

## **PLANNING: DELIVERING A FUNDAMENTAL CHANGE - GREEN PAPER**

### **1 SUMMARY**

- 1.1 This Report seeks Members' views on the Government's proposals for changes to the planning system. A response is required by 18 March 2002.

### **2 INTRODUCTION**

- 2.1 Given the importance of this consultation, a very full summary of the Government's proposals is attached to this report as Appendix One.

- 2.2 The Government considers that:

- planning is complex, remote, hard to understand and difficult to access
- the planning process is too often perceived as a set of rules aimed at preventing development rather than making sure that good development goes ahead
- the current system is very consultative, but often fails to engage communities
- planning is not customer focused and local planning departments are over-stretched
- effective enforcement action needs to be taken against those who wilfully try to avoid planning controls.

- 2.3 Taking all these issues into account, the Government has concluded unless the problems can be overcome, the system will not attract the degree of public confidence that a good planning system deserves.

- 2.4 The proposals in the Green Paper are intended to:

- provide planning with a new strategic focus - simplify the Development Plans system by introducing new Local Development Frameworks (LDFs) and connecting these to the Local Community Strategy.
- make the planning system much better for business - new performance handling targets for commercial applications and new business planning zones with relaxed planning controls.

- Provide a system that engages communities - real community participation in Local Development Frameworks and clearer information for planning applicants.

### **3 THE PROPOSALS OUTLINED**

- 3.1 As indicated at the start of this report, Appendix One provides a very full summary of the proposals in the Green Paper. The key changes to the system are outlined here.

#### ***A Change to Development Planning***

- 3.2 The Government proposes to abolish Structure Plans, Local Plans and Unitary Development Plans and replace them with a new single level Plan known as a Local Development Framework. This will consist of:
- a statement of core policies, setting out the Local Authority's (District, not County) vision and strategy
  - more detailed action plans for smaller areas of change
  - a map showing the action plan areas and designations, such as Conservation Areas
- 3.3 The statement of core policies would be a succinct statement of objectives and community involvement for the development and uses of land. The land-use consequences of other policies and programmes would need to be taken into account.
- 3.4 The core policies would, it is proposed, be continuously updated to be consistent with National and Regional policies. National policies to be applied in full will be distinguished from those which can be interpreted in the LDF. The statement of core policies would be published each year, with a continuously updated version on the website. Every three years, the strategy and vision would be reviewed.
- 3.5 In preparing its LDF, Local Authorities will be encouraged to work with local strategic partnerships to establish effective community involvement. The Green Paper provides no indication as to how effective consultation can be carried out and, at the same time, ensures that LDFs can be prepared and adopted far more rapidly than is the case for Local Plans. Views are sought on this matter.
- 3.6 Regional planning bodies will be charged with preparing Regional Spatial Strategies (RSS's). The arrangements for linking these planning strategies with LDFs are not clear from the Green Paper.

However, it is proposed that for certain areas sub-regional planning strategies might deal with a range of issues and would relate to spatial areas and not to administrative boundaries (i.e. Thames Gateway South Essex). As with RSSs, the arrangements to link to LDFs are not made clear.

- 3.7 Finally, the Government proposes to review all Planning Policy and Minerals Policy Guidance Notes (PPG's and MPG's) to ensure that they concentrate on important policy issues. Practical advice on planning will be published separately in Good Practice Guides. The review will commence immediately and take place over the next two years.

***A Change in Development Control***

- 3.8 The Government considers that a fundamental change is required in Development Control to provide a system that:

- is responsive to the needs of all customers
- delivers decisions quickly in a predictable and transparent way
- produces quality development; and
- genuinely involves the community.

- 3.9 To this end, the key objectives of change will be:

- a planning checklist so that people know how to submit a good quality planning application
- tighter targets for determining applications and arrangements to deal with delays caused by statutory consultees
- encouragement for master planning
- offering community groups advice on planning
- delivery contracts for major schemes
- to introduce 'business zones'
- to seek better and tougher enforcement

- 3.10 Pre-application discussion is considered to be important, but it is recognised this is a major drain on Authorities' resources. The Local

Government White Paper will enable Authorities to charge for pre-application advice.

- 3.11 The E-Government agenda is identified as crucially important and the Green Paper highlights the introduction of a 'Planning Portal' to provide publicly available information and advice. By 2005 Local Authorities will be expected to have invested in equipment that will enable the electronic delivery of planning services.
- 3.12 The number of statutory consultees will be dramatically reduced to encompass only those bodies whose advice has health and safety implications, or which operate a parallel consent regime. However, this reduced number of statutory consultees will be able to charge for their response, provided it is delivered within 21 days.
- 3.13 In respect of repeated applications and twin tracking, Local Authorities will be able to refuse to accept such applications to avoid time-wasting and attempts to wear down opposition. In addition, planning consents would automatically be limited to three rather than five years and applications for renewal would be considered afresh, without the influence of a previous consent lurking in the background.
- 3.14 The current arrangements for consulting on planning applications often do not allow the community a proper opportunity to express their views. The Green Paper suggests that consultation should take place and issues resolved before an application is submitted, but recognises such an arrangement might only be practicable for larger, more complex applications.
- 3.15 Local Authorities will be expected to introduce arrangements for public speaking in Planning Committee Meetings and this issue will be scrutinised by Best Value Inspectors when considering the performance of Local Authorities.
- 3.16 As regards planning enforcement, the Green Paper proposes no changes, but confirms that a review will be carried out with a view to introducing simpler procedures and perhaps a mechanism to allow deliberate breaches of control to be immediately pursuable through the Courts.

#### **4 DISCUSSION**

- 4.1 The key impression arising from the Green Paper is a highly critical assessment of the current planning system, but with little evidence to back up sweeping assertions that there is a need for fundamental change. This lack of evidence does little to support the credibility of the proposals, particularly in respect of change to the Development Plans

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system. That having been said, many of those people involved in planning have concerns about the current system, so do the proposals provide a credible framework for planning in the 21<sup>st</sup> Century?

- 4.2 The most significant changes proposed in the Green Paper relate to the abolition of Structure and Local Plans and their replacement by Local Development Frameworks (LDFs) prepared by District Councils. This would remove one tier from the system and, it is argued, introduce a more dynamic, fully focused system.
- 4.3 Whilst District Authorities will welcome the opportunity for more control at the local level, it is far from clear how the LDF would relate to Regional Spatial Strategies prepared by regional planning bodies. At the moment, for example, calculations of housing requirement are fed from Region to County to District, with County Councils responsible for preparing a spatial strategy to reflect housing needs/demand. Without that linkage, there will be a massive gap between District and Region, a gap that will not necessarily be filled by sub-regional planning. Given the information available in the Green Paper, it is difficult to go further than welcoming the opportunity for more autonomy in planning at local level, but questioning how this can meaningfully fit within a regional planning framework.
- 4.4 The speed of preparation of Development Plans is criticised in the Green Paper. There is no doubt that Local Plans (and Structure Plans) do take time to prepare, but there is no escaping the fact that the main reason for this is the level of consultation involved. It is difficult to see how the Government can on the one hand argue that the process should be speeded up and, at the same time, seek more extensive (and meaningful) community involvement.
- 4.5 In addition to greater community input into the new LDF, the Government is also seeking to require core policies to be dynamically updated on Local Authorities' websites, to be re-published every year in hard copy and for the overall local spatial strategy to be updated every three years. This will be a tall order for many Local Authorities requiring significant additional resources in Local Plan/Forward Plans Sections.
- 4.6 Allied to the LDF will be a series of area action plans, neighbourhood and village plans, design statements and site development briefs, all resource hungry initiatives requiring extensive community consultation. Interestingly, the action plan proposals seem to hark back to an earlier time in planning when 'area action plans' and 'subject plans' were the flavour of the month. It is difficult, for example, to see what real difference there is between a new 'Green Belt Action Plan' and the old 'Green Belt Subject Plans' that were abandoned many years ago.

- 4.7 Inevitably, it seems that the LDF with its strategy and core policies will be supported by a significant number of action plans, including Green Belt, housing allocations, safeguarding land, conservation areas, development areas and so on. It is difficult to conclude that this patchwork of local framework, action plans, neighbourhood plans, design statements etc., will be better than a comprehensive, focused Local Plan.
- 4.8 Leaving aside for a moment the challenge of achieving and maintaining up to date Local Plan coverage, one of the key benefits of a Local Plan is to provide a consistent background against which to determine applications for development. The Green Paper on the other hand proposes that the core policies in an LDF should be updated on a regular basis, dynamically on the Council's website and annually in hard copy. This means that the policy background against which an application is determined might very well change between the time an application is submitted and the time of the decision. The Government's wish to continue with a plan led system is to be welcomed, but a system that has the potential to be changed almost on a day-to-day basis does not seem to be a workable proposition. Also, it is not clear how community involvement would be taken into account in such a dynamic system.
- 4.9 If the LDF policies are to be updated on such a regular basis, there is no doubt that additional resources will be required within local planning departments. The Green Paper suggests that LDFs should be prepared in a matter of months, rather than years. Such speed will require resourcing, but again raises interesting questions about community consultation.
- 4.10 The abolition of Structure Plans to create a simpler framework of Development Plans is considered to be justified in order to simplify the development plans system. However, the Green Paper is far from clear about how the resultant gap would be filled. There is an enormous jump from local planning policy to regional policy and it is important that explicit spatial linkages tie the two together. In some areas, sub-regional strategies will help this process and these do not need to be limited by administrative boundaries. The Thames Gateway South Essex is a good example of an emerging sub-regional strategy.
- 4.11 The public scrutiny of the new LDFs will remain a key part of the adoption process. However, it is considered that a much less adversarial system should be found to test an Authority's proposed policies, since the existing system of Local Plan Inquiries does not encourage community participation. An appropriate mechanism must

also be found to allow effective community participation in the preparation of action plans.

- 4.12 Overall, many of the ideas outlined in the Green Paper for Development Plans merit support and particularly the opportunity for more local autonomy in planning policy frameworks. However, it will be important to see proposals for the detailed arrangements of how the new Local Development Frameworks (perhaps a better name could be found) will operate in practice and, particularly, how they will link to Regional Spatial Strategies.

### ***Development Control***

- 4.13 The improvements proposed by the Government for the development control service are not as far reaching as those for development planning. In reality, many of the proposals constitute little more than best practice. Proposals for a planning checklist to improve the quality of submitted applications makes much sense, for example.
- 4.14 The option to levy a charge for pre-application discussions comes through the Local Government White Paper. This would be a discretionary charge, but if charges are introduced at the wrong level prospective applicants would probably not use the service. A better arrangement would be to allow Local Authorities to deduct the charge from the application fee when it is submitted.
- 4.15 E-planning is identified as a key initiative to make the planning system more accessible and transparent, more responsive and efficient. The Green Paper signals the Government's intent to discuss resource issues with Local Government and a Good Practice Guide is promised soon. Given that 40% of households have Internet access and many agents already produce 'electronic' plan drawings, there is no doubt that further developments in ICT will be required.
- 4.16 The proposals to rationalise the list of statutory and non-statutory consultees makes much sense. However, Local Authorities already consult many non-statutory organisations/bodies with the expectation of a response in 21 days. If a firmer view is to be taken of a response from statutory consultees within 21 days, Local Authorities would need to indicate to non-statutory consultees that a response in this same period is essential if views are to be taken into account. There is also value in a developer undertaking consultations prior to submitting an application, something that does already happen. Developers could be further encouraged to take this route during pre-application discussions.

- 4.17 The Green Paper makes very clear that the failure of Local Authorities to introduce public speaking at Planning Committees will be taken into account when Best Value Inspectors consider the performance of Local Authorities.
- 4.18 The Green Paper proposes that better enforcement of breaches of planning control is required. It is considered that the Government should review the existing arrangements and publish proposals as quickly as possible. Improvements are urgently required and options, including punitive charges for retrospective applications and the opportunity to take breaches straight into the Courts, should be carefully examined.
- 4.19 Finally, an examination of the Use Classes Order and Planning Obligations (Section 106 Agreements) is long overdue and these are dealt with in separate consultation documents.

## **5 CONCLUSIONS**

- 5.1 Whilst the Green Paper is short on justification for changes to the current planning system, there is no doubt that there are concerns that need to be addressed and the Green Paper is a positive step forward.
- 5.2 The changes proposed to the Development Control system are a long way from being as fundamental as the Government suggests in the Green Paper but, nevertheless, are by and large to be welcomed.
- 5.3 On the other hand, the Green Paper does propose a radical overhaul of the Development Plans system. In principle, more control at local level, in conjunction with greater levels of community participation, may be the outcome, but this must link together with the broader spatial framework and it is not clear from the Green Paper how this will be achieved.
- 5.4 It is also apparent that a new Local Development Framework will require much greater levels of resourcing for Local Plans Sections in the future, although a research report published by the Government in parallel with the Green Paper indicates that the poor performance for many Local Authorities in publishing and updating Local Plans is down to under-resourcing.

## **6 RESOURCE IMPLICATIONS**

- 6.1 As indicated in the report, changes to the Development Plans system as proposed will have significant resource implications for Local Planning Authorities.

**7 RECOMMENDATION**

It is proposed that the Committee **RESOLVES**

That, subject to comments from Members, this report forms the basis of Rochford Council's response to the Government Green Paper, "Planning : Delivering a Fundamental Change". (HPS)

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**Background Papers:**

"Planning : Delivering a Fundamental Change" - DTLR December 2001

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**APPENDIX 1****PLANNING: DELIVERING A FUNDAMENTAL CHANGE****Summary of the Main Proposals in the Planning Green Paper****CHAPTER 1: THE PLANNING SYSTEM WE NEED: OUR OBJECTIVES FOR THE PLANNING SYSTEM**

Scene-setting –

- need good planning to deliver sustainable development;
- proper planning system vital to quality of life;
- successful planning system will promote economic prosperity, encourage regeneration, conserve greenfield land, reuse brownfield, value the countryside and our heritage;
- to be successful, planning system needs to have the confidence of many different groups – individuals, organisations and businesses, plus the 500,000 customers who make planning applications. They need efficiency and predictability.

Government believes in good planning, but present system, by general consent, does not deliver. Wants a system that –

- is capable of reaching decisions that command public confidence;
- is seen to be open and fair;
- is capable of achieving a proper balance between economic development and thriving communities; and
- is clear and comprehensible and comes to robust decisions in sensible timeframes.

**CHAPTER 2: THE NEED FOR CHANGE**

Present system is complex, remote, and difficult to access –

- too many layers of development plans;
- out of date plans, not consistent with each other;
- national planning guidance too long and unfocused;
- complex rules – what does and does not need planning permission?; and
- an obscure planning appeal system.

Perception of planning system as a set of rules preventing development -

- decision making too slow, too variable between LPAs;
- unpredictable outcomes;
- plan review too expensive and takes too long;
- slowness of appeal/call-in decisions.

Present system very consultative, but fails to engage communities –

- protracted plan adoption procedures make it difficult to sustain involvement;
- LPAs make decisions without applicants or objectors being able to present their case; and

- planning procedures too legalistic, requiring some specialist knowledge.

Planning is not customer focused and LPAs are overstretched –

- hard to obtain straightforward advice;
- user-friendly information not always accessible; and
- serious staff shortages in most LPAs, and ill-trained councillors on planning committees.

Public perception of ineffective planning enforcement.

#### **CHAPTER 4: A FUNDAMENTAL CHANGE FOR PLANS**

Intention to carry on with “plan-led” system, but –

- plan hierarchy to be simplified;
- shorter, better-focused plans that can be adopted/revised more quickly; and
- better engagement of the community in plan preparation; and
- improved integration with other plans and strategies.

#### **New Local Development Framework**

Abolish structure plans, local plans and UDPs and replace them with Local Development Framework (LDF).

LDF to consist of –

- **Statement of Core Policies** – LA’s vision and strategy for promoting and controlling development throughout its area;
- more detailed **Action Plans** for local areas of change; and
- a map showing boundaries of action areas, and other existing designations such as conservation areas.

#### **Statement of Core Policies**

Statement of Core Policies (SCP) to be a succinct statement of –

- the LDF’s role in delivering the long term vision for the area, complementing that in the Community Strategy;
- clear objectives for development and environmental improvement, with timetable;
- strategy for delivering objectives – to be shared with and endorsed by the community;
- a **Statement of Community Involvement** – arrangements for involving community in continuing review of LDF, and in significant DC decisions; and
- criteria based policies to shape development, deliver the strategy, and form the basis for DC. Policies will cover – housing, business development, planning obligations, transport, waste disposal and recycling, and the historic environment.

SCP concerned only with policies affecting the development and use of land, but may include policies not reliant on planning permission for their delivery – eg infrastructure investment, management of land, traffic management.

SCP also to take account of land use consequences of other policies and programmes in Community Strategy – education, health, waste, recycling and environmental protection – ie SCP would be a spatial strategy.

### **Action Plans**

Action plans to be identified in SCP. Areas of change where site-specific proposals needed to guide development.

Action Plan may be new and freestanding, or based on existing plans and strategies.

Principally about local areas, but may need to be topic-based –

- green belt boundaries, or other area-based designations;
- housing allocations, where timing of land releases to be addressed;
- major developments with LA-wide implications; or
- safeguarding of land for transport or other proposals.

### **Making the New System Work**

Clear guidelines to be laid down for production of LDFs covering absolute requirements -

- proper community participation;
- timetables for production/review; and
- procedures for testing.

Normally, LDF to be prepared by district, unitary, or national park authority. Joint working will be permitted, and encouraged in the case of smaller LAs. Expect preparation in months rather than years.

DC decisions to accord with SCP and Action Plans where they are in place.

Problem of local plans being overtaken by material consideration of new policies at national, regional or county level to be addressed by –

- requiring SCP to be continuously updated, so that it retains consistency with national and regional policies;
- focusing national and regional policies on issues which are relevant only at those levels; and
- abolishing structure plans.

### **Engaging the Community**

LAs will be encouraged to work with LSP to establish effective mechanisms for community involvement.

LDF to contain Statement of Community Involvement (SCI) setting out how community will be involved in ongoing review of LDF, and in commenting on significant planning applications.

For large developments, compliance with SCI will be a material consideration – in line with idea that there is mutual benefit in developers and the community working together.

Action Plans should form new focus for community involvement in developments affecting local areas and neighbourhoods. Planning should be undertaken as close as possible to the people it affects.

### **Sustainability Appraisal**

LDF to be subject to comprehensive economic/environmental/social appraisal. DTLR will issue guidance, taking account of EU Directive on SEA.

### **Adoption of LDF**

Views sought on options for testing LDF –

- wide participation followed by adoption by Council;
- independent examination; or
- public informal hearing of representations before an inspector.

Under the latter two options, the panel's/inspector's recommendations would be binding on the LPA.

Adoption process for Action Plans will need to be tailored to their use. May include site specific proposals, in which case property rights affected. Individuals to have right to make representations and be heard if they wish. Action Plans only cover small areas, so this should be a speedy process.

Reserve power for SoS to direct on amendment to LDF – to be used only exceptionally where national/regional policy incorrectly applied, or where SCI inadequate.

### **Keeping Plans Up To Date**

Core policies unlikely to be subject to frequent change, but LPAs will be required to keep them under continuous review – to ensure they remain in step with national and regional policies.

SCP to be re-published each year, and continuously updated version of LDF on LA website. SCP and vision to be reviewed every 3 years. Updating LDF to be a requirement. DTLR will use BV intervention powers to ensure compliance.

Need for Action Plans to be reviewed annually.

### **Structure Plans and Sub-Regional Policy**

County no longer the appropriate level at which to consider many key strategic issues. Propose to abolish structure plans, but welcome views on role of counties in assisting regional, district and unitary authorities in preparing plans.

Present arrangements to be maintained for preparation of Minerals and Waste Plans, and determining planning applications.

### **Regional Planning Policy**

Proposals to strengthen regional planning to provide strategic policy framework for LDFs and LTPs. Proposals –

- replace RPG with Regional Spatial Strategies (RSSs);
- give RSS statutory status – LDF and LTP to be consistent with RSS, unless more recent national policy;
- make RSS content more focused – specific regional or sub-regional policy content; broad location of major development; set targets and indicators; where necessary, cross-refer to rather than repeat national policy;
- ensure RSS reflects regional diversity within the national planning framework;
- integrate RSS more fully with other regional strategies; and
- promote sub-regional strategies, where necessary.

RPBs to satisfy 4 criteria in preparing RSS –

- demonstrate that they are representative of key regional interests;
- consult a broad range of regional stakeholders;
- work closely with all stakeholders to ensure delivery of the RSS; and
- be capable of taking a strategic view and addressing difficult regional choices.

### **Sub-Regional Planning**

Sub-regional planning rarely fits within administrative boundaries – major conurbations; planning of major towns/cities and their hinterlands; strategies for areas that straddle regional or county boundaries.

Sub-regional plans not envisaged for all areas, but most regions will have a small number of areas requiring them. Matters such as housing distribution to districts will need to be addressed at sub-regional level and incorporated into RSS.

Need for sub-regional strategies to be identified by regional planning process. Specific approval by SoS and incorporation into RSS. Same PE arrangements as for RSS.

### **Elected Regional Government**

Directly elected regional assemblies would take over regional planning role. For the time being, SoS should continue to issue RSS in its final form.

### **National Planning Policy**

Too much national policy – PPGs run to 852 pages. Too prescriptive, stifling regional and local flexibility.

National policy to concentrate on the important issues that need to be resolved at national level. DTLR will –

- review PPGs and MPGs – to achieve greater clarity and describe policies in terms of objectives and outcomes;
- separate policy guidance from practical implementation, and distinguish policy (to be followed) from advice; and
- issue national statements about major infrastructure needs.

PPGs 1 (General Principles), 4 (Industrial and Commercial Development), 6 (Town Centres and Retail Development), 7 (Countryside), 15 (Historic Environment), and 16 (Archaeology) will be the first to be reviewed. PPG 5 (SPZs) will be withdrawn and replaced by new guidance in respect of Business Zones (see *para 5.36*).

MPG 1 to be reviewed. The remaining MPGs would then become technical notes on specific issues.

These reviews to be programmed over the next two years, so that they will be in place by the time LDFs are introduced.

#### **CHAPTER 5: A FUNDAMENTAL CHANGE IN DEVELOPMENT CONTROL**

A new system that –

- is responsive to the needs of all its customers and offers a new culture of customer service;
- delivers decisions quickly in a predictable and transparent way;
- produces quality development; and
- genuinely involves the community.

Proposals –

- a new planning checklist so that people know how to submit a good quality planning application;
- tighten targets for determining applications and deal with delays caused by statutory consultees;
- encourage master planning to improve quality of development;
- promote better community involvement by offering community groups advice on planning;
- introduce delivery contracts for planning for major developments;
- introduce new **Business Zones** where planning permission is not required for certain forms of development; and
- seek better and tougher enforcement.

#### **Improving Customer Service**

Description of planning checklist and the information it might contain for applicants. Model checklist in box.

Encouragement of pre-application discussions. Possibility of LPA charging under provisions of Local Government White Paper (issued on 11 December).

Keeping the applicant informed. Nominated LPA officers for each application. E-planning and the Planning Portal. One stop shops. Standardised applications under different consent regimes.

### **Faster Delivery**

Best Value. Current performance in determining applications. New regime from 2002/03, to be monitored via the BV regime –

- 60% major commercial and industrial applications in 13 weeks;
- 65% minor commercial and industrial applications in 8 weeks; and
- 80% all other applications in 8 weeks.

Developer and LPA to agree a timetable at the outset, for determination of major applications. DTLR to develop a model undertaking for this purpose. Reference of application to PINS if not determined in accordance with undertaking.

### **Statutory and Non-Statutory Consultees**

Consultees are a source of delay. Possibility of developer consulting before submitting application, but being charged fee for this service. Further proposals –

- reduce number of statutory consultees;
- allow new list to charge a fee, provided respond within 21 days; and
- statutory responsibility on statutory consultees to respond within statutory timescale.

DTLR does not want to add to list of consultees but important that RDAs are consulted on major investment proposals likely to have regional economic significance.

### **Business Planning Zones**

LPAs, working in context of need identified in regional economic and planning strategies, to create BPZs where planning permission not required for development in accordance with tightly defined parameters.

BPZs specific to types of business that have low impact on surrounding area – eg clusters of high-tech industry. “Low impact” means little addition to local housing demand, no major infrastructure requirements or requiring special environmental precautions. Criteria to ensure development of the highest quality.

Need for BPZs to be established in RSS, and planned by LPAs in partnership with universities, RDAs and leading edge companies. Views welcomed.

### **Master Planning**

Seen as a means of saving time at application stage. Some rather nebulous proposals, on which views are sought, to replace outline planning permission by a process where the LPA gives the developer a certificate to work up a

detailed scheme against parameters agreed with the LPA, within a specified time period.

### **Appeals Process**

Seen as a source of delay. Two proposals:

- in appeals against non-determination, PINS should pick up the LPA's case file and proceed to determination; and
- reduce to 3 months the period in which an applicant must lodge an appeal.

### **Permitted Development Rights**

No intention of greatly relaxing GPDO, but will be updated and made easier to understand.

Views sought on proposal to introduce local orders to supplement or replace GPDO.

### **Use Classes**

Consultation paper early in 2002 seeking views on a range of possible changes.

### **Consultation**

Consultation has vital role. Determination process would be much quicker if consultation took place before application was submitted. This would also help build consensus and reduce suspicion.

Question of shifting onus for consultation on to applicant. Too big a burden for small business or householder. In case of larger and more complex proposals, developer ought to be engaging with local community.

### **Reasons for Decisions**

Proposal to make it a requirement for LPAs to give reasons for approval of an application as well as for refusal.

### **Planning Obligations**

Separate consultation document due before Christmas considers wide reforms to the process of delivering planning obligations. Proposal to make it a requirement that information on planning agreements and undertakings is included on the planning register.

### **Better Enforcement**

Creating simpler, faster DC system. Must be one that people trust. Need for more effective sanctions against those who cheat the system. Current enforcement system complex and cumbersome. Intention to review current arrangements and introduce simpler procedures.

## **CHAPTER 6: FUNDAMENTAL CHANGE AT NATIONAL, REGIONAL AND LOCAL LEVEL**

**Delivering the National Role**

Government has several roles in the planning system:

- setting national policy and issuing guidance and advice on planning policy and procedure;
- operating the appeals system; and
- calling-in a small number of applications each year.

Performance needs to improve, and service speeded up. Review whole body of planning guidance, particularly PPG series, so that it concentrates on the key policies.

A separate consultation paper is being issued on new Parliamentary procedures for planning major infrastructure projects.

**Crown Development**

Intention to remove Crown immunity from planning control.

**Resolving Disputes**

Concerns at length of time taken to resolve some appeals. PINS targets have been progressively tightened. Further improvement sought, without compromising quality.

**Third Party Rights of Appeal**

The Government does not think third party rights of appeal are a good idea.

**Delivering Local Government's Role**

LPAs need to be properly resourced. Will review fee regime to ensure that it better covers the cost of the service. Will also require LPAs to better account publicly for their use of resources and their planning performance. Share concerns about loss of skilled planners. Need to improve skills and build the profession. Also concerns about training of Councillors on Planning Committees.

**Local Planning Advisory Service**

Work with LGA and business organisations to establish a Local Planning Advisory Service to help implement the proposed changes on the ground.

**Better Resourcing**

Government acknowledges the need to ensure that Local Government's planning function is properly resourced.