

North Devon Council & Torrige District Council

Report Date: 27th January 2023

Topic: Proposals for National Planning Reform

Report by: Senior Planning Policy Officers (NDC/TDC)

1. INTRODUCTION

- 1.1. The Government has published proposals for wide ranging national planning reforms which are currently subject to consultation. It is recognised that these planning reforms may have implications for the Councils and for the wider communities of northern Devon. It is important that elected Members are engaged in considering the proposals and in formulating any response to the consultation.
- 1.2. The purpose of this report is not to set out the planning reform proposals in detail but rather seek approval to engage with the Joint Planning Policy Committee over the coming weeks in order to consider the proposals and help prepare a formal consultation response.

2. RECOMMENDATIONS

- 2.1. Arrangements be made for Members of the Joint Planning Policy Committee to meet to explore the Government's national planning reform proposals and to inform a formal response from the Councils to the Government's associated consultation.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To provide the opportunity for elected Members to provide their views, inform the Councils' consultation response and influence the Government's national planning reform agenda.

4. REPORT

- 4.1. On 22nd December 2022, the Government launched a consultation¹ on reforms to national planning policy, coupled to the progression of a wider programme of legislative reforms being taken forward through the Levelling-up and Regeneration Bill.
- 4.2. The consultation sets out proposals for a series of short-term changes to national planning policy which, subject to the conclusion of the consultation, it intends to bring forward in Spring 2023. It also seeks views on a range of more fundamental changes to national planning policy that it intends to bring into force alongside the introduction of wider legislative changes before the end of 2024. The consultation

¹ <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

documentation also provides an insight into the intentions and consequences arising from the programme of wider legislative reforms.

- 4.3. The proposals are wide-ranging and the consultation document provides a significant level of detail in relation to individual proposals.
- 4.4. Short-term changes to national planning policy are proposed to be introduced in the Spring, including changes to:
 - (a) make clear how housing figures should be derived and applied so that communities can respond to local circumstances;
 - (b) address issues in the operation of the housing delivery and land supply tests;
 - (c) tackle problems of slow build out;
 - (d) encourage local planning authorities to support the role of community-led groups in delivering affordable housing on exception sites;
 - (e) set clearer expectations around planning for older peoples' housing;
 - (f) promote more beautiful homes, including through gentle density;
 - (g) make sure that food security considerations are factored into planning decisions that affect farmland; and
 - (h) enable new methods for demonstrating local support for onshore wind development.
- 4.5. Alongside these specific short-term changes, the consultation calls for views on a wider range of proposals, focused on making sure the planning system *capitalises on opportunities to support the natural environment, respond to climate change and deliver on levelling up of economic opportunity*. It also sets out areas that the Government expect to consider in the context of a wider review of the Framework to follow Royal Assent of the Bill. Finally, it sets out the envisaged role for National Development Management Policies.
- 4.6. The proposals have the clear potential to have an impact on the way that the planning system operates in northern Devon and to influence the way that the area and its communities develop in the future. The proposals are far reaching and will have an effect on both the plan-making and decision-taking aspects of the planning system and hence have the potential to have consequences for the operation of the Planning Services at both Councils along with the wider communities across northern Devon.
- 4.7. It will be important for the Councils to carefully consider the potential implications arising from the Government's proposed planning reforms and to ensure that the opportunity is taken to provide feedback through the consultation. The deadline for the submission of responses to the consultation is 2nd March 2023.
- 4.8. It is considered that the Joint Planning Policy Committee provide an effective vehicle to gain Member's perspectives into the Government's proposals and to help inform the preparation of a formal consultation response. It will be necessary to review the proposals in detail and to provide a robust justified response to the consultation.

5. Conclusions

- 5.1. Recognising the potential significance of the national planning reform proposals, it is proposed that sessions for Members of the Joint Planning Policy Committee are convened over the coming weeks to explore the proposals and to help formulate a formal consultation response.

6. RESOURCE IMPLICATIONS

- 6.1. Preparation and submission of a formal consultation response to the Government on the planning reform proposals will be taken forward by the planning policy teams within the scope of their existing resources.

7. EQUALITIES ASSESSMENT

- 7.1. The Councils will have the opportunity to consider any equality implications of the Government's planning reform proposals when establishing their formal response to the consultation.

8. ENVIRONMENTAL ASSESSMENT

- 8.1. The Councils will have the opportunity to consider any environmental implications of the Government's planning reform proposals when establishing their formal response to the consultation.

9. CONSTITUTIONAL CONTEXT

- 9.1. Schedule 2, paragraph 1.1.-1.1.3 of the North Devon Councils and Torrige District Council Joint Planning Agreement.

10. STATEMENT OF CONFIDENTIALITY

- 10.1. This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

- 11.1. The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the authors of the report):
 - Levelling-up and Regeneration Bill: reforms to national planning policy (DLUHC, December 2022)
 - National Planning Policy Framework: draft text for consultation (DLUHC, December 2022)
 - National Planning Policy Framework (NPPF); (MHCLG, July 2021)
 - Planning and Compulsory Purchase Act 2004 (as amended)
 - Town and Country (Local Planning) (England) Regulations 2012 (as amended)

12. STATEMENT OF INTERNAL ADVICE

- 12.1. The author (below) confirms that advice has been taken from all appropriate Councillors and Officers:

Cllr P Watson, Lead Member for Planning and Development (TDC)

Cllr M Prowse, Lead Member for Economic Development and Strategic Planning Policy; Chair of Joint Planning Policy Committee (NDC)

Cllr R Hicks, Lead Member for the Economy; Vice-chair of Joint Planning Policy Committee (TDC)

Helen Smith, Planning Manager (TDC)

Sarah- Jane Mackenzie-Shapland, Head of Place, Property and Regeneration (NDC)