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Conservative Party announces Planning Green Paper for radical overhaul of the English Planning System

David Cameron, leader of the Conservative Party, announced a radical overhaul of the English Planning system on 22 February. Launching the Planning Green Paper David Cameron said:

"We have a real problem with the planning process in our country. Whether it's building new housing developments or giving the green light to new business parks or leisure facilities, the whole process can be divisive and frustrating.....with developers, residents, councils and all interested parties fighting it out and things either never getting built or causing massive resentment when they do.

But imagine if we put local people in real control over the look, shape, feel and character of the community. Imagine if we let them decide how many houses they want build or whether they want a new park or playground. And imagine if we made all this collaboration possible by removing the obstacles to community engagement and giving local people a real incentive to get involved.

In the post-bureaucratic age, that's what the planning system should look like - and that's the planning system we're going to create. We're going to replace the entire planning system with a new system of Local Plans. We'll remove the hassles of people getting involved with the planning process by making sure every household is invited to a neighbourhood meeting. Here, they can discuss with their neighbours how they would like to see their neighbourhood feel in the future. Each neighbourhood plan will then be submitted to the local council, which will combine them to form an overall Local Plan. Once the Local Plan is agreed, lengthy negotiation with the council will be a thing of the past. If it's in the Local Plan, you can build it.

And to give an extra incentive, neighbourhoods will get cash payments for new development, and the right to decide how this money is spent. Our Local Plans represent one of the biggest shifts in power

for decades. It's genuinely one of the most radical and transformative policies that a Conservative government - or any government - can introduce.

Suddenly, you can see how a system that was controlled by a few can be run by the many. You can see how it's possible to get neighbourhoods to come together to solve problems together. So this won't just help to improve our broken planning system - it'll help to build stronger communities and help to mend our broken society too."

Key measures in the Conservative Party's "Open Source" Planning Green paper include:

- Abolition of the Regional Plans - and hence Regional Spatial Strategies - with housing imposed targets to lower tier authorities in the formulation of their local plans.
- To encourage new housebuilding, the Conservative's propose to give Council tax incentives to Councils and for local communities to establish "Local Housing Trusts" to "allow villages and towns to develop the local homes they want provided there is strong community support."
- "Core strategies" and other development plans currently in preparation, to be replaced with "local plans" based on neighbourhood consultations.
- Where the new local plans do not exist within a prescribed time period, then development will be permitted if it accords to national planning policy guidance.
- No centrally imposed affordable housing targets in local plans - these are to be determined locally.
- Abolition of the Infrastructure Planning Commission - the IPC - for the determination of major infrastructure projects to be replaced by a more democratically accountable version - for example, use of hybrid bills for road and rail infrastructure as was previously undertaken for Crossrail. Other applications for major infrastructure projects to be approved by the Secretary of State.
- Abolition of the Community Infrastructure Levy (CIL) - to replaced by tariffs and section

106 agreements that are scaled back to only mitigate impacts directly created by the development.

- National Policy statements on infrastructure - such as new roads, rail lines and power stations to be incorporated within a new consolidated national planning policy framework for economic and environmental priorities all to be approved by Parliament so as to reduce the scope for judicial review.
- Infrastructure plans for waste and roads to be prepared by the County Councils and Unitary Authorities.
- Presumption in favour of "sustainable development" and provision of guidance of what constitutes sustainable development in terms of minimum environmental, architectural, design, economic and social standards.
- Amendment to the use classes order so that people can use land and buildings allowed in local plans.
- Grounds for refusal of planning permission to be only made on two counts - either the correct procedure was not followed in assessing the application or that the decision reached is in contravention of the local plan.
- Allowing third party appeals against local planning decisions from local residents against local planning decisions. To try and prevent such objections and third party appeals, applicants are to be encouraged to enter into "voluntary agreements" with nearby householders to compensate them for the impact of their proposed development.

Commentary

Just as the English planning system is trying to implement the major changes to the planning process introduced by the Planning Acts of 2004 and 2008- (which introduced new style development plans - replacing Unitary Development Plans with "Core Strategies" and "Site specific" and other development plan documents - and the creation of the Infrastructure Planning Commission and CIL) - these and other measures are all be abolished if a new Conservative Government is elected.

Whilst some of the measures might be welcome - for example, because some measures continue to implement the Killian Pretty Review's recommendations to improve the workings of English Planning System (and which the Labour Government is now implementing) - there is the danger that Local Planning Authorities will just not be able to resource and implement these major changes given projected cut backs in public expenditure. There is also the question as to whether local communities will agree on the scale and what type of development is needed in their area and hence whether neighbourhood style local plans will ever deliver the needed housing and

economic development required for the recovery of the UK economy.

The development industry is sceptical at best - at worst hostile to the proposals - which could mean that if elected the new Conservative Government might have to itself reconsider some of these proposals. The key concern is the undue influence that could result from third parties objecting to developments and the greater powers of parish councils and other organised groups which can prevent much needed development to meet other than purely local social and economic needs.

Liz Peace, chief executive of the British Property Federation has raised concerns of the right of third party appeals as a "recipe for chaos" and that *"it will clog up the system and undermine everything the Tories have said about being pro development."*

What the property industry requires from the planning system is certainty of what might or might not be permitted. However, given that the entire English planning system is based on development being in accordance with development plans unless "other material considerations indicate otherwise" - planning in England in the future looks likely to be even more uncertain, complicated, time consuming and costly than ever before during the early years of a new Conservative Government if elected.

[View a full copy of the Conservative Green Paper >>](#)

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