Suggested priority issues

1. *Regional and Local Planning*

Current Government Position	Suggested LGA Group position:
• **Abolition of Regional Spatial Strategies**: "Regional planning will be abolished, alongside Regional Spatial Strategies, the Regional Planning Bodies, and national and regional building targets". (Open Source Planning, page 5, Control Shift, page 28, Coalition Agreement, page 11) • **Local Development Framework / Neighbourhood Plans** "We will make a truly local plan, built out of a process of collaborative democracy, the centrepiece of the local planning system." (Open Source Planning, page 8) • "We will also put in place transitional arrangement to cover the implementation of out new planning system." • "We will radically reform the planning system to give neighbourhoods far more ability to determine the shape of the places in which their inhabitants live, based on the principles set out in the Conservative Party publication Open Source Planning". (Coalition Agreement, page 11) • **Introducing a stronger role for neighbourhoods in relation to applications:** "We will make a truly local plan, built out of a process of collaborative democracy, the centrepiece of the local planning system...by mandating that all local authorities use collaborative democratic methods in drawing up their local plans." (Open Source Planning, page 8)	• We strongly support the government's commitment to devolving decision making to the local level. However, planning reform needs to swiftly set in place a framework in which local authorities have certainty to set their own local plans. • We need to press for the smooth transition of ownership of valuable regional spatial information and will need urgent clarity on what is material consideration. • Regards to neighbourhood plans, we welcome the focus on "local plans" and the principle of enhanced public engagement and ownership of development. • However the proposal are vague on exactly how neighbourhoods should be constituted. "Neighbourhoods" "neighbours" and "communities" are not easy to define, not always truly representative and there is no formal representative structure at that level. This is particularly important when it comes to negotiating and moderating competing visions of neighbouring communities into a single unified local plan. • It is also important to emphasis that that local government already undertakes a lot of consultation, and need to be clear what, over and above existing practice the new approach will require. Need to make sure there is a balance, that is determined locally between genuine engagement and a system that becomes very slow and resource intensive. • There also resource implication which will need addressing. We will need new ways of supporting elected members dealing with planning to ensure they have the skills and capacity to deliver this enhanced strategic planning role.

2. *Major Infrastructure / Infrastructure Planning Commission (IPC)*

Current Government Position	Suggested LGA Group position
• **Major Infrastructure / Infrastructure Planning Commission (IPC):** "We will abolish the unelected Infrastructure Planning Commission (IPC) whilst retaining its expertise and fast track process within government." (Open Source planning, page 14) • "Major infrastructure projects will be decided by short and focused planning inquiries carried out by the new Major Infrastructure Unit and governed by the new national planning framework." (Coalition Agreement, page 11) • **National Planning Policy Framework**: "We will integrate into one document – a national planning framework – the principal features of all national planning policies. This simple and consolidated framework will set out not only what the government's economic and environmental priorities are, but how they relate to each other." (Open Source planning, page 15)	• We accept the need for projects which are genuinely national in scale and impact to be determined nationally. However the LGA fought hard for, and won, important roles for councils in working with developers to shape schemes, and to be the voice for their communities in the consideration of national schemes. This needs to be carried through into the successor arrangements for IPC. • We support a single strong, simplified, national policy framework for planning - 2000 plus pages of national policy is certainly no way to do it. • Limiting the ability of inspectors to overturn local decision will improve local accountability.

3. *Reforming the Community Infrastructure Levy (CIL)*

Current Government position:	Suggested LGA Group position:
• "[We] will scrap CIL and non-site-specific planning obligations and instead introduce a single unified local tariff applicable to all residential and non-residential development (even a single dwelling), but at graded rates depending on the size of the development." (Open Source Planning, page 12)	• The full details of the coalition government's proposed single unified local tariff are not yet known, but in practice this may well simply be a CIL levy under a different name. • The sector fundamentally supports the principle behind CIL and would encourage government not to reinvent the wheel with the introduction of a single unified tariff. • This is issue particularly urgent because part of the framework of incentives for development and housing supply and crucial to delivering infrastructure to support housing.

Other issues

4. *Presumption in favour of sustainable development*

Current Government position	Suggested LGA position
• The Conservative planning green paper mentions introducing "a presumption in favour of sustainable development", so it would no longer be necessary to prove there is a need for a proposed development. • Where a planning application is in line with the local plan, accompanied by a local tariff payment and, for larger schemes, is a result of appropriate consultation, the development would automatically receive planning permission. (Open Source Planning, page 11)	• The pro-sustainable development bias is a good principle. How this presumption is implemented in practice will largely depend on how 'sustainable development' is defined, but different interpretations could lead to delay.

Appendix A

5. *Strengthening enforcement / Compulsory pre-application discussions*

Current Government Position	Suggested LGA Group Position
• The Conservative planning green paper mentions giving local planning authorities "new enforcement powers to tackle planning applications that, having been granted, turn out to be substantially misleading." (Open source Planning, page 11) • **Compulsory pre-application discussions**	• Improving local authorities' ability to enforce misuse of the local planning system is welcome; however it would be more effective to build in safeguards at the front end of the process to avoid the problems. • Early discussions between developers and planning officers provide an opportunity to steer projects in the right form that will be attractive to the community and acceptable to the local planning authority. • This is a common sense approach; however it will not be appropriate for all situations. LGA would prefer a based on local discretion

6. *Appeals reform*

Current Government Position	Suggested LGA group position
• We will reform the existing planning appeals system. Firstly, we will make the system symmetrical by allowing appeals against local planning decisions from local residents, as well as from developers. Furthermore, we will limit the grounds for appeal against a local planning permission to just two: that correct procedure was not followed in assessing the application, or that the decision reached is in contravention of the local plan. (Open Source Planning, page 7)	• Streamlining and limiting the scope of the current appeals could potentially reduce number of appeals and encourage greater levels of public participation at an earlier stage • Similarly, limiting the ability of inspectors to overturn local decision will improve local accountability. • However it remains important to press the Government to introduce a proper framework requiring developers to fund council costs.

7. *Flexible Zoning / Use Classes Order*

Current Government Position:	Suggested LGA Group Position:
• We will amend the **Use Classes Order** so that people can freely (i.e. without planning permission) change the use of buildings within a range allowed by the local community in its local plan. We will retain	• Councils should be able to decide whether or not to waive this requirement.

the current categorisation of uses…but allow councils to specify in their local plans the kinds of use they are content to permit for the buildings and land in each given part of their area. (Open Source Planning, page 6)	

8. *Schools*

Current Government Position	**Suggested LGA Group Position:**
Land in education use would be given specific protection. Applications for new schools are considered to be a special case and would be determined nationally via the Secretary of State and short planning inquiries. (Open Source Planning, page 17)	• We should not support this proposal. The proposal for development of new schools to be excluded from the locally accountable planning regime is complicated and appears to be at odds with the fundamental principles of localism advanced by the coalition. • It could result in unsuitable buildings being developed as schools and have wider impacts on the local economy and community (for example, impact on congestion caused by the school run).

References

- Open Source Planning Green Paper, Policy Green Paper 14 (Feb, 2010), http://www.conservatives.com/news/news_stories/2010/02/new_homes_and_jobs_through_open_source_planning.aspx

- Control Shift: Returning Power to Local Communities, Responsibility Agenda, Policy Green Paper No.9 (Feb, 2009), http://www.conservatives.com/~/media/Files/Green%20Papers/Localism-Policy-Paper.ashx?dl=true

- The Coalition: our programme for government (Cabinet Office, May 2010) http://programmeforgovernment.hmg.gov.uk/files/2010/05/coalition-programme.pdf