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DCLG announces further changes to improve the delivery of new homes and jobs

The Department of Communities and Local Government published for consultation on 31 July its "Technical Consultation on Planning."

In his statement in setting out the overall context for the need for further reform of the English Planning system, Brandon Lewes, Minister of State for Housing and Planning states that:

"This Government has made a priority of reforming a planning system that had become convoluted, confusing, expensive and in many cases ineffective.

We have put communities in the driving seat with neighbourhoods plans, and sought to unlock vital economic and housing growth while maintaining the environmental protections that help preserve our environment for future generations. We have some proud achievements: the National Planning Policy Framework replaced 1,300 pages with just 50. Another landmark is making planning guidance truly accessible, with the online planning portal enabling anyone to access the most relevant and up-to-date planning guidance.

But there is more to do.. and so we are proposing here practical improvements that build on earlier reforms, to help more people benefit and, overall, help us get the development and housing our future growth depends upon."

The technical document proposes changes on the following topics and DCLG seeks comments by 26 September 2014.

1. Neighbourhood planning

Focuses on proposals to make it even easier for residents and business to come together to produce a neighbourhood plan or neighbourhood development order, drawing on the experience gained from over 900 neighbourhood areas that have already been designated by local authorities.

2. Reducing regulations to support housing, high streets and growth

Sets out proposals to expand permitted development rights, further reducing red tape and supporting housing and growth. These proposals will help ensure the planning system is proportionate and a planning application is only required where this is genuinely justified.

3. Improving the use of planning conditions

Proposed four options to improve the use of planning conditions and enable development to start more quickly on site after planning permission is granted. This approach draws upon a deemed consent regime if details are not formally approved by the Local Planning Authority within a prescribed period.

4. Planning application process and improvements.

Focuses on improving engagement with statutory consultees so they are consulted in a proportionate way on those developments where their input is most valuable.

5. Environmental Impact Assessment Thresholds

Proposals to raise the environmental impact assessment screening thresholds for industrial estate and urban development projects which are located outside of defined sensitive areas. Raising the threshold will reduce the number of projects that are not likely to give rise to significant environmental effects that are screened unnecessarily. This will remove unnecessary bureaucracy, and reduce both the cost and time taken to get planning permission for these projects.

6. Improving the Nationally Significant Infrastructure Planning Regime

Sets out proposals for making improvements to the nationally significant infrastructure planning regime as identified as part of the 2014 Review of the regime. DCLG are seeking views on proposals to amend regulations for making changes to Development Consent Orders, and to expand the number of non planning consents which can be included within Development Consent Orders.

The full document can be viewed at

<https://www.gov.uk/government/consultations/technical-consultation-on-planning>

The related press notice can also be viewed at:

<https://www.gov.uk/government/news/cutting-red-tape-to-breathe-new-life-into-local-communities>

Commentary

These proposals build upon the ongoing changes to the English Planning system where the Coalition Government's long standing planning objective is to speed up not only the planning process in terms of streamlining the amount and contents of planning guidance; the negotiation, submission, validation and determination of planning applications - but also the delivery of the planning permissions when granted. This has been a particular cause of concern in the delivery of major housing developments.

Whilst these changes will no doubt be broadly welcomed by the development industry, this is unlikely to be the case for Local Planning Authority's, environmental and heritage groups and third parties who might see these changes as the weakening of necessary planning based land use and associated environmental controls at the expense of housing and economic growth.

CgMs will be preparing a more detailed assessment of these changes in due course which will be placed on our web site.

In the meantime, if you require further information or would like to understand how these proposed changes could affect your business and how we can help you make your representations please either contact your normal CgMs contact or Huw Williams or Mark Buxton.



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