean allowing local people to set priorities and become involved in decisions about the future of their area.
- Devolve greater powers to councils and neighbourhoods and give local communities control over housing and planning decisions.
- Giving communities direct incentives to promote and support sustainable growth



“When people know that they will get proper support to cope with the demands of new development; when they have a **proper say** over what new homes will look like; and when they can influence where those homes go, **they have reasons to say “yes” to growth.**” Greg Clark MP, 18/11/10

## Basic Principles: Planning at neighbourhood level

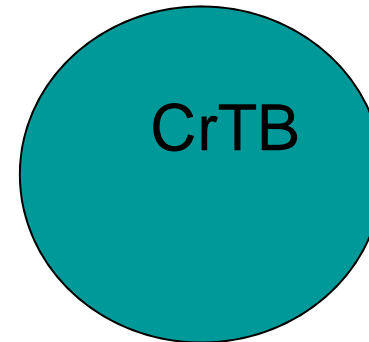
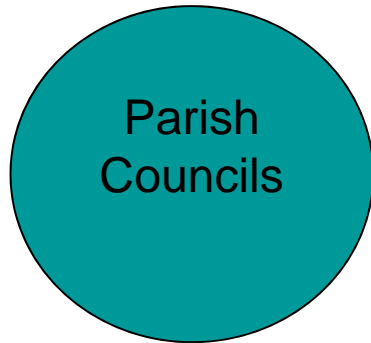
Give neighbourhoods far more ability to determine the shape of the places in which people live through 'neighbourhood plans'

- Empower communities to **take control**
- Neighbourhood not LPA led.
- Light-touch process
- Inspire innovation and creativity
- Exploring ways of enabling small scale community development.
- Permissive regime

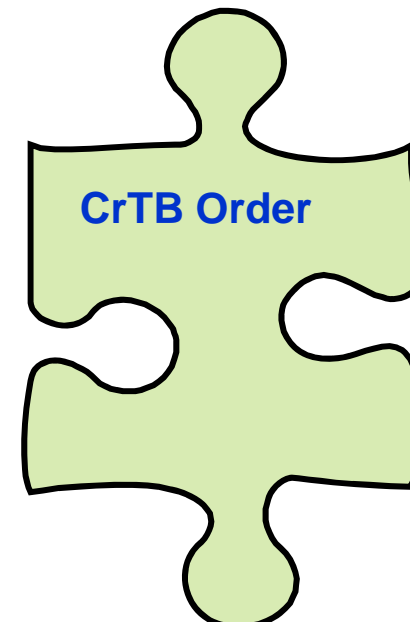
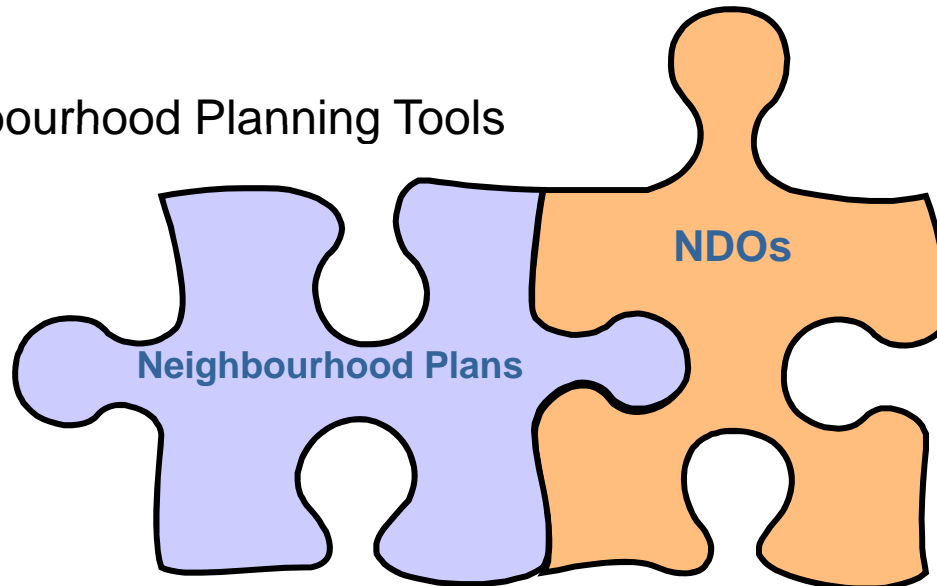


# Highlights of Neighbourhood Planning System

- Applicants



- Neighbourhood Planning Tools



- Defining Neighbourhoods
  - Parish/Town Council boundaries
  - Electoral wards
  - Community-initiated process
  - LPA has a key role in designating ‘neighbourhood areas’





# Highlights of Neighbourhood Planning System

- Community Decides



- Local Authority Role

- Confined decision-making
- Fund Examination
- Fund and undertake referendum
- Duty to Support - Ensure compliance with EU Directives
- Duty to Adopt





## Highlights of Neighbourhood Planning System

- Part of Development Plan

- We are not switching off the TCPA system
- Within framework of strategic plans and national policy
- Part of Statutory Development Plan
- Neighbourhood plans **can go beyond local authority policies** on development
- Promote more but not less development

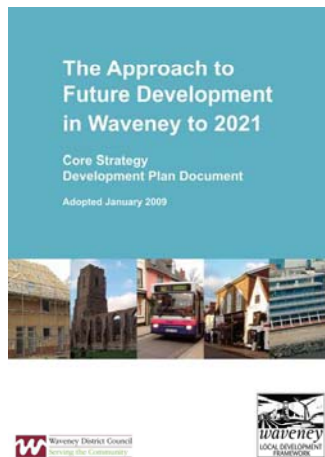


- Charging

- Charging development which gains permission through NDO
- Contribute to LPA costs in putting NDO in place

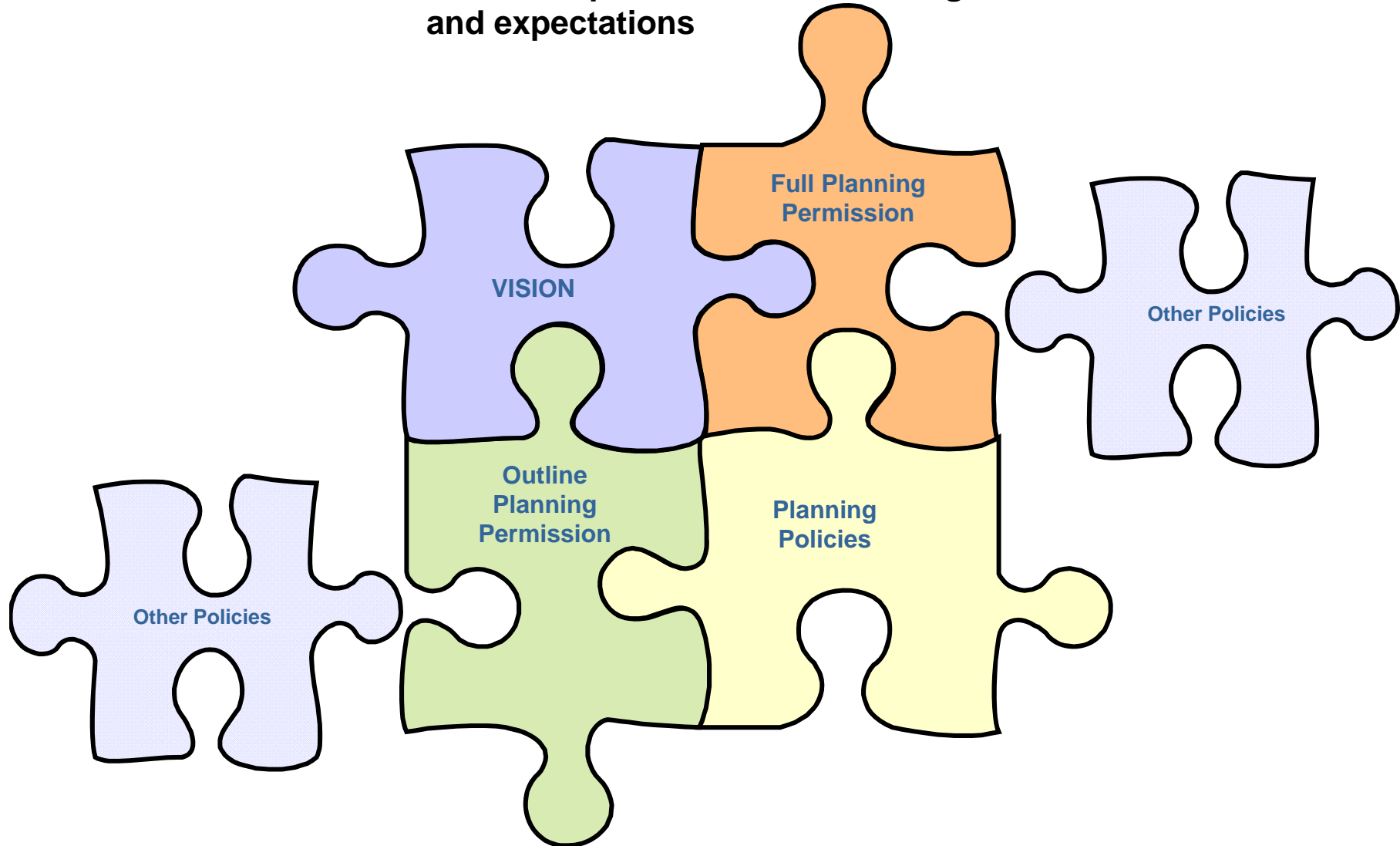
# Highlights of Neighbourhood Planning System

- Working within Limits
- Regard to national policy (e.g. NPPF) and guidance
- Regard to rest of development plan but..
- **General conformity** with ‘strategic policies and proposals’ in local plan
- Consistency with adopted neighbourhood plans
- Compatible with EU and ECHR obligations



## Flexibility -This will put neighbourhoods in control

The neighbourhood should decide what a neighbourhood plan contains– plans are flexible enough to address different needs and expectations





- CrTB – Further flexibility to the system

**Community-Right-to-Build** will be delivered through neighbourhood planning.

Enables communities to deliver small-scale, site-specific development without the need for a separate planning application.

By following a **simplified** neighbourhood planning process, communities able to respond quickly to changing development needs.

Benefits of development remain within the community



## Putting it Together – “Neighbourhood Planning”

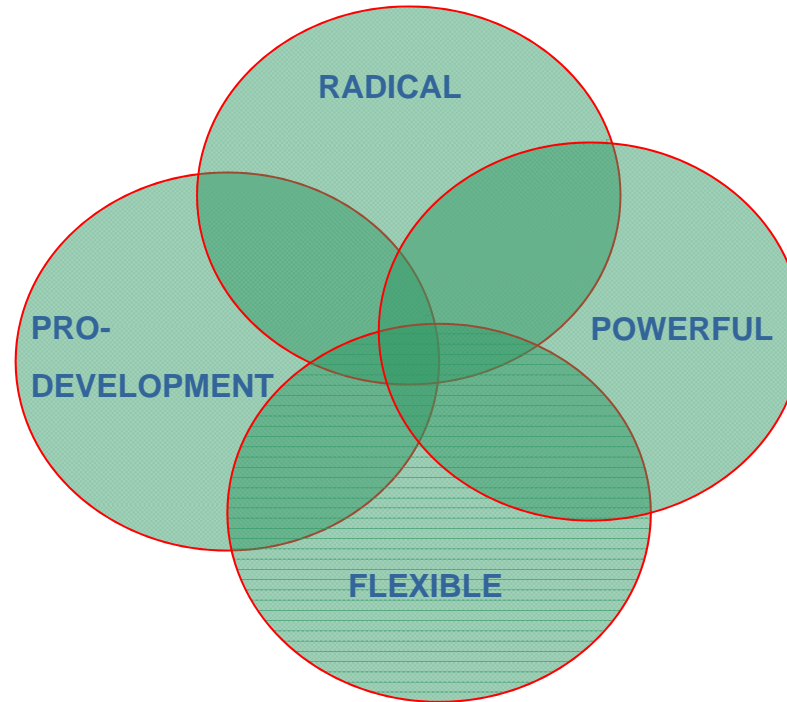
1. Defining the Neighbourhood
2. Applying to be a Neighbourhood Forum
3. Undertaking pre-application consultation/assessment
4. Local Authority Duty to Support
5. Submit draft plan/order for independent examination
6. Local Authority Validation Check
7. Independent examination – written representations the norm
8. Examiner’s Report
9. Referendum on (modified) plan/order
10. Adoption by Local Authority – part of development plan

- Carry on
- Presumption in favour of sustainable development
- Simpler process
  - LDS – No SofS role
  - Change AMR
  - Change to Inspector's role

**Restore the idea that  
development can be a force for  
good, rather than something to  
be resisted at all costs**



**Turning Opponents into Proponents of Growth  
Capturing Benefits and Incentives**



- **Radical:** Shifting power and control to the community ; delivering increased community input
- **Powerful:** Plans can directly give full or outline planning permission
- **Flexible:** Plans can reflect a wide range of community concerns and be detailed or general
- **Pro-development:** Developers have more certainty about what can be built.





## Enabling the abolition of Regional Strategies

- Enable the abolition of Regional Strategies by repealing Part 5 of the Local Democracy, Economic Development and Construction Act 2009.
- This will return powers over housing and planning matters to local authorities, who will take the lead in planning for the sustainable development of their areas to meet the aspirations of their local communities.
- Still a need for strategic coordination on cross-boundary issues e.g. infrastructure and economic development.
- Duty to Cooperate to require local authorities and public bodies to engage constructively on strategic planning matters and development plans.
- Government will not be prescriptive, local authorities will be encouraged to work in a collaborative manner where they think it is appropriate.
- LEPs may have a role in tackling strategic planning and housing issues.



## Pre application community consultation

- New requirement for developers of large scale major planning applications to consult communities *prior to applications being submitted*.
- Developers required to consult the communities affected and demonstrate how their views have been taken in to account in the design process, with the documentation submitted with the formal planning application.
- Will apply initially to major planning applications, i.e. residential developments of 200 or more residential units, and other developments which will provide 10,000 or more sq metres of new floorspace. Threshold set in secondary legislation to allow flexibility to change if necessary.
- Flexible, light touch provision - minimal legislative prescription, allowing developers to engage local people in the most appropriate way given the characteristics of the site and the community

# Reforms to the Community Infrastructure Levy

The Bill introduces 3 changes to the Community Infrastructure Levy:

- Limiting the binding nature of the examiners' reports on levy rates.
- Clarifying that the levy can be spent on the ongoing costs of infrastructure, as well as the capital costs.
- Provisions to make regulations on neighbourhood funding.

## Major infrastructure projects

- **Abolish the unelected Infrastructure Planning Commission** and return decision making on applications to democratically accountable Ministers.
- Require **National Policy Statements to be approved by Parliament** before they are designated.

### **As a consequence of abolition of the Infrastructure Planning Commission: -**

- A **new Major Infrastructure Planning Unit** within PINS will be established to take over the Infrastructure Planning Commission's role in examining applications. It will report and make recommendations to Ministers.
- Transitional arrangements will ensure that any **projects being considered by the Infrastructure Planning Commission at the time of the changes do not have to start the planning process again.**

The enforcement provisions have four strands all of which are designed to help enforcement officers do their job.

- Allow only an enforcement appeal or a retrospective planning application to be made for a development, not both;
- Allow enforcement action when normal time limit has expired where deliberate deception/concealment;
- Increase penalties for non-compliance with Breach of Condition Notice and extend time limit for prosecuting advertisement and certain tree offences;
- Increase powers for the removal of illegal advertisements and graffiti and prevention of fly-posting



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