



PLANNING NEWSLETTER

No. 3 of 2020

By Email Only

1 October 2020

Message from Chief Planner

It gives me great pleasure to be writing to you in my new role. I am conscious that many people reading this newsletter will have had a difficult time both professionally and domestically over the last six months. The pandemic has brought many changes in how we live our lives. Professionally it is also presenting us with significant challenges. As planners we are adept at thinking through how to plan for change and how to enable good things to happen in our built and natural environment. But many of the assumptions that we held, only months ago, may need to be reconsidered and expectations reset. Two books on my shelves at home are the Greater London Plan of 1944 and the City of Manchester of 1945. It always astounds me that during WWII people had the energy and foresight to be planning for the future, despite what they were facing. I mention this to underline the attitude I hope to bring as a town and country planner – and that’s one of planning as a proactive and enabling process that aims to bring positive benefits for the communities and interests it plans for. And I know this is something that motivates all of us.

As I’m sure you are aware it has been a busy Summer for planning policy – both with policy proposals (as outlined in the Planning White Paper) and with the implementation of new measures (including those to support the response to the pandemic). The coming months promise to be equally busy. One of the key messages I would like to convey is please don’t let uncertainty stop you from progressing your work, particularly in respect to the preparation of your plans for your area or your projects. It’s important that we try not to lose momentum and that we have strong plans which can facilitate our recovery from the impacts of the pandemic; and importantly that address our communities housing needs and the economic challenges that lie ahead.

These newsletters will continue to provide information on the latest guidance, legislative changes and other matters that are relevant to planners in local government or in practice. Our intention is to provide updates to coincide with any significant matters as soon as possible, if they have an immediate impact, or less urgent matters will be captured in the subsequent newsletter.

Over the last few weeks I have had the opportunity to meet some colleagues on-line during discussions about “Planning for the Future”. I look forward to meeting many more of you at forthcoming events, and hopefully, before too long, in person.

Joanna Averley
Chief Planner



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Progressing Local and Neighbourhood Plans

We have been receiving anecdotal feedback that some local authorities may be considering pausing or slowing down the preparation of their local plan, in part due to the uncertainty of when the proposals outlined in “Planning for the Future” come into force. We would strongly encourage local authorities to continue in the preparation and adoption of local plans. There will be a period of policy development after the receipt of the responses to the White Paper. This will in turn be followed by the preparation and progress of any legislation required to implement the planning reforms. This will take some time and it’s therefore important that local areas have a plan in place. As part of the detailed design of the reforms a suitable transition period from approved to new local plans will be implemented.

We also continue to want to see neighbourhood plans being progressed and supported by local authorities through the system, to give more communities a greater role in shaping the development and growth of their local areas.

Consultations

The *Changes to the Current Planning System* and *Planning for the Future* consultation periods are still open. We are looking forward to hearing your viewpoints for consideration and encourage you to submit your responses.

[Changes to the Current Planning System](#)

As notified in a previous newsletter, the consultation period for these proposals closes on **1 October 2020**. You can [respond online](#). For any enquiries about this consultation please contact: TechnicalPlanningConsultation@communities.gov.uk

[Planning for the Future](#)

This consultation period ends on **29 October 2020**.

You can [respond online](#). We look forward to hearing your ideas about how the principles and high-level proposals set out in the White Paper can be delivered on the ground. For any enquiries about the consultation process please contact planningforthefuture@communities.gov.uk.

Wider Planning Matters

Heritage: updating local lists

The Secretary of State [appointed](#) Charles O’Brien as an independent adviser to spearhead the local heritage list campaign [announced](#) last year. Charles will work with Historic England to identify the 10 county areas that will receive a share of the



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£700,000 funding available to help create new or updated local lists. As a first step, we will be seeking expressions of interest shortly.

Neighbourhood Planning Referendums and Local Elections Update

Earlier this year Neighbourhood Plan Referendums (along with Local Elections due to take place in May 2020) were postponed due to the ongoing pandemic, and this delay has been kept under review since. Cabinet Office has now confirmed that elections and referendums will not be brought forward until May 2021. This decision was taken in order to provide certainty to Returning Officers and Electoral Registration Officers.

Updated Planning Guidance Published on Neighbourhood CIL

The postponement of neighbourhood plan referendums due to COVID-19, may have an impact on the level of neighbourhood Community Infrastructure Levy (CIL) that some communities would have expected had referendums been allowed to go ahead. We have recently published temporary neighbourhood planning guidance to encourage CIL charging authorities to work with the parish council or neighbourhood forum wherever possible, to consider whether an additional sum, equal to the shortfall in expected CIL receipts, can be agreed. [The guidance is available here.](#)

Nutrient Trading Pilot in South Hampshire Special Development Order

Defra and MHCLG have recently announced funding for a pilot project to trial a nutrient trading platform in the Solent area that will test a new market-based approach for securing nature-based nitrate pollution mitigation solutions. The process will enable developers who need to demonstrate nitrogen mitigation as part of their Habitats Regulations Assessment to connect via an online platform with land managers able to provide such solutions. For example, farmers who are willing to take some of their land out of intensive agricultural production and commit it to meadow, woodland or wetland for at least 80 years. The project will test the feasibility and costs of this approach and explore how multiple benefits for people and nature can be maximised. This approach will bring together the relevant local actors - house builders and developers, local authorities, landowners and statutory bodies. If successful, this approach could be rolled out to other parts of England facing similar challenges.

Defra is also in discussion with the Hampshire and Isle of Wight Wildlife Trust about a potential loan to support delivery of schemes that would reduce nitrate run-off entering the Solent through changes to land use and the design and creation of new habitats. These innovative projects provide the opportunity to test new approaches to delivering nature-based solutions to nutrient pollution so that sustainable



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development can be unlocked whilst delivering new habitat that provides tangible benefits for people and wildlife.

Community Infrastructure Levy Exemption for First Homes

Draft regulations to exempt 'First Homes' from the Community Infrastructure Levy were laid in Parliament on 28 September. The draft regulations can be accessed [here](#). The regulations will now be subject to Parliamentary scrutiny. If approved, they will come into force on 16 November 2020. First Homes are homes sold to first time buyers, including key workers, subject to certain qualifying criteria including a discount, in perpetuity, of at least 30% on market rates. We will be publishing updated guidance explaining the effect of the regulations shortly.

Permitted Development Rights

Following an Early Day Motion debate on 30 September, the regulations relating to permitted development rights announced in the summer are now in force. These create new permitted development rights to extend certain existing buildings upwards to create new homes and living space, and to allow vacant and redundant free-standing commercial and light industrial premises, and residential blocks of flats to be demolished and replaced with new residential units, are now in force.