

Key implications for Cornwall from the Government's proposed changes to Planning

The government has published for consultation proposed changes to planning with a revised National Planning Policy Framework (NPPF). There are over 80 reforms but mostly these are minor changes or clarifications and contain a number of recommendations from Written Ministerial Statements and other published Government papers

Importantly, during transitional arrangements:

Our Local Plan remains up to date, as does our 5 year land supply position.

The emphasis is on delivering homes but the fundamentals stay the same;

- we must plan to meet housing need,
- presumption in favour of sustainable development, and
- plan led decisions (so long as it remains up to date – particularly the housing targets).

The underlying message is clear: We must build more homes¹.

The scope for local influence over the target is very small to nil.

UK target of 300,000 homes per year by 2025, 217,000 last year (most in a decade) and a new housing methodology that delivers approx. 270,000 per year. Paragraph 213 of draft NPPF indicates the Government will explore planning freedoms and flexibilities where this will facilitate an increase in the amount of housing delivered.

The 4 key changes to the NPPF and implications for Cornwall.....

1 A quicker and simpler standard formula for housing need.

By today's calculations, the CC target likely to go up 10% to around 2,900 new homes per year from November 2021. We will be required to review this every 5 years and it will drive other strategic policies in the Plan.

Changes also give a greater role for allocations in Local Plans to meet strategic objectives. Cornwall's site Allocations Development Plan Document, currently at examination, is important to set out our current plan. Without it we cannot demonstrate our targets will be met.

The NPPF keeps the option to provide strategic solutions to growth through new communities. This is a potential solution to Cornwall's growth against continued incremental growth of towns.

2 The new Housing Delivery Test is confirmed.

The new emphasis and test is about delivery not permissions and quantifies acceptable levels for the first time. If we don't deliver our housing targets we will likely lose control of our policies, maintaining 5 year land supply will get harder and more allocations will be necessary unless we keep granting permissions and can show reliable delivery or use other tools like our investment programme. We must continue to support the delivery of our existing stock of 26,000 residential planning permission, continue to grant new permissions and intervene in important sites.

Our record of delivery over last 3 years has met our current target averaging 2,770 dwellings per year. This year we are up to 2,900 dwellings so are currently in a good position. However housebuilding is cyclical so our investment programme should help to smooth out the peaks and troughs.

¹ Prime Minister & Sajid Javid's Making Housing Fairer speeches to the National Planning Policy Conference, 5 March 2018

Ahead of the outcome of the Letwin Review there are currently limited proposals to penalise developers who don't deliver, proposals are essential to prevent developers using this as a loophole to promote speculative development.

3 Local Plans will be expected to provide more robust viability assessment.

The proposal aims to reduce the case by case viability negotiations to make planning permissions quicker, where they follow policy. However incorporating this level of assessment in the Local Plan is likely to slow the Local Plan process down and requires considerable collaboration with agencies, land owners and developers.

4 Neighbourhood Development Plans remain important and get some safeguard.

Newly adopted NDPs will be safeguarded against changes, particularly uplifts in housing targets, in strategic policies.

In addition –Local Plans are to provide housing targets for NDP , these would not need re-testing at neighbourhood plan examination.

Other points of difference include

- Infrastructure is recognised as important to everyone and the proposals aim to provide easier arrangements between Section 106 agreements and the Community Infrastructure Levy.
- At least 20% of housing sites to be 0.5ha or less and encouragement for the NDPs to allocate small sites.
- Viability assessment are expected to be publically available.
- There is a new expectation of digital infrastructure into new homes.

- Proposals refer to preparing communities, rather than just places, for climate change.
- Introduction of policy for 'entry-level' homes suitable for first time buyers and use of exceptions sites for these in addition to affordable housing and self build 'exceptions' too.
- Stronger promotion of social interaction and healthier lifestyles through planning outcomes.
- Focus on brownfield land and increasing density.
- Shift in emphasis so new development would have to mitigate against existing neighbouring businesses and community facilities with potentially nuisance uses.
- Proposals aim to secure a net gain for the environment as well as protection for old trees and woodland.
- More engaging consultation particularly at the pre-application stage, similar to our PACE forums.

The Planning Policy Team will be reviewing the proposals in detail and drafting a response on behalf of the Council. Full copies of gov docs are here <https://www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework> and contact Steve Havers (01872) 224404 shavers@cornwall.gov.uk if you want to discuss the consultation papers.