

## Planning for the Future Summary

The government has released its White Paper, “Planning for the Future”. Their proposals are split into three pillars, which are summarised below. You can find the full paper [here](#).

We will be preparing a full response to the consultation questions below. Please get in touch with Hannah at [policy@theheritagealliance.org.uk](mailto:policy@theheritagealliance.org.uk) with any thoughts or comments you may have.

*NB: “we” in the text below refers to the Government.*

### PILLAR ONE – PLANNING FOR DEVELOPMENT

**Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.**

**Growth areas “suitable for substantial development”** – we propose that the term substantial development be defined in policy to remove any debate about this descriptor. We envisage this category would include land suitable for comprehensive development, including new settlements and urban extension sites, and areas for redevelopment, such as former industrial sites or urban regeneration sites.

**Renewal areas “suitable for development”** – this would cover existing built areas where smaller scale development is appropriate. It could include the gentle densification and infill of residential areas, development in town centres, and development in rural areas that is not annotated as Growth or Protected areas, such as small sites within or on the edge of villages.

**Areas that are Protected** – this would include sites and areas which, as a result of their particular environmental and/or cultural characteristics, would justify more stringent development controls to ensure sustainability. This would include areas such as Green Belt, Areas of Outstanding Natural Beauty (AONBs), Conservation Areas, Local Wildlife Sites, areas of significant flood risk and important areas of green space. At a smaller scale it can continue to include gardens in line with existing policy in the National Planning Policy Framework. It would also include areas of open countryside outside of land in Growth or Renewal areas. Some areas would be defined nationally, others locally on the basis of national policy, but all would be annotated in Local Plan maps and clearly signpost the relevant development restrictions defined in the National Planning Policy Framework.

This new-style Local Plan would comprise an interactive web-based map of the administrative area where data and policies are easily searchable, with a key and accompanying text. Areas and sites would be annotated and colour-coded in line with their Growth, Renewal or Protected

designation, with explanatory descriptions set out in the key and accompanying text, as appropriate to the category.

*Alternative:* Rather than dividing land into three categories, we are also interested in views on more binary models. One option is to combine Growth and Renewal areas (as defined above) into one category and to extend permission in principle to all land within this area, based on the uses and forms of development specified for each sub-area within it.

Another alternative approach would be to limit automatic permission in principle to land identified for substantial development in Local Plans (Growth areas); other areas of land would, as now, be identified for different forms of development in ways determined by the local planning authority (and taking into account policy in the National Planning Policy Framework), and subject to the existing development management process.

Do you agree that Local Plans should be simplified in line with our proposals?  
[Yes / No / Not sure. Please provide supporting statement.]

**Proposal 2: Development management policies established at national scale and an altered role for Local Plans.**

With the primary focus of plan-making on identifying areas for development and protection, we propose that development management policy contained in the plan would be restricted to clear and necessary site or area-specific requirements, including broad height limits, scale and/or density limits for land included in Growth areas and Renewal areas, established through the accompanying text. We propose to turn plans from long lists of general “policies” to specific development standards.

Local planning authorities and neighbourhoods (through Neighbourhood Plans) would play a crucial role in producing required design guides and codes to provide certainty and reflect local character and preferences about the form and appearance of development.

*Alternative:* Rather than removing the ability for local authorities to include general development management policies in Local Plans, we could limit the scope of such policies to specific matters and standardise the way they are written, where exceptional circumstances necessitate a locally-defined approach. Another alternative would be to allow local authorities a similar level of flexibility to set development management policies as under the current Local Plans system, with the exception that policies which duplicate the National Planning Policy Framework would not be allowed.

Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?  
[Yes / No / Not sure. Please provide supporting statement.]

**Proposal 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.**

This would consider whether the plan contributes to achieving sustainable development in accordance with policy issued by the Secretary of State. A simpler test, as well as more streamlined plans, should mean fewer requirements for assessments that add disproportionate delay to the plan-making process.

Specifically:

- We propose to abolish the Sustainability Appraisal system and develop a simplified process for assessing the environmental impact of plans;
- The Duty to Cooperate test would be removed;
- A slimmed down assessment of deliverability for the plan would be incorporated into the “sustainable development” test.

*Alternative:* Rather than removing the existing tests of soundness, an alternative option could be to reform them in order to make it easier for a suitable strategy to be found sound. For example, the tests could become less prescriptive about the need to demonstrate deliverability. Rather than demonstrating deliverability, local authorities could be required to identify a stock of reserve sites which could come forward for development if needed.

Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

*[Yes / No / Not sure. Please provide supporting statement.]*

How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

**Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.**

Local Plans will need to identify areas to meet a range of development needs – such as homes, businesses and community facilities – for a minimum period of 10 years. It is proposed that the standard method would be a means of distributing the national housebuilding target of 300,000 new homes annually, and one million homes by the end of the Parliament, having regard to certain conditions.

The standard method would make it the responsibility of individual authorities to allocate land suitable for housing to meet the requirement, and they would continue to have choices about how to do so. The existing policy for protecting the Green Belt would remain. We also propose that it would be possible for authorities to agree an alternative distribution of their requirement in the context of joint planning arrangements.

*Alternative:* It would be possible to leave the calculation of how much land to include in each category to local decision, but with a clear stipulation in policy that this should be sufficient to address the development needs of each area (so far as possible subject to recognised constraints), taking into account market signals indicating the degree to which existing needs are not being met. As now, a standard method could be retained to underpin this approach in relation to housing; and it would be possible to make changes to the current approach that ensure that meeting minimum need is given greater weight to make sure sufficient land comes forward. However, we do not think that this approach would carry the same benefits of clarity and simplicity as our preferred option, and would also require additional safeguards to ensure that adequate land remains available, especially once the assessment of housing need has been translated into housing requirements. We would, therefore, propose to retain a five-year housing land supply requirement with this approach.

Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

*[Yes / No / Not sure. Please provide supporting statement.]*

Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

*[Yes / No / Not sure. Please provide supporting statement.]*

**Proposal 5: Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.**

There will therefore be no need to submit a further planning application to test whether the site can be approved. Where the Local Plan has identified land for development, planning decisions should focus on resolving outstanding issues – not the principle of development.

In areas suitable for substantial development (Growth areas) an outline permission for the principle of development would be conferred by adoption of the Local Plan. Further details would be agreed and full permission achieved through streamlined and faster consent routes which focus on securing good design and addressing site-specific technical issues.

For exceptionally large sites such as a new town where there are often land assembly and planning challenges, we also want to explore whether a Development Consent Order under the Nationally Significant Infrastructure Projects regime could be an appropriate route to secure

consents. Similarly, we will consider how the planning powers for Development Corporations can be reformed to reflect this new framework.

In areas suitable for development (Renewal areas), there would be a general presumption in favour of development established in legislation (achieved by strengthening the emphasis on taking a plan-led approach, with plans reflecting the general appropriateness of these areas for development)

In both the Growth and Renewal areas it would still be possible for a proposal which is different to the plan to come forward (if, for example, local circumstances had changed suddenly, or an unanticipated opportunity arose), but this would require a specific planning application  
In areas where development is restricted (Protected areas) any development proposals would come forward as now through planning applications being made to the local authority (except where they are subject to permitted development rights or development orders), and judged against policies set out in the National Planning Policy Framework.

Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?

*[Yes / No / Not sure. Please provide supporting statement.]*

Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

*[Yes / No / Not sure. Please provide supporting statement.]*

Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

*[Yes / No / Not sure. Please provide supporting statement.]*

### **Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology**

For all types of planning applications, regardless of the category of land, we want to see a much more streamlined and digitally enabled end to end process which is proportionate to the scale and nature of the development proposed, to ensure decisions are made faster.

To achieve this, we propose:

- The greater digitalisation of the application process to make it easier for applicants, especially those proposing smaller developments, to have certainty when they apply and engage with local planning authorities;
- A new, more modular, software landscape to encourage digital innovation and provide access to underlying data;
- shorter and more standardised applications. The amount of key information required as part of the application should be reduced considerably and made machine-readable;
- data-rich planning application registers will be created so that planning application information can be easily found and monitored at a national scale;

- data sets that underpin the planning system, including planning decisions and developer contributions, need to be standardised and made open and digitally accessible;
- a digital template for planning notices will be created so that planning application information can be more effectively communicated and understood by local communities and used by new digital services;
- greater standardisation of technical supporting information, for instance about local highway impacts, flood risk and heritage matters;
- clearer and more consistent planning conditions;
- streamlined approach to developer contributions;
- the delegation of detailed planning decisions to planning officers where the principle of development has been established, as detailed matters for consideration should be principally a matter for professional planning judgment.

We also believe there should be a clear incentive on the local planning authority to determine an application within the statutory time limits. This could involve the automatic refund of the planning fee for the application if they fail to determine it within the time limit.

There will remain a power to call in decisions by the Secretary of State and for applicants to appeal against a decision by a local planning authority

Do you agree with our proposals to make decision-making faster and more certain?  
[Yes / No / Not sure. Please provide supporting statement.]

**Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.**

**Interactive, map-based Local Plans will be built upon data standards and digital principles.**

To support open access to planning documents and improve public engagement in the plan-making process, plans should be fully digitised and web-based following agreed web standards rather than document based.

To encourage this step-change, we want to support local authorities to radically rethink how they produce their Local Plans, and profoundly re-invent the ambition, depth and breadth with which they engage with communities. We will set up a series of pilots to work with local authorities and tech companies (the emerging ‘PropTech’ sector) to develop innovative solutions to support plan-making activities and make community involvement more accessible and engaging.

Do you agree with our proposals for accessible, web-based Local Plans?  
[Yes / No / Not sure. Please provide supporting statement.]

**Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.**

Under the current system, it regularly takes over a decade for development sites to go through the Local Plan process and receive outline permission. Under our proposals, this would be shortened to 30 months, although we expect many local authorities could do this in a shorter time and we would encourage them to do so where this is practicable. We propose that the process covers five stages, with meaningful public engagement at two stages:

- Stage 1 [6 months]: The local planning authority “calls for” suggestions for areas under the three categories, including comprehensive “best in class” ways of achieving public involvement at this plan-shaping stage for where development should go and what it should look like.
- Stage 2 [12 months]: The local planning authority draws up its proposed Local Plan, and produces any necessary evidence to inform and justify the plan. “Higher-risk” authorities will receive mandatory Planning Inspectorate advisory visits, in order to ensure the plan is on track prior to submission.
- Stage 3 [6 weeks]: The local planning authority simultaneously (i) submits the Plan to the Secretary of State for Examination together with a Statement of Reasons to explain why it has drawn up its plan as it has; and (ii) publicises the plan for the public to comment on. Comments seeking change must explain how the plan should be changed and why.
- Stage 4 [9 months]: A planning inspector appointed by the Secretary of State considers whether the three categories shown in the proposed Local Plan are “sustainable” as per the statutory test and accompanying national guidance and makes binding changes which are necessary to satisfy the test.
- Stage 5 [6 weeks]: Local Plan map, key and text are finalised, and come into force.

Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

*[Yes / No / Not sure. Please provide supporting statement.]*

**Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools**

Neighbourhood Plans should be retained in the reformed planning system, but we will want to consider whether their content should become more focused to reflect our proposals for Local Plans, as well as the opportunities which digital tools and data offer to support their development and improve accessibility for users.

Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

*[Yes / No / Not sure. Please provide supporting statement.]*

How can the neighbourhood planning process be developed to meet our objectives, such as



in the use of digital tools and reflecting community preferences about design?

**Proposal 10: A stronger emphasis on build out through planning**

We propose to make it clear in the revised National Planning Policy Framework that the masterplans and design codes for sites prepared for substantial development (discussed under Pillar Two) should seek to include a variety of development types by different builders which allow more phases to come forward together

Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?

*[Yes / No / Not sure. Please provide supporting statement.]*

**PILLAR TWO – PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES**

**Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.**

As national guidance, we will expect the National Design Guide, National Model Design Code and the revised Manual for Streets to have a direct bearing on the design of new communities. But to ensure that schemes reflect the diverse character of our country, as well as what is provably popular locally, it is important that local guides and codes are prepared wherever possible.

These play the vital role of translating the basic characteristics of good places into what works locally, and can already be brought forward in a number of ways: by local planning authorities to supplement and add a visual dimension to their Local Plans; through the work of neighbourhood planning groups; or by applicants in bringing forward proposals for significant new areas of development.

We propose that these different routes for bringing forward design guides and codes should remain, although in all cases it will be essential that they are prepared with effective inputs from the local community, considering empirical evidence of what is popular and characteristic in the local area.

Do you agree with our proposals for improving the production and use of design guides and codes?

*[Yes / No / Not sure. Please provide supporting statement.]*

**Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of**



**provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.**

We will explore the options for establishing a new expert body which can help authorities make effective use of design guidance and codes, as well as performing a wider monitoring and challenge role for the sector in building better places.

Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

*[Yes / No / Not sure. Please provide supporting statement.]*

**Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England’s strategic objectives can give greater emphasis to delivering beautiful places.**

We are committed to taking a leadership role in the delivery of beautiful and well designed homes and places, which embed high environmental standards. The Building Better, Building Beautiful Commission recommended that Homes England should attach sufficient value to design as well as price, and give greater weight to design quality in its work.

The Government supports this recommendation and recognises that the work of Homes England is an important route through which we can lead by example. However, we recognise that there is an opportunity to go further, and we will engage Homes England, as part of the forthcoming Spending Review process, to consider how its objectives might be strengthened to give greater weight to design quality, and assess how design quality and environmental standards can be more deeply embedded in all Homes England’s activities and programmes of work.

Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

*[Yes / No / Not sure. Please provide supporting statement.]*

**Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.**

We propose to do this in three ways.

- Updating the National Planning Policy Framework, to make clear that schemes which comply with local design guides and codes have a positive advantage and greater certainty about their prospects of swift approval;

- Where plans identify areas for significant development (*Growth* areas), we will legislate to require that a masterplan and site-specific code are agreed as a condition of the permission in principle which is granted through the plan;
- We also propose to legislate to widen and change the nature of permitted development, so that it enables popular and replicable forms of development to be approved easily and quickly, helping to support ‘gentle intensification’ of our towns and cities, but in accordance with important design principles.

Do you agree with our proposals for implementing a fast-track for beauty?  
[Yes / No / Not sure. Please provide supporting statement.]

**Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.**

This entails identifying important views, opportunities to improve public access or places where renewable energy or woodland and forestry creation could be accommodated.

**Proposal 16: We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England**

Under the new system, the Government wants decisions to be made quicker and earlier in the development process and for the framework to be more easily understood and coalesced in one place.

**Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century**

They suggest that the current protections are working well. They state that the new Local Plans will ‘identify the location of internationally, nationally and locally designated heritage assets, such as World Heritage Sites and conservation areas, as well locally important features such as protected views’.

They suggest that many heritage assets will have to be adapted to new uses and challenges so that they can play a role in meeting currently challenges, including climate change and the renewal of our cities and towns. They are going to **review and update the planning framework to ensure that sympathetic works on heritage assets that would help to ensure that they ‘have the right energy efficiency measures to support our zero carbon objectives’ are supported.** Within this **they will explore whether there are better ways to**

**secure consent for routine works** and within this whether ‘suitably experienced architectural specialists can have earned autonomy from routine listed building consent’.

**Proposal 18: To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.**

The Government envisions that Local Authorities will enforce compliance with energy standards more vigorously under the new planning system.

### **PILLAR THREE: PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES**

The consultation outlines several problems with the current system to deliver infrastructure alongside developments, including that Section 106 negotiations delay development, cause uncertainty, and are unequal, and that Community Infrastructure Levy increases developer risk and is insensitive to market fluctuations. The Government wants new developer contributions to be responsive to local needs, transparent, consistent and simplified to increase the speed of housing delivery, and sensitive to changes in the housing market.

When new development happens in your area, what is your priority for what comes with it?  
*[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]*

**Proposal 19: The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished**

The new ‘**Infrastructure Levy**’, would be a flat-rate, value-based charge determined and set nationally either at a single rate, or at an area-specific rate. This would be charged at the point of occupation and there would be a minimum threshold, so it would not be charged on smaller, less viable developments. The Government hopes to capture increased amounts of the Land Value Uplift through this measure.

*Alternative:* The new Levy remains optional, with Local Authorities choosing whether or not to implement it.

Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?  
*[Yes / No / Not sure. Please provide supporting statement.]*  
 Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

*[Nationally at a single rate / Nationally at an area-specific rate / Locally]*

Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

*[Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]*

Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

*[Yes / No / Not sure. Please provide supporting statement.]*

### **Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights**

In making this change to developer contributions for new development, the scope of the Infrastructure Levy would be extended to better capture changes of use which require planning permission, even where there is no additional floorspace, and for some permitted development rights including office to residential conversions and new demolition and rebuild permitted development rights. This approach would increase the levy base, and would allow these developments to better contribute to infrastructure delivery and making development acceptable to the community. However, we will maintain the exemption of self and custom-build development from the Infrastructure Levy.

Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

*[Yes / No / Not sure. Please provide supporting statement.]*

### **Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision**

The **Infrastructure Levy would be used to deliver affordable housing**, through on-site, in-kind delivery if the local authority desired. The Local Authority could dictate the type of housing they want delivered, then they or an affordable housing provider would have a right to buy the homes at a discount. The discount offered on affordable homes by the developer would be subtracted from the Levy charged by the Local Authority.

*Alternative:* The consultation also considers the additional measure of giving local authorities a 'first refusal' right to buy a set proportion of on-site units at a discounted price. The developer would decide which units to apply this to and, on smaller sites, a cash payment could be used in lieu.

Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

*[Yes / No / Not sure. Please provide supporting statement.]*

Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

*[Yes / No / Not sure. Please provide supporting statement.]*

If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

*[Yes / No / Not sure. Please provide supporting statement.]*

If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

*[Yes / No / Not sure. Please provide supporting statement.]*

### **Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy**

At least 25% would be retained for the Neighbourhood share, to be spent by local parish councils, while the Local Authority could put the income from the Levy towards other policy priorities once the required infrastructure is built, but under this approach the Government might consider ring-fencing affordable housing spending.

Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

*[Yes / No / Not sure. Please provide supporting statement.]*

If yes, should an affordable housing 'ring-fence' be developed?

*[Yes / No / Not sure. Please provide supporting statement.]*

### **Delivering change**

The Government is keen not to cause disruption to existing development, so recently approved plans and existing permissions would stand. However, **they are keen to make 'rapid progress' towards this new system.** They have already created several new permissions in principle and have launched a [separate consultation on other proposed changes](#). These include changing the way local housing needs are assessed; raising the small sites threshold from which developers do not have to pay affordable housing contributions; securing First Homes through developer contributions; and extending the current Permissions in Principle to major developments.

The Government plans to utilise the public sector-owned estates to deliver regeneration of towns and city centres, and to explore how the disposal of this land could support the SME and self-build sectors.

The Government recognises the importance of having the correct people, as well as improved digital and geospatial technology, with adequate funding, in the Local Authorities. They would

like local planning staff to shift their focus away from making individual decisions, towards developing the Local Plan. A **comprehensive resources and skills strategy for the planning sector** is therefore proposed. This should be funded by the landowners and the developers, through developer contributions and planning fees. The Government also plan to **strengthen enforcement powers and sanctions**.

### **What happens next?**

The proposals apply to **England only**. Subject to the responses to this consultation, the Government will bring forward new legislation. The changes will require primary, then secondary legislation. The proposals allow 30 months for the new Local Plans to be put in place, so the Government hopes to see the new system implemented by the end of Parliament.

Greater detail on this new planning system will also be developed following the responses to this consultation.

### **Reaction**

[Wildlife and Countryside Link](#)

[CPRE](#)

[National Trust](#)