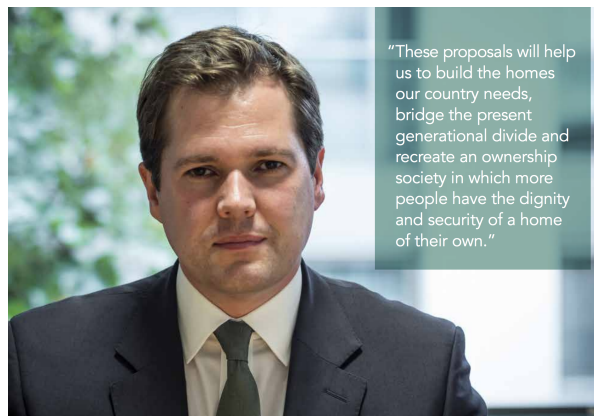




Strategy and Public Affairs for Real Estate [View this email in your browser](#)

Briefing Note: "Planning for the future" - the Government's proposed Planning reforms

On August 6th Rt Hon Robert Jenrick MP, Secretary of State for Housing, Communities & Local Government, raised his head above the public parapet once again when he unveiled proposals to radically reform England's planning system.



Launching his department's white paper - jauntily titled "Planning for the Future" - the Minister was explicit: the purpose of the reforms is to "get the country building". Indeed, as the economy lurches on the edge of the Corona-crisis cliff, the evergreen need to meet the target of building 300,000 new homes every year has become even more urgent.

Purpose

The Government wants to significantly increase the number of lower cost, good quality homes that are built every year and it wants more smaller sized companies to build them.

Using *Local Plans* as the main mechanism for delivery, it believes it can achieve its aims by rewriting those areas of Planning policy that it judges most impede delivery.

Land Categories

Land will be categorised into three new areas:

- Growth - development heavy areas where there will be a presumption that planning approval will be automatic
- Renewal - moderate development zones where development will be fast-tracked



Design/Quality

When it comes to ensuring the quality of new homes, the Minister has a very particular vision. He wants to create new communities along the lines of aesthetically valued historic ones; "Bath, Belgravia and Bournville" were the examples he cited.

The lengthy, often costly local authority pre-App process will become obsolete, along with design decisions taken (literally) by committee.

There will be "central design codes" and "local design codes" to ensure quality and throughout the document there is great emphasis on local community involvement in the design process - though how in practice these two codes will marry is not entirely clear.

Developer Contributions

s106 of the Town & Country Planning Act & CIL - both will be replaced by a new centrally determined *Infrastructure Levy* which will be proportional to the scale of the development. This non-negotiable levy will remain the key vehicle for delivering affordable housing.

SMEs

The government wants to reverse the historic trend whereby volume house builders dominate the market. It believes that by streamlining and shortening the planning process, standardising design and infrastructure contributions, it will make it easier for small and medium enterprises - with their relatively smaller operating teams - to successfully compete.

Community Involvement

With so much of the planning process centrally controlled, community involvement will be vital. Local Plans will again be the main conduit by which local people can

Responses to the white paper

The launch of the proposals received a considerable amount of media coverage.

Those supporting the reforms include: Helen Evans, Chief Executive of Network Homes and Chair of the G15 group of London's largest housing associations; James Thomson, CEO of Gleeson Homes; Matthew Fell, CBI Chief UK Policy Director. All were quoted in the government's own "Planning for the Future" press release.

In contrast, the noisiest and most negative responses to the proposals came from local government & from RIBA.

Their criticisms fell into three main areas:

- the reforms will disempower local communities by shifting planning decisions *away* from local councillors and *toward* central government
- abolishing s106 & CIL means the reforms will fail to achieve their main goal of delivering more affordable housing work
- the proposals will be a blueprint for creating the slums of the future

Local Government

It is not surprising that local government (cross-party) is unhappy about losing so much control over a key judicial function.

Along with loss of power, the greatest risk for local government comes in the proposal to abolish s106. Not only is this the main vehicle for the delivery of affordable homes but since austerity hit councils' core funding post-2008, s106 has also been used creatively by many canner councils to shore up all sorts of *non*-housing service provision. Its loss is potentially a massive blow to council finances.

Cllr James Jamieson, Chairman of the **Local Government Association** (and Leader of Conservative run Central Bedfordshire Council) said,

"Any loss of local control over developments would be a concern. It would deprive communities of the ability to define the area they live in and know best and risk giving developers the freedom to ride roughshod over local areas."

Cllr Darren Rodwell (Labour Leader of LB Barking & Dagenham) in his role as Exec Member for Housing & Planning **London Councils** labelled the proposals "a planning free-for-all" that is "potentially disastrous for Londoners", claiming it "could reduce the amount of affordable housing built in the capital."

City Hall

TfL which is already near bankrupted by Covid19.

Deputy Mayor for Housing Tom Copley (Lab) called the white paper a "confused mass of appalling proposals".

His Tory counterpart Housing Spokesman Andrew Boff was more circumspect. Even so, while welcoming the emphasis on "beautiful design" and Green Belt protection, he warned that "automating planning decisions raises concerns over local democracy... In this new system, local plans will be more critical than ever, so we must ensure they are democratic, with people properly consulted and engaged."

The Architects

RIBA President Alan Jones was unimpressed, "these shameful proposals do almost nothing to guarantee the delivery of affordable, well-designed and sustainable homes ... there's every chance they could also lead to the creation of the next generation of slum housing."

The Politics

The political value of delivering large numbers of quality, low-cost homes is huge. It's significant that the PM introduces the white paper and that his national "levelling-up" agenda is explicitly referenced. If the Johnson government can achieve this goal - something that successive governments have failed to do - it will cement their political position all the way from those newly won "red wall" seats in the north, through to the south-east, where land values mean that home buying remains impossible for so many aspiring buyers.

No government since Margaret Thatcher's in 1980 with its Right to Buy Housing Act has delivered a populist housing policy that has revolutionised the political (and economic) landscape in such a way. Indeed it's arguable that the fallout from RTB is still skewing our housing market today.

The Johnson government has its eyes on a similarly serious prize. With its 80 seat majority it can ignore the inevitable bleating from its Tory councillors unhappy that they've been stripped of their planning committee powers.

Final thoughts

Like most white papers "*Planning for the Future*" is heavy on aspiration and somewhat lighter on practical detail.

Reinvigorated Local Plans will be doing a great deal of the heavy legislative lifting. But some of the main problems that underpin why we consistently fail to meet our

That said, the government deserves credit for attempting to tackle some of the complaints that developers have consistently levelled at the planning system: lack of certainty, clarity and consistency.

A standardised *Infrastructure Levy* should simplify things, helping to save both time and money. It should also start to restore public confidence in the planning process.

Design by pre-App and by committee has compromised away an awful lot of good architecture so design codes - if done right - might well be an improvement.

The main weakness in the proposals is that by virtue of centralising so many powers, the government risks severing the connection between planning and local democracy. Though the current planning system can be clunky (and not many people find the experience of a multi-hour Council planning committee edifying) all but very mundane or nationally important applications are currently taken at a local level. This maximises the opportunity for people to engage in the process whether or not they choose to.

Relying on the Local Plan drafting process to balance this out is high risk. Given how fraught the evolution of LPs has often been, there ought to be serious concerns about the capacity - let alone the willingness - of many councils to deliver this more technical, community engagement in a truly meaningful way.

The requisite blend of outreach and planning expertise that will be required to make these new super-charged Local Plans work is not something that many authorities will have readily to hand. Without significant sweeteners, in the form of extra resources, it is going to be difficult to persuade councils that making these reforms a success is possible or in their best interests.

And without council support it is difficult to see the transition between the current and the new systems being anything other than an extremely bumpy ride.

C B

14/08/2020

E: info@carvil-ventures.co.uk



Subscribe

Past Issues

Translate ▼