

White Paper: Planning for the Future

Briefing Note: The Implications for the East of England

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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 below. The first set of changes can be delivered through amendments to policy 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. These 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 viability.
- 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.

White Paper Planning for the Future

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**
- Reforms to S106 and Community Infrastructure Level (CIL)

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The potential impact for East of England (EoE)

The headline impact for the EoE is the overall scale of development that will be required to be planned for and whilst 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
Maldon	300	623	107.8%
South Norfolk	925	1,832	98.1%
East Suffolk	866	1,660	91.7%
Babergh	417	789	89.2%
Broadland	526	922	75.5%
Uttlesford	723	1,231	70.2%
Chelmsford	935	1,557	66.6%
Rochford	363	586	61.4%
Breckland	677	1,070	58.0%
Fenland	547	844	54.1%
Colchester	1,102	1,612	46.2%
Tendring	829	1,141	37.7%
Mid Suffolk	554	754	36.1%
Peterborough	950	1,282	34.9%
North Norfolk	549	730	33.1%
Thurrock	1,148	1,483	29.2%
Cambridge	578	745	28.9%
Ipswich	461	552	19.8%
Southend-on-Sea	1,187	1,324	11.6%
Central Bedfordshire	2,469	2,752	11.5%
St Albans	902	997	10.5%
Castle Point	353	386	9.2%
East Hertfordshire	1,078	1,122	4.0%
Great Yarmouth	363	373	2.9%
King's Lynn and West Norfolk	541	540	-0.1%
Huntingdonshire	1,019	1,019	-0.1%
Three Rivers	615	588	-4.4%
Harlow	470	442	-6.0%
Hertsmere	714	668	-6.4%
West Suffolk	800	743	-7.2%
Epping Forest	937	868	-7.3%
East Cambridgeshire	607	554	-8.6%
Dacorum	1,035	922	-10.9%
Braintree	878	776	-11.7%
Bedford	1,311	1,153	-12.1%
Brentwood	453	393	-13.2%
Norwich	604	502	-17.0%
Broxbourne	565	465	-17.7%
Basildon	1,026	820	-20.0%
Welwyn Hatfield	867	667	-23.1%
Stevenage	445	322	-27.6%
South Cambridgeshire	1,125	773	-31.3%
Watford	798	533	-33.3%
North Hertfordshire	980	625	-36.3%
Luton	1,399	713	-49.0%
Total East of England	35,991	40,453	12.4%

For the East of England as a whole the uplift from the existing Standard Method is just 12%. Only Yorkshire and the Humber have a lower uplift at 8%. Part of the reason for this is that while some parts of the East of England, have a much higher level of housing requirement, which is almost doubled under the proposed methodology, other areas, like Luton, have almost halved. The reason for the changes is two fold, firstly, the differences between the 2014 and 2018 household projections also and the impact of the new affordability calculation.

Like the previous transition arrangements (from the 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 through 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.

- **Step 3** of the White Paper Standard Method allows constraints to be factored into the final requirement so that areas around London with extensive Green Belt may as a result of this final step have a much lower requirement than the starting figure.
- Under the proposed transitional arrangement Councils seeking not to meet the White Paper Standard Method Housing Requirement will still have to fulfill the Statement of Common Ground and **Duty to Cooperate**. There are no such requirements in the New Style Local Plan approach where unmet housing requirement 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.

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 ability for councils’ 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” Revised 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, but also because the 5 year land supply test is proposed 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 some LPAs at significant risk in the short term.

These changes may have a substantial impact on the process for the allocation and promotion of land for development, as well as impacting on gaining developable permissions and the role of appeals. Therefore, it is important that all those who operate within the system consider these proposals and make representations.

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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