

White Paper: Planning for the Future

Briefing Note: The Implications for the South West

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Introduction

It is important to note with all the excitement generated around the White Paper that there are in fact two consultations being undertaken with two different deadlines. Both are summarized out below. The first set of changes can be delivered through policy changes and do not require legislative changes.

Changes to improve the effectiveness of the current planning system

Responses to these proposed policy changes are due on 1st October 2020. The proposed changes include:

- Changes to the standard method for calculating the **housing requirement**:
 - Step 1: Changes to methodology to reflect size of existing dwelling stock as well as population and household projections
 - Step 2: Changes to methodology to reflect both current affordability ratio and changes to affordability over time.
- Delivering “**First Homes**”
 - These are to make up at least 25% of all affordable housing on sites
 - These are homes for sale at 30% market discount
 - These can be delivered as exceptions sites and include a small element of market housing to assist variability.
- Supporting **SME housebuilders** – deferring CIL and potentially reducing contributions
- **Small Sites** - Increasing the size of site before **affordable housing** is required from 10 dwellings to 40 or 50 dwellings
- Extension of **Permission in Principle** to Major developments.

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Responses to these proposed changes are due on 29th October 2020. The proposed changes include:

- Simplification of **Local Plans** placing all land into one of the three categories (but each having the possibility of more detailed annotations):
 - **Growth Areas:** Areas of new development / redevelopment which

would have outline approval (provided compliance with design codes).

- **Renewal areas:** Existing built up areas where smaller scale development infill and “gentle densification”.
- **Protected Areas:** Areas of environmental or cultural characteristics where more stringent control applies. This would include large areas such as Green Belt AONB but also small areas like residential gardens
- **National Design Codes, Development Management Policies and Conditions.**
- Streamlined **Plan Making**
 - Stage 1: Call for “Suggestions” of areas to be included in the 3 zones (6 months)
 - Stage 2: Evidence base and drafting of plan (12 months)
 - Stage 3: Consultation and Submission (6 weeks)
 - Stage 4: “Hearing” of comments by inspector (9 months)
 - Stage 5: Adoption (6 weeks)
 - Single test of soundness on “Sustainable Development” with a slimmed down test of deliverability OR self-certification by LPA’s
 - Increased use of digital technology for consultation
 - 30/42 Months to produce new Local Plan
- Changes to the standard method for calculating the **housing requirement** by adding **Step 3** a revision of the requirement to take account constraints such as green belt and AONB as well as opportunities like previously developed land.
- **No 5 year land supply** requirement for housing
- **No Duty to Cooperate**
- Quicker and simpler assessments of **environmental impact**
- Reformed Community Infrastructure Level (CIL)

The potential impact for South West

The headline impact for the SW is the overall scale of development that will required to be planned for and

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while this is set out in table 1 below it has to be recognised that firstly no adopted plans are based on the “original” (2014) based standard method although this will form the basis.

Table 1: Comparison of Dwellings required under New (2020) and Existing (2014 based) Standard Method.

LPA	2014 LHN	2020 Revised SM	% Difference
Cotswold	427	1,209	183.4%
South Hams	339	769	126.7%
Teignbridge	764	1,532	100.5%
North Devon	329	650	97.4%
Bath and North East Somerset	630	1,216	93.0%
Somerset West and Taunton	691	1,231	78.1%
East Devon	908	1,614	77.8%
Tewkesbury	584	1,037	77.5%
South Gloucestershire	1,458	2,544	74.6%
Mendip	613	1,064	73.7%
Mid Devon	376	641	70.2%
Forest of Dean	386	608	57.4%
Wiltshire	2,053	2,917	42.1%
Cornwall	2,861	4,054	41.7%
Swindon	1,057	1,466	38.6%
Plymouth	645	823	27.5%
North Somerset	1,387	1,708	23.1%
Stroud	648	786	21.3%
Dorset	1,793	2,075	15.8%
Exeter	636	694	9.1%
Sedgemoor	759	824	8.6%
Torbay	590	635	7.6%
Bristol, City of	2,415	2,490	3.1%
Cheltenham	532	528	-0.7%
Torrige	432	417	-3.3%
South Somerset	703	612	-13.0%
Gloucester	672	578	-14.0%
West Devon	327	278	-14.9%
Bournemouth, Christchurch and Poole	2,655	1,731	-34.8%
Isles of Scilly	-7	0	-104.8%

Like the previous transition arrangements (from 2012 to 2018 NPPF) the arrangements now proposed will allow for those plans that are presently in preparation, i.e. near

or close to the Regulation 19 submission, to be taken though the system (a process which in some cases has taken years under the last set of transitional arrangements). As such “new style” Local Plans maybe a considerable time away for some areas.

While one might expect those authorities with much higher levels of housing requirement under the new Standard Method in Table 1 to push plans through utilising the lower (2014 based) Standard Method this may not actually be the outcome for the following reasons:

- **Step 3** of the 2020 Standard Method allows constraints to be factored into the final requirement so that areas such as the Cotswold’s with extensive AONB may as a result of this final step have a much lower requirement than the starting figure. The same applies to the former JSP Authorities (**Bristol, BANES, North Somerset and South Gloucestershire**) where the substantial uplift of 2,683 dwellings from the former JSP (table 2) as the result of the SM 2020 could be completely wiped out by Step 3 of the SM 2020 justified by the presence of Green Belt.
- Under the transitional arrangements councils seeking not to meet the SM 2020 Housing Requirement will still have to fulfill the Statement of Common Ground and **Duty to Cooperate**. There are no such requirements in the proposed approach where unmet need will simply remain unmet.
- There appear to be very few levers for the Government to pull if councils either intentionally or for reasons of funding or competence fail to produce a plan or produce plans with zoning which are not able to deliver at the rates anticipated. For areas with extensive Green Belt and/or AONB a “do nothing” approach may appear quite appealing.

Table 2: Comparison of JSP to 2014 based and 2020 SM

	JSP Draft	2014 based SM	2020 SM	Change from JSP to 2020 SM
Bath and North East Somerset	725	630	1,216	491
Bristol, City of	1,675	2,415	2,490	815
North Somerset	1,250	1,387	1,708	458
South Gloucestershire	1,625	1,458	2,544	919
JSP Area	5,275	5,889	7,958	2,683

In respect of **appeals** the expectation is that these will be fewer as policies will be clearer and that all local authorities will have a 5 year supply and up to date plans. Such a statement is perhaps less surprising if one takes in account the potential for councils ability to influence the housing requirement by reference to constraints in step 3 of the SM and the slimmed down test of deliverability.

What is unclear is whether the “2 step” 2020 Standard Method for calculating the housing requirement (as proposed in the changes to the current system) will be used for the Housing Delivery Test and the 5 year land supply calculation prior to the changes to the legislation. This is pertinent for not only is the 3rd Step of the SM only contained in the Planning for the Future consultation not the changes to current system consultation but also because the 5 year land supply test is slated to be removed in the Planning for the Future consultation. If the 2020 SM housing requirement is to be used in the 5 year land supply test then the dramatic uplift in the SM in some areas would clearly put almost two thirds of the South West LPAs at risk in the short term.

If you wish to discuss the implications of these proposed changes or how to now produce future strategies in these potentially uncertain times, please contact us as we would be happy to discuss.

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