

CHANGES TO THE ENGLISH PLANNING SYSTEM 2020

Head of Service:	Viv Evans, Head of Planning
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1: Changes to the planning system in England related to the COVID-19 Pandemic Appendix 2: Longer term reform of the planning system in England

Summary

This report updates members on the existing and proposed changes to the planning system in England which have been introduced as a result of the COVID-19 pandemic, and more fundamental reforms which have either come into force or are proposed as part of the government's intention to reform the planning system in England.

Recommendation (s)

The Committee is asked to note:

- (1) The short term changes to planning system put in place in response to the COVID-19 pandemic, detailed in Appendix 1**
- (2) The changes to permitted development rights, the Use Classes Order 1987 (as amended) and the recently published Planning White Paper and Changes to the Planning System detailed in Appendix 2**

1 Reason for Recommendation

- 1.1 The changes to permitted development rights and the Use Classes Order further reduce the weight to be attached to several adopted planning policies in the Council's Local Development Framework when considering planning applications.
- 1.2 Some categories of development will now be permitted, which have previously required express planning permission. Other changes have now been removed from the definition of development as a result of the changes to the Use Classes Order.

Licensing and Planning Policy Committee

10 September 2020

- 1.3 The proposals in the Planning White paper, if enacted may result in the need for changes to the format and preparation of the emerging draft Local Plan. It is currently intended to bring a draft response to the Planning White Paper for consideration by the committee at its meeting on 22 October 2020.

2 Background

- 2.1 The government has for some time indicated its intention to make the planning system in England more efficient and to reduce the burden of planning control on those wishing to bring forward proposals for development. The changes which have taken place since March 2020 reflect the direction of government policy and also respond to the need to stimulate the economy in the wake of the COVID-19 pandemic.
- 2.2 For the purpose of clarity, the changes to regulatory controls and statutory instruments are set out in two appendices attached to this report.
- 2.3 Firstly, changes which have been brought into effect in the aftermath of the COVID19 pandemic in Appendix 1. They are presented chronologically so a clear picture of the quantum of change and the sequence by which it has been brought into effect is portrayed.
- 2.4 Secondly, changes which are intended to be more long term are set out in Appendix 2 to this report. These include changes to permitted development rights and the Use Classes Order which have already come into effect, and proposed changes relating to the fundamental reform of the planning system in England which are currently out for public consultation. These include the Planning White Paper – ‘Planning for the Future’, and a related consultation entitled ‘Changes to the Current Planning System’.

3 Risk Assessment

Legal or other duties

3.1 Impact Assessment

- 3.1.1 In the absence of an up-to-date Local Plan we face a number of risk areas. These include the continued absence of a 5 year housing land supply; the additional measures introduced through the outputs of the Housing Delivery Test; and the absence of strategic co-operation with neighbouring planning authorities. Should we fail to respond to these factors we could face direct intervention by the Secretary of State.
- 3.1.2 The main area of risk or compromise which arises as a result of the new permitted development rights, and the changes to the Use Class Order relates to the substantial reduction in planning control over development in the borough.

Licensing and Planning Policy Committee

10 September 2020

3.2 Crime & Disorder: None arising from the contents of this report.

3.3 Safeguarding: None arising from the contents of this report.

3.4 Dependencies: None arising from the contents of this report

3.5 Other : None

4 Financial Implications

4.1 The proposed changes are likely to have significant impact on the whole Planning service, including the Council's Local Plan programme and day to day planning decisions on individual planning proposals and is therefore likely to have increased workload that will affect internal and external resources. Officers will closely monitor proposals and consider the impacts.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

5.1 None arising from the contents of this report..

5.2 **Monitoring Officer's comments:** None arising from the contents of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged: Opportunity and Prosperity, Safe and Well, Green and Vibrant

6.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report

6.4 Sustainability Policy & Community Safety Implications: None arising from the contents of this report

6.5 **Partnerships:** None arising from the contents of this report

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Licensing and Planning Policy Committee
10 September 2020

Other papers:

- None