

Report of the Portfolio Holder for Growth and Regeneration

Subject: Response to Government consultation – Levelling up and Regeneration Bill: implementation of plan-making reforms

Date: 6th October 2023

Author: Planning Policy Manager

Wards Affected

Borough-wide

Purpose

To gain portfolio holder endorsement of Gedling Borough Council’s proposed response contained in **Appendix 1** to the Government consultation on proposed plan making reforms. The consultation response is required to be submitted by 18th October 2023.

Key Decision

This is not a Key Decision

Recommendation(s)

THAT:

The Portfolio Holder approves the proposed response to the consultation on proposed reforms to plan making – as set out under the relevant questions reproduced in Appendix 1.

1 Background

1.1 The government is currently proposing and consulting on a number of reforms to plan making. The government views the current plan preparation process as not being optimised for community participation. The consultation describes plans as lengthy, hard to read and states they take a long time to prepare, so quickly become out of date. This is evidenced by only 35% of local authorities having adopted a plan in the

	last five years.
1.2	The consultation provides a vision for local plans to be easier to understand and to be positively shaped by the views of communities. The reforms also seek to increase the speed of the preparation process and increase the frequency of plans that are updated. The consultation document also states digital technology should be increasingly utilised. The consultation proposes a requirement for local planning authorities to begin updating their local plans within 5 years of the adoption of their previous plan. The consultation reinforces the approach for authorities with an up-to-date plan no longer being required to demonstrate a 5-year land supply. This relates to the vision for local plans being more frequently updated.
1.3	The transitional arrangements require local plans prepared under the current system to be submitted for Examination by July 2025, after which they will need to be prepared under the new system. It is noted that this would represent a cut off time for the submission of the Greater Nottingham Plan which is currently under preparation.
1.4	The proposed changes to local plans are accompanied by a series of questions. The Council's proposed response to these questions is contained in Appendix 1 .
	<u>Proposed Changes to plan making</u>
1.5	The proposed reforms to plan making are summarised below. Appendix 1 reproduces the Government's questions and the Council's draft response. In summary, the key proposed changes are as follows:
	<u>Plan Content</u>
1.6	The Levelling Up and Regeneration Bill (LURB) sets out parameters for the content of a new style local plan. The new style local plan is required to contain policies for the amount, type, location, and timetable of development. The LURB places a focus on plans being locally distinct, recognising the importance of design and detailing the approach to monitoring. The inclusion of a vision within a local plan will be required. Additionally, every authority must have an up-to-date policies map. These must be digital, interactive, and easily accessible by all users.
1.7	Local plans will no longer be split across multiple documents. Instead, authorities will have one single local plan containing the planning policies to be considered when determining planning applications.

1.8	A set of “national development management policies” are to be introduced and new local plans are not to repeat these policies. These policies will be consulted on separately. National development management policies will benefit from the same increased weight afforded to local plans.
1.9	A series of nationally defined digital templates are proposed to set out standardised approaches to specific parts of the plan. Planning authorities should use these templates to draft and present their plan.
1.10	There is an overarching requirement for plans to maximise opportunities to protect the environment, and they should be informed by environmental policy and in line with national government targets.
	<u>The new 30-month timeframe</u>
1.11	The new requirement will be for planning authorities to announce when the formal plan preparation begins and there will be a timeframe of 30 months from this point to adopt the plan. The introduction of three gateway assessments is proposed, to occur at the beginning, middle and end of the plan preparation process. Two periods of public consultation will be required inside the 30-month timeframe, this would include a requirement to notify and invite early participation on matters that might shape the direction of the plan.
1.12	<p>When producing a plan, local planning authorities will be required to do the following:</p> <ul style="list-style-type: none"> • Define the scope of the plan and prepare a programme (Project Initiation Document); • Work with local communities and stakeholder to prepare a vision for how the area could change and develop; • Prepare evidence to test and underpin the proposals; • Invite early participation; • Ensure the plan is maximising opportunities to protect the environment and human health; and • Have the plan assessed by a Planning Inspector at public examination, which should take no longer than 6 months.
1.13	The existing requirement for plans to be reviewed once every 5 years and updated as necessary will be replaced by a requirement for planning authorities to commence an update of their local plans and minerals and

	waste plans every 5 years.
	<u>Digital Technology</u>
1.14	The ambition for the reforms is to move towards a digital planning system that is underpinned by standardised and open planning data. Digital transformation could mean plans are presented as interactive maps rather than static documents, to show how an area could develop over time.
	<u>The Local Plan Timetable</u>
1.15	Planning authorities will no longer need to go through full council sign off each time the timetable is revised. However, they will be required to make available key information about the future shape of plans and keep their timeline for preparation up to date. Planning authorities will also be required to revise their timetable at least once every six months or upon reaching a key milestone. Local authorities may need to delegate powers for officers to update timetables or arrange for accelerated sign off of changes by members.
	<u>Evidence and the tests of soundness</u>
1.16	Planning Authorities are proposed to complete a template ‘statement of compliance with legislation and national policy’. This would set out where each national policy has been considered. Local Authorities would only be required to only submit documents they consider to be strictly necessary to show plan soundness.
	<u>Gateway Assessments</u>
1.17	Authorities will be required to seek advice from a person appointed by the Secretary of State at times prescribed in regulations. The stages for each of the three gateways will take place: <ol style="list-style-type: none"> 1) At the very beginning of the 30-month process 2) Part-way through plan preparation 3) At the end of the plan preparation process
1.18	The appointed person will have no power to halt or delay the plan preparation process during the first or second gateways, however planning authorities will be required to have regard to their advice. Each gateway should last no more than 4 weeks. Gateways should be funded through cost recovery from the planning authority, with a standard fee defined in regulations.

	<u>Other Proposals</u>
1.19	The Government proposes for Supplementary Planning Documents to be replaced by “Supplementary Plans”. With the aim to react quickly to changes but to have the same weight as local plans. They will also be subject to consultation and independent examination.
1.20	“Community Land Auctions” will be piloted, which is described as a new way of identifying land for development in a way which seeks to optimise land value capture.
2	Proposal
2.1	It is proposed that the Council responds to the LURB consultation with the responses to the questions on changes to plan making as set out in advance of the consultation deadline of 18th October 2023.
3	Alternative Options
3.1	The alternative options are for Gedling Borough Council not to respond to the consultation or to amend the drafted response. There is no requirement for the Council to respond to this public consultation but doing so will inform the Government’s planning reform proposals from the Council’s perspective. The draft response provided has been informed by the relevant Council Officers and can be amended if the Portfolio Holder considers it necessary to do so.
4	Financial Implications
4.1	No financial implications. Cost of officer time drafting the response is met from existing budgets.
5	Legal Implications
5.1	None. This is an opportunity to comment on potential plan making reforms, which have not yet come into force.
6	Equalities Implications
6.1	None. This is an opportunity to comment on potential planning reforms which have not yet come into force. The consultation questions include an opportunity to comment on the potential equality implications of the proposals.
7	Carbon Reduction/Environmental Sustainability Implications
7.1	None. This is an opportunity to comment on potential planning reforms, which have not yet come into force. There is an opportunity, through

	comments on the consultation questions, to comment on the potential carbon reduction/environmental sustainability implications of the proposals.
8	Appendices
8.1	Appendix 1 - Proposed consultation response to the implementation of plan-making reforms.
9	Background Papers
9.1	<p>Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms</p> <p>https://www.gov.uk/government/consultations/plan-making-reforms-consultation-on-implementation/levelling-up-and-regeneration-bill-consultation-on-implementation-of-plan-making-reforms</p>
10	Reasons for Recommendations
10.1	To inform the Government of the Council's perspective on proposed planning reforms.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer