



Housing, Communities and Local Government Committee

Oral evidence: The future of the planning system in England, HC 858

Monday 7 December 2020

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Members present: Mr Clive Betts (Chair); Bob Blackman; Ian Byrne; Brendan Clarke-Smith; Ben Everitt; Paul Holmes; Rachel Hopkins; Mary Robinson; Mohammad Yasin.

Questions 117 - 175

Witnesses

I: Rt Hon Christopher Pincher MP, Minister of State for Housing; Simon Gallagher, Director of Planning, Ministry of Housing, Communities and Local Government.

Examination of witnesses

Witnesses: Christopher Pincher and Simon Gallagher.

Q117 **Chair:** Welcome, everyone, to this afternoon's session of the Housing, Communities and Local Government Select Committee. We have our third and final evidence session this afternoon of our inquiry into the future of the planning system in England. It gives me great pleasure to welcome Housing Minister Christopher Pincher this afternoon to the Committee. Minister, would you like to introduce your official who is accompanying you this afternoon?

Christopher Pincher: With us this afternoon we also have Simon Gallagher. Many of you will know Simon. He is the director of planning at MHCLG.

Chair: Thank you very much. I will ask members of the Committee to put on record any particular interests they may have that are relevant to this inquiry at the beginning of our session. I am a vice-president of the Local Government Association.

Rachel Hopkins: I am a sitting councillor and a vice-president of the LGA, and I employ a councillor in my office.

Ben Everitt: I am a councillor.



HOUSE OF COMMONS

Ian Byrne: I am a councillor.

Mary Robinson: I employ a councillor in my staff team.

Brendan Clarke-Smith: I am a councillor and I employ a councillor.

Q118 **Chair:** Thank you very much indeed. Minister, perhaps we will proceed with addressing our questions to you. If you want to bring in Mr Gallagher at any point, you can pass over to him to give further responses, if that is okay.

Once again, welcome and thank you for joining us at our Committee into what we all recognise is a very important issue. We had, in our last session, Steve Quartermain, who I am sure you will realise was the chief planner for quite a long time in the Department and very highly respected, both in the Department and in the wider planning field. He said to us that, among all the details of the White Paper that the Government have produced, there was not a clear statement as to what Government thought the purpose of planning was. Could you elaborate a bit for us today on what you think the purpose of planning is and what we should be trying to achieve with any planning reforms?

Christopher Pincher: I am sure that you listened very closely and carefully to what Steve Quartermain had to say. He is one of the few people who remember Ebenezer Howard and the garden cities movement, as I like to joke to him whenever I see him.

What we believe the planning system should be about and what we want from it is to be able to engage communities effectively, to make sure that the system works speedily and efficiently, and to ensure that design and quality are embedded into the system, so that it can deliver the numbers of houses that our country needs. Whether you are the Government, who have a manifesto commitment to deliver 300,000 new homes by the middle of the decade, or whether you are Crisis or KPMG, both of which say we need more than 250,000 new homes a year to meet our housing need, we believe that the planning system needs to be able to achieve that. The present planning system, as constructed back in 1947 and facelifted several times since, is not able to be able to deliver on those desires and ambitions. That is why it requires the reform that we are proposing.

Q119 **Chair:** Planning is not just about housing, is it?

Christopher Pincher: No. It is to make sure that the infrastructure to support homes is also there, that the commercial infrastructure is there, and that high streets and town centres are reimagined so that they provide the wherewithal for the 21st century. There are a great many considerations other than housing, but housing is the central aim of the White Paper that we are producing.

Q120 **Chair:** In terms of responses, we know that, generally, the public will argue that, as far as possible, we should be building on brownfield sites and converting or trying to reuse existing properties in some way, but



that cannot deliver 300,000 homes if we put both those objectives together, can it?

Christopher Pincher: We want local authorities to determine where the homes that they need are to go. They will still be the key building block of the planning system. The NPPF and the White Paper that we have launched on planning reform reflect this. The money that the Chancellor has announced, either at the Budget in March or at the SR just a few days ago, is designed to make sure that we make best use of brownfield sites, so that we regenerate them and that, in the case of town centres, for example, we reimagine them, so that they can better accommodate residential accommodation. That, in itself, ought to support leisure and retail functions in our town centres, which are changing because of the way that retail is working—the Amazon effect—and because of the effect of the emergency that we are presently going through and, as yet, are not out of.

Q121 **Chair:** If I just follow up on that particular issue, the Committee is going to look at the high street as a separate inquiry, but you are right that the demand for retail floor space was changing as people's shopping habits changed to go online. In some ways, this has been accelerated, in the short term and maybe in the longer term, by the Covid situation. Is the Government's response to allow more permitted development of converting retail units in town and city centres to residential sufficient for the changes that are taking place or do authorities need to be looking at a more strategic, overall review of what the high streets are for?

Christopher Pincher: Permitted development rights can be a key component of that reinvention of our town and city centres. Speaking from memory, between 2015 and last year, the PDR system resulted in something like 60,000 additional units that would not otherwise necessarily have been built. Perhaps we can come back to the quality of those at some point. I know that you have some concerns about that. The further changes that we made over the summer and that we are, in fact, consulting upon right now will enable better use of our town and city centres, which means that they will change to the benefit of the people who live in and use them. It will also mean that there will be less stress placed upon greener spaces.

You are right that it is not just about PDRs; it is about making sure that local authorities have the wherewithal to properly designate their geography and that they engage the local community in that. It is about making sure that we regenerate other brownfield sites effectively, which is why we have made a focus of it and put so much money behind it. Of course, local authorities need to think about the way they want their high streets and urban landscape to look, which is part of the reason why the three areas that we are proposing in our White Paper for designation—the growth area, the renewal area and the protected area—give local authorities control over what they want to see in their entire geography.

Q122 **Chair:** We will go into those specific issues in a minute. Is it not possible



that, if you get scattered conversions of shops here and there into residential, you could make it more difficult to reinvent town and city centres in a strategic way? It would be very difficult to go back and completely redevelop an area where people just invested in a handful of conversions into residential, would it not?

Christopher Pincher: It is for local authorities to determine what they want in their particular areas and to design their communities. There are already upfront rules that developers must meet in order to get that permitted development right prior approval. I can see that there is a challenge in the high street but PDRs can be a way of meeting that challenge.

Q123 **Chair:** Just in terms of the changes that have been made on PDRs so far—and, indeed, other planning changes in the last few years—notable by its absence is any assessment or evaluation of the impact of what has happened or, indeed, in the proposals so far, any impact assessment about the future changes you are proposing.

Christopher Pincher: No, I would respectfully disagree with that. The consultation that has garnered 44,000 responses, so quite a big set of responses to this consultation, will drive out some interesting suggestions, which will guide our response to the consultation about the way we refine our proposals. The way I have looked at our approach to those reforms—and I made this plain to everybody I have been dealing with and have been at pains to point it out—is that the consultation process is the beginning and not the end of the refining process of our proposals.

As we work through them, we will have to continue to engage with the statutory stakeholders and other key interlocutors and players, as the themes of the consultation emerge, to make sure that we refine our proposals in a good and tight way to get them right, so that, when we come to legislation—because we will have to legislate eventually—we have a tight set of propositions to put to Parliament. It is not the case that we have not considered our proposals. We are considering them and reconsidering them through this consultation process and beyond it.

Q124 **Chair:** I accept that, but there is no evaluation, is there—at least, I could not find any record of one—of the impact of changes you have already made around permitted development, for example? There is just nothing there.

Christopher Pincher: As a result of the permitted development changes that were made in 2015, some 60,000 new homes have been created that would not otherwise exist. We have listened to the points that have been made by a number of people, including members of this Committee, about things like lighting in PDRs for a building. We have required that new buildings have appropriate light standards, natural light in every habitable room, so that is a response. We said that, from April 2021, such buildings will have to meet national space standards, so that is a



HOUSE OF COMMONS

response based upon the impact of these changes that have been made. We will continue to look at what we have done to assess the effect and to make decisions accordingly.

Chair: Both those changes have been welcomed here. The Committee called for them, so we would welcome them.

Christopher Pincher: I am not going to challenge your part in that, Mr Betts.

Q125 **Paul Holmes:** Thank you, Minister. It is good to see you again. This Committee has previously pushed for more social housing to be built and for more specialist housing, for example for the elderly, to be encouraged within the planning system. Can you explain how your proposals will help achieve these objectives?

Christopher Pincher: There are a number of decisions that we have made outwith the White Paper, which will support the development of affordable homes and socially rented homes. The affordable homes programme builds upon the previous programme of £9 billion of funds, which built something like 240,000 new homes. The new programme, which is worth £11.5 billion, will build, we estimate, 180,000 new homes. About 50% of those will be for affordable or social rent. We estimate that something like 32,000 social rent homes will be built as a result of that programme, which is double the number built in the previous programme. We have also made it easier for local authorities by reforming the HRA to build social homes, should they wish.

The reforms outwith the White Paper proposals that we have introduced are building those affordable and socially rented homes, but our proposals to reform the planning system will make it much more transparent and much quicker, and will make sure that the infrastructure required to support homes is also built quickly. That is the objective. That should also help builders building homes, whether they are for private sale, private rent or affordable homes that are socially rented.

Q126 **Paul Holmes:** You will be aware that the National Housing Federation told us recently that it is concerned about raising the threshold for section 106 and that this would harm affordable housing provision, especially in rural areas. There have been concerns about the feasibility of paying for affordable housing from levy funds, with Barratt recently telling us that it would prefer to build new infrastructure rather than pay into a pot. Finally, while there is, under section 106, a contract between local authorities and developers, there is no such certainty under the new system. Are these not fundamental objections to your preferred proposal?

Christopher Pincher: From memory, something like 80% of councils have told us that the present 106 arrangements do not work effectively. Words like "opaque" are used when they describe it to us. It is slow and, because it is negotiated and then often renegotiated, the end outcomes are not necessarily what were initially envisaged, so there is a strong argument for reforming section 106.



HOUSE OF COMMONS

This is a genuine consultation and we want to get people's views. We are proposing a much more transparent infrastructure levy, which will levy the value of land at its final development value. That should accrue more funds to the local exchequer, which should, in turn, mean that more infrastructure, including affordable homes, can be built. We are consulting on whether this should be a localised levy or a national levy, because we recognise that regional differences are involved in the economy and in local markets. We will see what the consultation has to say on that.

You also mentioned the threshold for affordable homes and the increase in that. Our view was that, in the present crisis, it is better to have some building than none, and we wanted to make sure that SMEs could build on smaller plots of land—they can often build out much more quickly and effectively—so that they are supported through this crisis but also that homes are built. We will have to keep that increase under review and have committed to do that, to see the effect that it has on the number of affordable homes that are built. It is much more sensible to temporarily change the system so that homes are built, rather than none at all.

Simon Gallagher: The proposal that we consulted on over the summer was to raise the threshold at which affordable housing contributions are generally levied from 10—it is generally the case that affordable housing contributions are levied on developments of 10 homes or fewer—to something like 40 or 50, for exactly the reasons that the Minister described there. We are still reflecting on that consultation and there are different ideas.

We had also talked about doing separate arrangements and maintaining the flexibilities for rural areas that you have described. We had also been clear, and just in case it was not clear from what the Minister said there, that we would do so only on a temporary basis, for 18 months, to reflect the current position in the market.

On your other question about the future of section 106, what we said in the White Paper relates to section 106 as a tool for gaining planning obligations: the affordable housing contributions and the £6 billion or £7 billion that our research shows is taken from development for community value. There are other functions that section 106 performs. It is a means for getting a long-term legal agreement over management of the sites. Those functions probably need to carry on performing as much on other webinars, so we have always intended that those continue to be provided.

We are interested to hear about whether we can make those environments more efficient because, as the Minister said, one of the problems, particularly for section 106 contributions and agreements, is how difficult they are for smaller developers. There might be routes for making them more standardised, which make them easier for small developers to navigate.



Q127 **Paul Holmes:** At the moment, under the proposals in the White Paper, there is an emphasis on infrastructure and reforming section 106. It is vital in constituencies like mine that there still remains a link between the contributions made from developers and infrastructure project needs within the local development. That is one of the Committee's concerns.

Christopher Pincher: We are also saying that it should be available to developers to offer to make the 106 payment in kind, which could be affordable homes built on the site. That would also, of course, encourage mixed tenures in developments that are being built out. We are mindful of that consideration and of the need to make sure that, when there are new developments, big or small—the bigger they are, the more infrastructure they generally need—the infrastructure also comes along quickly, so that affected communities get bang for their buck.

Q128 **Paul Holmes:** The Government's proposals include reducing public involvement in individual planning proposals and introducing housing targets from Whitehall. What do you say to the accusation that the proposals are about forcing through additional developments against the wishes of local people in areas that do not want or need new housing?

Christopher Pincher: I would respectfully disagree. Our proposals are designed to bring forward the community engagement process, not remove it. Therefore, we want to get communities involved in the strategic design of their geographies, which includes the infrastructure that should support new homes or commercial premises that are built.

Presently, as local plans are developed, a very tiny number of people—something like 1% of local communities—get involved in that plan-making process. That rises to a massive 3% when it comes to individual planning applications, so, again, you do not really get many people involved in planning that affects everybody. If we can digitalise the system, which is one of the key aspects of our proposals, and if we can map-base the system too, local communities will be able to much more easily get involved, see the proposals being made for their areas and have a say in them.

One example of how digitalisation, virtual events and map-based approaches can work is the Planning Inspectorate's adjudication of the South Oxfordshire local plan. Something like 4,500 virtual viewings engaged in that plan adjudication process. We can achieve the same and better results with more people getting involved strategically to design their communities rather than respectively, tactically reacting to applications as they come forward today. It will give communities much more upfront say and control over what is built, where it is built, what it looks like and what the infrastructure is that goes along with it than the present planning system does. We should look upon this as a real opportunity to engage people, not to try to keep them out of the system.

If you are bringing forward a proposal to develop that does not adhere to the upfront rules, or if you are proposing to develop in, let us say, the



HOUSE OF COMMONS

protected area in your local authority, you would need to bring forward a planning application in the normal way, which would go through the same two-stage process as it presently does.

Q129 Paul Holmes: Do you agree with the assessment that these original housing numbers and algorithms discriminate rural areas versus cities? For what reason did the original algorithm come out affecting rural areas more than cities, such as Southampton, which is ripe for development next to my constituency, as opposed to the proposed early numbers in my constituency, which would see housing numbers double despite my local authority meeting the housing numbers over the last five years? Do you agree with that assessment?

Christopher Pincher: As you will appreciate, there are two separate consultations that were launched on the same day, 6 August this year. One was on the local housing need methodology, which you are talking about now, and the other was on wider and longer-term planning reforms.

With respect to local housing need, we committed at the Budget to review the methodology that we presently use because it is not fit for the purpose of building the 300,000 homes that we committed to at the general election, upon which we won the general election. There are a number of levers that we had to pull in the design of that particular methodology. The first approach was to look at affordability. There are swathes of our country, not just in the south but all around the country, where affordability is very low, because house prices are very high and demand has just outstripped supply for far too long.

These are other considerations, such as brownfield regeneration and city centre regeneration, and levelling up, which tends to speak to the midlands and the north more than it does perhaps to parts of the south and south-east. These are all considerations that we had to make as we were designing the methodology. We have listened very closely to the 2,500 consultation responses that we have had. I have also listened very closely to colleagues in the House of Commons. You have heard me say at the Dispatch Box more than once that we will do that. We hope that, having done a great deal of work on the methodology over the summer and the autumn, and having looked very closely at the consultation responses, we will be able to announce our review of local housing need shortly. I cannot promise you an early Christmas present, but I hope to be able to announce it soon.

Q130 Paul Holmes: Thank you, Minister. You will understand why I am asking about the housing algorithm, because many people in our constituencies will attribute the two separate consultations together, despite responding individually. That was why I asked that question. You mentioned the two criteria of brownfield regeneration and city centre rejuvenation. I would just gently say that, if that is the case, the original algorithm would not be proposing to halve numbers in cities like Southampton.



HOUSE OF COMMONS

As you have just said quite clearly, and it is welcome, the Government appear open to revising the housing targets and the formula for determining the allocation of housing numbers. How will levelling up be incorporated into both, which is really important? How much discretion will be left to local authorities? Why have the Government not taken any action, while coming down and putting these numbers forward, in strengthening the enforcement action behind the one million permissions that are currently outstanding for homes that are not being delivered?

Christopher Pincher: With respect to levelling up, there are a number of levers that we can pull. We take levelling up into consideration when we look at the housing need and how that applies to different elements of the country. I trust that we will be able to make an announcement on that quite soon. The Chancellor announced, in the SR just a few days ago, the £4 billion levelling-up fund, which will be available to local authorities to bid for shovel-ready projects to support the levelling up of their communities.

Beyond that, the brownfield regeneration fund, the £400 million that we set aside at the Budget, was aimed specifically at mayoral combined authorities, essentially those where land values tend to be quite low, so not the southern but the northern authorities. That will result in the unlocking of thousands of new homes by the regeneration of that land.

The Chancellor announced a further £100 million of funding at the latest SR just a couple of days ago, so we are absolutely committed, whether it be in the NPPF in theory, or in the cash as provided by the Chancellor in practice, to support the levelling-up agenda, which generally speaks to the north and the midlands, but not exclusively so. There are parts of the south-west, the east of England and the south where levelling up is required because there is poor housing stock in communities that have been left behind. We certainly do not want to leave those people behind either.

Q131 **Paul Holmes:** On enforcement action, what are the Government doing to try to get these planning permissions built out?

Christopher Pincher: I do not want to get into an argument about numbers, but there are differing views as to whether there are a million or so permissions. Whether there are or not, some of the proposals that we have tabled, such as zoning, ought to remove the capricious element of whether I am going to get permission to build out in the next two or three years. That removes some of the incentive of developers, particularly bigger developers, to land bank, if that is what they do, because they know that, as long as they tick the boxes and obey the laws, they can build the homes.

Making the system more transparent and speedy ought also to support SMEs, which tend to build out much more quickly. That will provide competition to the bigger developers and encourage them to build out as well. I am also keen—and this is illustrated in the consultation—to hear



the views of the Committee, local authorities and many others about other ways that we can devise to incentivise developers to build out and to do so quickly, so that, when authorities say, "This is what we want", that build-out takes place as rapidly as possible.

Q132 Chair: On the issue of the algorithm and the balance of where houses are going to be built, there is an inherent contradiction between getting more houses built in the areas where demand is highest, which tend to be in the more affluent areas in the south, and using housing as a way of rebalancing the economy by building more houses in probably more deprived and lower-value areas in the north. Not merely this algorithm but the previous housing needs assessment—and this Committee has supported a national housing needs assessment arrangement—has transferred building from the north to the south overall.

Christopher Pincher: I understand what you are getting at, but, respectfully, we just need to get the balance right. There are parts of our country where prices are very high and, therefore, affordability is very low. We need to make sure that we have the wherewithal to build properties in those places. If we do not, prices are, by definition, going to continue to go up and affordability to go down.

That does not necessarily mean that we should not be focusing on those places where there may be a number of homes but where those homes are of poorer quality. My part of the world, your part of the world and parts of East Anglia are places where the quality of homes needs to be improved as much as possibly the volume, because of demand, so we need to be focusing on those as well. That is part of the reason why that is one of the levers that we have to pull when we consider the local housing need methodology. It is not just a calculation; it is a method to make sure that we get the right homes, in the right places and of the right quality to sustain the communities that live in them.

Chair: I am sure we will have a look at the revised figures that you come back with in due course, Minister, but we will move on now. We have talked quite a lot about housing, but there are other issues that the planning system should be dealing with.

Q133 Ian Byrne: The British Property Federation noted that "commercial property" was not mentioned once in the White Paper. The National Trust said, "The biggest thing it is missing is detail and information". Other evidence highlighted omissions of energy networks, transport, Gypsy and Traveller communities, mineral extraction, specialist housing, and the role of statutory consultees. At our last evidence session, we were told, "There are some gaping holes in this White Paper", notably the lack of information of London, employment, infrastructure and the environment. More than one submission stated that the White Paper was really a Green Paper. Unless the gaps mentioned are filled, do the Government intend to exclude them from any legislation?



Christopher Pincher: I would disagree that the commercial sector was ignored in the White Paper, although our fundamental focus in the White Paper was to make sure that we develop the right number of homes, at the right quality and in the right places, which is what the public demand. The idea of being able to zone your communities in three zones—a protected area, a renewal area and a growth area—is also designed to make sure that local communities can say what commercial sorts of developments they want in those places to support their local communities.

We have made clear play, as a result of those announcements, of the renewal zone and how local communities can reimagine their town or city centres to ensure that they meet the requirements of the 21st century, so that they become more leisure-focused, for example, and become places where people live rather than simply work. The PDR announcements that we have made outwith the White Paper also speak to that agenda, making sure that we can reimagine our town and city centres.

On top of that, again outwith the White Paper, the towns fund and the future high streets fund are cash injections that local communities can bid for and win to improve their town centres and their retail and commercial spaces, so that they continue to be viable and operable when we leave this pandemic. Although the White Paper was focused primarily on housing, it did not ignore the importance of commercial development.

Q134 **Ian Byrne:** I did ask whether the omissions that I highlighted are going to be excluded from legislation. It is a simple yes or no.

Christopher Pincher: I cannot commit to what is going to be in the legislation until we have seen what comes back in the consultation. You have just made a point, which it may well be a formal one that you have also made in your consultation response. We want to consider those very carefully before we come to legislation, so it would be wrong of me right now to say what is going to be in the legislation. You have seen the key themes and foci that we have, but that does not mean to say that we will not include other things or refine things as we move through the consultation and toward legislation.

Simon Gallagher: I was not going to add anything substantive, although you made the really helpful point about the environment, and I should point out that we are working very closely alongside our colleagues in the Department for Environment, Food and Rural Affairs. For example, the Environment Bill currently before the House contains the provisions for biodiversity net gain from development. We have worked very closely with Defra on trying to bring those together into this. One of the points that the Minister made at the outset was about how the planning system has done reasonably well at protected some of our most precious landscapes but less well at demanding higher standards for the environment and for the community.



That is one area that we are working together on, ahead of the legislation the Minister referred to, in order to bring the environment story to life practically, so that we can get some of that work going at the moment. The principles of the three areas that the Minister described are exactly as he described them and could apply beyond residential development. Indeed, one of the examples we used in the growth area might be around a university that wants to establish a business park or something where some growth needs to take place.

Using that growth designation to shape and lead some of the important development that needs to follow was one of the ideas that we had in mind. I hope I can reassure you that we are thinking very much about the commercial development alongside the residential development here, and the other areas.

Ian Byrne: That is helpful. Thank you.

Christopher Pincher: To follow up on what Simon said about the environment, we have been working very closely with Defra but also with environmental stakeholders. We have held a number of round tables subsequent to the launch of the White Paper, while the consultation process was going on, to get their feedback. That process will continue as we refine our responses to the consultation and work through it. We are keen to maintain our connection with the environmental community to make sure that our proposals pass muster.

Q135 **Ian Byrne:** Following up from that question, Paula Hewitt from ADEPT told us, "A lot of our infrastructure needs do not reflect local authority boundaries". Philip Waddy from RIBA told us, "There is a case for introducing some form of regional planning structure again". Surely, abolishing the duty to co-operate without putting in place subnational bodies will stifle the development of strategic infrastructure. Would you agree?

Christopher Pincher: There is a strong case for looking at how local authorities co-operate across boundaries, particularly when it comes to significant infrastructure development but also in order to accommodate local housing need. It is clear that political geographies do not always map effectively on to either economic geographies or, more pertinently often, physical geographies. We have to find a way of making sure that we deal with those constraints. In the White Paper, we have said that we want to consult on a replacement to the duty to co-operate, which we have heard from a number of sources over the years does not work effectively, and I am keen to understand what the proposals are for that. You or the Committee may have some thoughts and we want to take those into consideration.

The mayoral combined authorities are a potential route. I am not saying that that is the way it is going to be, because we have to look at and consider the feedback, but it is a route. Development corporations and their further use may be other such mechanisms to make sure that local authorities work effectively together to spread infrastructure and housing



load. I am keen to find out the thoughts of experts and involved parties, so that we get our system where sub-regional planning works more effectively than it does presently, while retaining—and this is important—the building block of local planning, which is the democratically accountable local authority.

Simon Gallagher: The Minister is absolutely right on all of that. I would highlight that a number of strategic plans have been produced voluntarily by local authorities co-operating with each other. There are some great examples in the south-west, in Norfolk and beyond, which have been produced specifically to address some of these questions around infrastructure, and we really welcome that. As the Minister described, we want to encourage a permissive framework that allows local authorities to come together and find solutions to these problems around infrastructure. As you say, those are issues. There can also be issues around things like environment, which respects no administrative boundaries, and public service planning.

There are different administrative geographies and structures across different parts of the country, and we might well have to work on and adapt the future planning system around those frameworks, but we want to encourage the best that is happening in terms of those collaborative conversations. As the Minister says, the duty to co-operate at the moment is just a duty to have a number of conversations. It does not require agreement or for a deal to be formed between parties. As such, there is a risk that it just creates a whole load of process and hurdles that trip local authorities up when, for example, their local plan gets to examination, and stops getting plans and getting the communities in charge of their development.

For all those reasons, the Minister is absolutely right to highlight the sort of questions that we want to ask at this stage through the reform, but we will need to deal with the complicated geography of England at the moment.

Q136 **Ian Byrne:** The consultation launched last Thursday would increase permitted development rights for shops and public sector buildings, including, for the first time, prisons. I have listened with interest to you talking about communities being engaged in the process for their PDRs. There are also plans to reduce the time period for the public to make representations about the expansion of a larger school, hospital or prison from 21 days to 14 days. If these are the public's buildings, why are they having reduced oversight of their planning proposals?

Christopher Pincher: We do not anticipate that there will be significant numbers of these each year. There may be one or two per planning authority. Local planning authorities will be perfectly able to engage with communities and consult with them on these proposals to improve public infrastructure. This is about building up hospitals a little bit or expanding the footprint of a school in some way.



HOUSE OF COMMONS

Because there should already have been some consultation during the pre-application stage, which local authorities would ordinarily do with communities, our view is that this would not come as a surprise. Therefore, a two-week period, which is a minimum rather than a maximum, would be appropriate for local communities to engage with the local authority. It is for the local authority to determine what its timeframe is going to be.

Simon Gallagher: The consultation paper that we published last week contains three proposals. One was a broader permitted development right to allow conversion from the new commercial and business class to residential, which sweeps up some of the existing permitted development rights. The second one is to extend permitted development rights for extending schools, hospitals and prisons on their existing footprints. The third proposal is for a faster process for new hospitals and schools to meet the Government's manifesto commitment on building new sites.

It is important to separate those three propositions, which work differently to create different things. I just wanted to make clear that those are separate proposals in there, which we need to look at on their own terms, and they apply differently on different sites. One is about extending existing hospitals and schools, and one is about building new hospitals and schools.

Q137 **Ben Everitt:** Minister, thank you for coming to see us. We have received so much correspondence about this from the public, organisations, local authorities and a whole swathe of folk. I am going to pick up some of the points that have been made by our correspondents. A member of the public has stated, "A zoned approach would be preferable, but the Government are proposing a very bad version of zoning. They have the principle right but the process is garbled". I guess there are two parts to what we could explore here. First, do you accept the description that it is a zoned proposal? Secondly, what do you think about the allegation that it is "garbled"?

Christopher Pincher: With respect to the designation, whether it is a zone, which tends to be a European term, or whether we call it an area, the point is that local authorities should be able to designate a specific area or set of areas to fall into one of those three categories. The community, developers and other stakeholders then all know exactly what can happen in those three areas, and what the rules are about development and making proposals to develop.

I do not think that is garbled. We need to make sure that the process of plan design and the tools that local authorities have to engage with local communities are there. There are PropTech tools and we have been talking to PropTech people to ensure that the digitalisation of our planning system complements our proposals. We also then need to make sure that the process of ongoing engagement with developers as they develop out is sensible and effective, but I do not think it is garbled. We are trying to cut through the garble and the gobbledygook of the present



HOUSE OF COMMONS

system to make one that is much more transparent, speedy and, frankly, engaging of local people.

Q138 Ben Everitt: I am pretty sure that you would unite everybody in the sector when you say you are trying to cut through the garble and the gobbledygook.

Turning to the comments made to this Committee by the Royal Town Planning Institute, it told us, "The Government propose a renewal zone [...] this is everything that is not one of the other two zones. Renewal embraces a vast range of types of existing built-up areas [...] It would certainly need to be much more fine-grained if it was going to work". Again, you are probably caught between that rock and a hard place of cutting through the garble and the gobbledygook with clarity, and then addressing the detail, but would you be able to expand on how renewal zones might work in the proposed new system?

Christopher Pincher: I see that the renewal zones could be areas where smaller development is going to take place. It could potentially be a smaller rural area or a town centre, where, essentially, you are looking to regenerate existing buildings. If you have a set of upfront rules about what you can develop in a town centre, rather like the PDR system, you can get on and start to develop, having met those requirements. If you are bringing forward a more bespoke proposition that does not fit in with those requirements, you would need to bring forward a planning application in the present way. That is how we see renewal zones: a zone where, essentially, you are renewing what is already there, to make best use of existing assets for the present and future generations.

Q139 Ben Everitt: I would see the renewal zones as being key to delivering some of those levelling-up objectives that you referred to. Is that where we need to be?

Christopher Pincher: That is fair, yes. By renewing our more urban spaces and our town centres, you can make better use of accommodation possibilities, for example. You can make it much easier to switch business use classes, which is one of the reasons why we are consulting on reform of our use class designations through PDRs, in order that you make better use of those town centres that are affected not just by the pandemic but by the way in which retail has changed over the last 20 years or so.

If I look at my own town centre, for example, 30 years ago everyone went shopping in Tamworth town centre. Now they go online to Amazon. Five years ago, they were going to Ventura Park shopping centre on the edge of Tamworth, so even the shopping centre is now suffering as a result of the pandemic and of Amazon. To get people back into the town centre, we need to make sure that we have people living there and enjoying the leisure opportunities of those places. Therefore, having a regime that allows more flexibility ought to achieve that.

Q140 Ben Everitt: We talked earlier about the concerns that authorities and



communities have relating to engagement within growth zones, but let us turn to the third zone, which is the protected area. This Committee has had concerns that the protected area would be inadequate. It comes from both directions, so I am going to ask you to square a circle again. The Woodland Trust proposed a “highly protected” status. Of course, we do not want to get into a situation where we are getting ever-increasing levels of tiers. The CLA has voiced concerns that the protected status might stymie development in rural areas. Is there any thinking about what the middle ground is there between the kind of development that we want to propose in rural areas and protecting the things that organisations like the Woodland Trust hold dear?

Christopher Pincher: Remember that we have had 44,000 or so responses to the consultation. There are differing opinions in that set of consultation responses. Essentially, it is for local authorities to designate what they want their protected zones to be. We will need to define up front some national rules, which can then be localised.

At this point, we are still going through the consultation responses and identifying the key themes. We will work with our stakeholders and interlocutors through the early part of next year to tease out those themes and work out what we need to do to refine them before we then present a refined set of proposals. It would not be for me right now to say, “This is how we are going to do it”. I am keen to get the Committee’s thoughts and responses as we work through that process of refinement, but you are right that there are differing views and we need to make sure that we get the balance right, so that protected areas protect but do not stifle any and all development that may be proposed for them.

I had a meeting with the Heritage Council with Nigel Huddleston about a month ago. They were very clear about conservation being about preservation. Preservation can also allow change. It is not about setting something in aspic and never letting it change. You must be able to make sensible changes, but they must be well thought through, and we will want to make sure that the protected area has those appropriate rules in place.

Q141 **Mary Robinson:** Good afternoon, Minister. In our last evidence session, we were told, “There is a lot of scepticism [...] whether these plans will be able to deliver the level of granularity, the detail, height, scale and massing that they are supposed to deal with, and whether they will actually be quite broad-brush and it will all be watered down. If they are watered down, we are not going to get that level of community engagement that we would get with the application side of things”. Given the tight timeframe of 30 months that you want for delivering local plans, is this scepticism justified?

Christopher Pincher: No, I do not think it is. Remember that it will be 30 months to develop your local plan from the point when we have the legislation on the statute book and have set a point in time when it



HOUSE OF COMMONS

begins. Local authorities will have a lot of time to think about this. We have been engaging with them and will continue to as we refine our proposals, so that we make that cultural and systemic shift in the way we do planning. That is why I said to Mr Betts at the top of the meeting that the consultation process is the start of the process, not the end.

It is in the interests of local authorities to get their plans up to date. A number of authorities, of course, do not. When you have an up-to-date plan, that is a good springboard into the new system. I would encourage local authorities not to sit back and wait to see what comes, but to get on and continue working on their plans to make sure that they are in the best possible state to spring into the new system.

What matters most to people is what is going to be built, where it is going to be built, what it is going to look like and what the infrastructure should be. If we can focus the local plan on that, and make sure that we have the right upfront NPPF rules so that local authorities will not have to duplicate those in their local plans, that should enable local authorities to get on and get their plans done effectively. Right now, it takes an average of seven years to adopt a local plan. That is far too long because, often, by the time they are completed, they are already out of date. We need a much smoother and swifter process. That is what this set of proposals is designed to engender.

Q142 **Mary Robinson:** With regard to the statutory consultees, what role do the Government envisage that they will play in this new system?

Christopher Pincher: They will still have a key role to play. We have engaged with them ourselves during the process of consulting on the proposals. We will continue to do so. Yes, statutory consultees will still have a key role to play in the new planning system.

Q143 **Mary Robinson:** In your answer to the last question, you talked about the rate of change and the timeframes. Post-Covid, we know that we are facing a lot of challenges and change. Given how rapidly neighbourhoods can and probably are going to change, will local plans be modified within their five-year lifespan to adjust to changing economic and environmental pressures?

Christopher Pincher: The first thing is to get your local plan in place. There are a number of local authorities that do not have them. They need to get them into place. For they which are coming up for refresh, I would say, "Just keep going and make sure that they are as updated as possible". When we launch into the new system—and we will need to work through how we do that—we may want to use pathfinder authorities to road test some of our proposals. They will need to be ready and have strong local plans in order to do that.

We need to make sure that all planning is maintained and that local plans are in as good a state as they can be by the time we get to the point when we implement this new system. That is going to be some years off



yet. We cannot simply legislate in nine months' or a year's time, whenever it might be, and then suddenly implement this system six months later. It will take some time.

Q144 Mary Robinson: Neighbourhood forums have played a key part recently in putting together neighbourhood plans. Do you see a role for them?

Christopher Pincher: Yes, I do. One of the round table sessions that we held and that I was present at was focused on neighbourhood planning. I am very keen on it. There are some challenges with it. As you will appreciate, being a Member of Parliament in the north of our country, the further north you go and the more urban you go, the fewer neighbourhood plans you tend to find.

Quite outwith these proposals, we are looking at ways that we can encourage the use of neighbourhood plans in more places so that they become a more effective network of plans rather than a patchwork of plans as they perhaps tend to be at the moment. Yes, I envisage a role for them to play in the new planning system because it will be a very useful further democratic engagement process in the strategic design of communities.

Q145 Chair: I understand that at present the statutory consultees' role comes at the individual application stage, not at the local plan stage. Some statutory consultees, the Canal and River Trust for one, have said that it will be really challenging for them. If they are going to be allowed a role as a statutory consultee at the local plan stage in future—and it would be helpful to know if that is your intention—they would have to look at every single potential site for development, in zones for growth or regeneration in some way, and come to a view about those sites at the local planning stage. That would be an incredible amount of work for all the statutory consultees to do at the same time, would it not?

Christopher Pincher: I accept that it may be effort that they need to undertake, but we have statutory consultees getting involved in the environmental assessment process at present, for example. I cannot see that that would be a problem for them if they are looking at a community or a geography where there is a proposal to design it in a certain way. If you have 30 months in which to develop your proposals, I would have thought that there would be enough time for those consultees to play their part. If communities can do it, and they will need to do it as well, surely statutory consultees will be able to do the same.

Simon Gallagher: Many of the statutory consultees will get involved at the plan-making stage at the moment. For example, the Environment Agency will highlight if a substantive amount of development is proposed on an area of high flood risk. Natural England will express views if there are areas of environmental sensitivity on there. Many already get very substantively involved there.



You raise an interesting question about the smaller statutory consultees, like the Canal and River Trust. There are a number of those. There is a good bit of work for us to do about how that can work through most effectively, but most of the larger statutory consultees would welcome getting involved a bit earlier and a bit more in the plan-making process. For example, a lot of the heritage considerations are best handled earlier at the plan-making point. If you have made the decision that an area is, in principle, available for development, there are some really challenging things for the heritage bodies to get involved in down there.

If we can bring forward the work, that will help them deal with issues of substance. They find quite a lot of the individual case-by-case decision-making quite reactive, whereas they would like to get involved earlier in shaping the places and working out how they can best mitigate their concerns.

Q146 Chair: That is a helpful bit of information for the Committee. Some years ago now, our predecessor Committee recommended statutory local plans, simpler local plans and for local plans to be refreshed on a more regular basis. The Government are at least getting there on that point.

Christopher Pincher: I am sure you were chairing it then, Mr Betts.

Chair: I probably was, Minister. That is probably why I mentioned it, but never mind.

Q147 Mohammad Yasin: Minister, the Government's stated plan was 300,000 new homes built by mid-2020. One of the concerns is that there is very little in the White Paper on the delivery of 300,000 housing units. Is there a clear plan as to how Government will ensure that these units get built?

Christopher Pincher: We have a number of vehicles of our own. The affordable homes programme is one where the Government, through their injection of cash—the £11.5 billion I described in the next five-year programme—will, we anticipate, build 180,000 new homes. We also believe, as a result of the reforms we are proposing, that it will be much easier for SMEs to develop. One of the challenges we have seen over the last 30 years or so is the demise of the small and medium-sized building enterprise, as the building sector has become more consolidated.

If we have more SMEs, because it is easier for them to build out, we will have a wider mix of types and tenures of buildings built in new and different places. SMEs often build on smaller packets of land that the bigger developers do not want to touch. That will also enable us to build out the number of homes that we anticipate need to and should be built.

Q148 Mohammad Yasin: How confident are you that the Government will meet the target of 300,000 by next year, if not this year?

Christopher Pincher: Economic conditions permitting, we will meet that target. If you look at the last year before Covid struck, we built 243,000 new homes net. I think it was 252,000 gross. That was an increase on



the previous year. The number of houses we have been building as a result of the policies we have been pursuing has been increasing, but it still is not enough to meet what we believe to be the country's housing needs. The present set of local plans, if you collect them and total them up, provide for 178,000 new homes. We clearly need to have a system of plan making, a system of plan approvals and a set of Government objectives supported by Government cash that can build out those numbers.

The brownfield regeneration funds that we have made available will unlock land that presently is unviable for development. What we called the HIF, the housing infrastructure fund, which then became the SHIF, the single housing infrastructure fund, and is now the national home building fund, is designed to provide support and wherewithal to unlock land for appropriate development. A suite of measures, be they regulatory or financial ones, are what will get us to the point of building those 300,000 homes a year by the middle of the decade.

Q149 Mohammad Yasin: A major part of the Letwin review's proposals for addressing build-out times was having a greater diversity of the types of provision. Has this risen since the review was published in 2018?

Christopher Pincher: The situation is that we do not have enough SMEs in the supply chain to build out the number of homes that we need. If you have more SMEs, they will build out more quickly because they live hand to mouth, rather than bigger developers, which possibly ration their build-out of properties. Having more SMEs in the process therefore means that there will be more build-out and more competition for the bigger developers.

By changing the system so that it is much more predictable about where you can build, there is less reason, therefore, for bigger developers to ration their build-out because they fear that they will run out of land to build out before they get the next set of permissions upon which to build. They will know what the rules to build are as long as they can purchase the land. Making the system clearer and more transparent ought also to encourage bigger developers to build out.

I am keen to hear the Committee's thoughts and the consultee responses' thoughts as to how we can further incentivise developers to build out quickly, so that, when local authorities say, "This is what we want; this is the design have made of our local community; and these are the looks and the feels of what we want on our land", build-out takes place much more rapidly than it presently does.

Q150 Mohammad Yasin: Town, parish, and district councils have all submitted written evidence calling for the tax system to discourage slow building. The Government were considering a "use it or lose it" approach to planning proposals. Will that approach or tax incentives to push developers to build more quickly be introduced?



HOUSE OF COMMONS

Christopher Pincher: I do not want to speculate about what the final outcome of the consultation will be and how we will refine our proposals on the basis of that set of consultation submissions, but I am keen to find ways of incentivising developers to develop, if I can put it like that.

Q151 **Rachel Hopkins:** Minister, right at the start you said that you want to engage people more effectively. I want to ask whether you agree that far more people are involved in responding to individual planning applications rather than to local plans.

Christopher Pincher: Yes. About 3% of the local population gets involved in a particular planning application, compared to 1% that gets involved in local plan making. The proportions and the numbers, whether it is in local plan making or, indeed, individual applications, is very low. We want to increase the number of people getting involved in the making and the design of their local community's plans.

Q152 **Rachel Hopkins:** If your intention is to get people more involved and there are still more people getting involved in their local individual planning applications rather than at the plan stage, why will the right to be heard be withdrawn for planning applications, especially in growth areas?

Christopher Pincher: The right to be heard is not being withdrawn. Local people will be able to—in fact, I am very keen that they do—get involved in the design of their communities. A digitalised, map-based system is much easier to comprehend than a document-based system like the present system, which is very challenging to navigate unless you really know it or are really motivated. A map-based system, which is digitalised so you can see what is proposed, what it might look like and what the infrastructure might be support it, will get many, many more people involved in the process of design than presently. If you look at what happened when the South Oxfordshire district council plan was considered at the Planning Inspectorate, over 4,500 people got involved. That is what you can do if you have a virtual system, which is much more easily accessible. That is what we are trying to design.

Q153 **Rachel Hopkins:** Why is there not a single reference to local councillors in the White Paper?

Christopher Pincher: That is not by any means or in any way a desire to exclude local councillors. I have spoken to a very significant number of councillors individually and collectively about our proposals, from the LGA to the District Councils' Network, through to individual experts who are planners and are on councils. We want to make sure that they are playing their part as well in this process. I am sure that, as we work through the consultation, there will be lots of consultation responses from councillors that we will need to take on board.

Q154 **Rachel Hopkins:** Okay, you just forgot to put them in the White Paper. They do play a very, very important role in this process and many of us who are actual councillors know just how much.



The Woodland Trust told us, "The White Paper's proposal to extend permission in principle is a serious undermining of democratic process within the planning system". Similarly, Kent Association of Local Councils said "There is one piece of certainty in this White Paper—it will reduce democratic accountability". Could you not achieve some of your wider objectives without this change?

Christopher Pincher: I do not agree with the proposition that we are reducing accountability or democratic involvement. We are shifting it forward, where we think it really ought to be, so that it can be about the upfront strategic design of communities rather than the reactive response to a particular application, often where very few people get involved and it is rather difficult to navigate and understand what is being proposed. I do not recognise that characterisation of our proposals.

Q155 **Rachel Hopkins:** That is how it was perceived by people who have written in to us, so it is something to be addressed, I hope, in your outcome following the consultation.

Christopher Pincher: This is one of the reasons why we are consulting long and hard about this. The consultation process is not the end of the consultation. We will go back and talk to interlocutors again, and refine our proposals. We want to make sure that the proposals we are developing are approached on the basis of consensus, because that is the best way to achieve effective buy-in.

Chair: Another issue that has brought in a lot of comments is the green belt.

Q156 **Brendan Clarke-Smith:** Good afternoon, Minister; it is nearly evening now, actually. Our public engagement survey drew a large number of passionate defences of the green belt. Our written evidence was divided on whether a review was needed, but the White Paper simply says that the existing policy for protecting the green belt would remain. Have the Government shut the door on any national review of the green belt policy and its effectiveness?

Christopher Pincher: We think the green belt is a very important means of avoiding and stopping urban sprawl. As you know, Mr Clarke-Smith, we made a manifesto commitment to maintain the green belt. That is why we have said in the White Paper that the existing green belt policy will remain. There are a number of measures, be it the proposals that we have put into the White Paper on, for example, the renewal zone to focus on more development and accommodation development in town centres, or fiscal policy to spend money on brownfield regeneration. These are all means by which we can achieve our building ambitions without encroaching on important green spaces that we know communities, yours and mine, feel very strongly about.

Q157 **Brendan Clarke-Smith:** Following on from that, the most referenced issue in our public engagement survey was about the importance of, and fears for the loss of, nature and wildlife particularly. The Covid crisis has



also brought the important of access to green spaces into the public consciousness, I suppose. Apart from proposals for planting trees, which was mentioned in the White Paper, how else are the Government going to ensure that nature and wildlife are given a greater emphasis in the planning system? For example, will there be additional protection for metropolitan open spaces?

Christopher Pincher: There are a number of routes to achieving that important outcome. As a result of the Covid emergency, all of us realise and recognise the importance of green public spaces that people can enjoy. The Environment Bill is currently going through the House of Commons and will certainly arrive on the statute book well before our planning reform legislation arrives. The planning reforms that we introduce into Parliament will be set in the context of the Environment Act, as it will then be, which focuses on biodiversity net gain. We want to make sure that the proposals we introduce for planning reflect that Environment Bill desire, whether it is from green roofs, bee bricks, hedgehog highways and all those sorts of things. We want to make sure that that is also baked into the proposals that we have.

More particularly, the national model design code, which we will go into far more granular detail and we will be making some further announcements about it soon, will focus on the hierarchy of green spaces in public spaces and the importance of making sure that streets are tree-lined—so they are beautified—and that there are appropriate parks in urban communities, so that people have the green environment in their built environment that they need to enjoy.

Q158 **Chair:** Minister, you have already referred to this, but there was a generally positive set of comments back about the proposals to digitise the planning process, both local plans and planning applications. “Almost moving the planning system into this century” was the general comment, but there was a concern that it could leave some individuals and some sections of the community disadvantaged. How can you address that particular concern?

Christopher Pincher: It is important. We all have to accept that, as the years roll on, more and more people will have access to digital tools, and also have experience and knowledge of them. In future, it will not be such an issue, but I appreciate that there are some people who will be disadvantaged for one reason or another.

We do not preclude local authorities from doing things locally to make sure that people who do not have access to the internet, for example, or who are more mobile are not excluded from the system. It is still for local authorities to decide how they might want and need to engage with local people. Publishing adverts in local papers, for example, is something that they can still do. We all agree that digitalisation is the way forward in the medium to long term for enabling everybody to get more effectively involved and making the jobs of planning professionals that much easier,



HOUSE OF COMMONS

because we will have a much easier to use digitalised system and not a paper-based PDF one.

Q159 **Chair:** In future, if a local authority wants to put notices on lampposts and in the local paper, it will be able to but it will not be a requirement for it to do so. Is that the change?

Christopher Pincher: We will reflect very carefully on what the consultation responses are. Local authorities may feel the need to engage with their communities in a particular way. Different types of authorities have different types of communities. You can have very widespread rural communities and very densely-packed urban communities in different authorities. It will be for authorities to work out what they may need to do themselves to communicate with their constituents. Fundamentally, the way that we encourage local authorities to proceed will be through the route of digitalisation.

Q160 **Chair:** Currently, there are statutory requirements to put notices in local papers, for example. In future, there will not be a requirement but local authorities will be able to do it if they wish. Is that the change?

Christopher Pincher: During the crisis, some of those things have been changed, so that you can advertise online. If you need to see a copy of the local plan, it can be mailed out to you, for example, but it will not be held at a particular place, a library or a local authority building, because access to those places is rather challenged. We might want to see how that system plays out.

Q161 **Rachel Hopkins:** The new chief planner has said that the proposed levy will bring at least as much money into the system to local governments to allocate to affordable housing, infrastructure and other local requirements as it does now. Has any detailed analysis been made available about how much it will raise and where? If there is no extra money, is it still worthwhile proceeding with the reforms?

Christopher Pincher: Our view is that we need to reform the infrastructure levy for the reasons I have already expressed. Our view is that, if we assess land value on its final developable value, we can accrue more funds to the local exchequer, which can be used for the development of local infrastructure, including affordable homes. We have made a commitment to ensure that the new system builds at least as many affordable homes as the present one.

As we work through the consultation responses on whether the levy should be nationally set or whether there should be some degree of localisation to take into account local markets and economies, we will be able to table some further and more final proposals. It is our determination, not our ambition, that the new system will provide as much affordable housing as the present.

Q162 **Rachel Hopkins:** Building on that, under the current proposals the levy will not be paid until occupancy, but the infrastructure has to be paid for



beforehand to help complete development. This seems to result in quite significant uncertainty for local authorities, particularly if there are large-scale developments that can take years to complete. Do we really want to add to the financial and debt burden of local authorities that might have to support this up front?

Christopher Pincher: We will consider the best balance as a result of the feedback we have received. We want to design a system that protects local authorities but does not discourage developers, particularly smaller developers, from developing because the levy cost might be a barrier for entry to them. We think that there will be ways and means by which we can design the system to achieve that effective balance. That is one of the things we have consulted upon and we will make sure, as a result of the feedback, that we can present back, but we have to get that balance right.

One of the themes that we have picked up, prior to the consultation but also during it, is how, if you are a smaller developer, an infrastructure levy or a section 106 can be a barrier to your entry into the marketplace to build the homes. We want to try to reduce that barrier while making sure that local authorities are not placed at disproportionate risk.

Q163 **Rachel Hopkins:** I just have one other point around the proposed levy. If it is at a national level and its preferred approach is based on national rates, this disproportionately benefits areas of high land values. Will there be a redistributive aspect to the levy?

Christopher Pincher: First of all, we need to determine whether it is going to be a national levy or a localised levy, and then determine how we approach the issue of marginal land and redistribution to ensure that, where you have low-value land, you still have an ability to build out where you need to. We will look at it in the round and consider what our response should be. You are right to say that our fundamental, going-in approach was to ask, "What about a national levy?", but we are open to the proposition of a localised one. We will have to see where it lands and then what we need to do to make sure that we do not see areas disadvantaged.

Q164 **Chair:** Minister, we are all in favour of beauty. That is probably something we can agree on without any dissent, but how is beauty going to be defined? It is one of the ambitions of the Department to have more beautiful developments, but what does that actually mean?

Christopher Pincher: If you get a group of people together, they will give you their view of beauty and there are probably some key themes that come out of that consideration. Fundamentally, we are trying to achieve a system whereby local people's views of what looks good in their environment is properly taken into account. I am sure that we have all been in situations, as Members of Parliament, where the local planning authority says, "Yes, this is a strong design" and all the experts say, "Yes, this design ticks all the right boxes", for whatever it may be, and



HOUSE OF COMMONS

yet you will get 500 or 1,000 letters and complaints from local people saying, "We do not like the look of this".

We need to make sure that we have a system that allows local authorities to take advantage of national model design codes, pattern books and the like. That is why Nick Boys Smith is chairing a panel of experts to work out how that particular part of the process might work. Local authorities can then draw down from that expertise and local communities can have their say in the design process of their strategic plan about what those proposals are. If we are going to make the process of planning and build-out speedier, one of the ways is to make sure that local people have much more say and involvement in what that build-out is going to look like.

Q165 Chair: Surely people will want to have a say about the build-out of a scheme in their area. That is where they will want to have a look to see, "Does that look right?" They cannot now do that, because your proposal is that all that consultation about standardised codes will happen at the local plan stage.

Christopher Pincher: I do not see why that does not involve them and why they cannot then say, "This is what we want building in our growth area or our renewal area to look like; this is what kind of infrastructure should support it". Then those are the rules that a developer has to adhere to if they are going to build out without bringing forward a traditional planning application.

Simon Gallagher: If I can unpick what the Minister is saying, we actually put some specific proposals in there. The first was that locally agreed design codes should have greater status and weight in local decision-making. They can sometimes be overridden at the moment and we want to give them greater prominence. The second is that, for our growth areas of substantial and significant development, we should legislate for master plans and design structures in those areas that give local communities the chance to shape those and give them greater certainty about what those are.

The third element, particularly for renewal areas, is that we should have nationally pre-approved types of design, similar to how we used to do it in terms of pattern books, which at one point were a key tool in English development. In a sense, this would give those popular designs a bit of national status, with a fast track for developments that are brought forward in line with those. There are some specific propositions in there, which should give greater weight to that.

There is also an element of the White Paper, which we have not had a chance to talk about, that is looking at whether we can sharpen the enforcement function in local government at the moment, so that it has the tools to ensure that what is designed is actually what is built.

Q166 Chair: There are clearly strengths in looking at the design in that way.



HOUSE OF COMMONS

Equally, one concern that has been raised is that, with standardised designs, you could squeeze out innovation and variety. In some of the renewal areas, you probably have to have very tailored designs to meet particular circumstances. Is that going to be allowed?

Christopher Pincher: Yes.

Simon Gallagher: Yes. We have said in the renewal areas and the protected areas that, if you want to bring forward something that is outside the plan or the design code, you can bring it forward and it can be considered on its merits. The community will have proper opportunity to consider whether that is something they want to get through the role of local councillors in making those decisions.

Q167 **Chair:** When is that consultation with the community going to happen? Surely, in future, that will have to be done at the local plan stage.

Christopher Pincher: No.

Simon Gallagher: No, it is through a planning application. What we have said is that development of something that is not specified in the plan would come forward through a planning application exactly in the normal way as it would do now.

Q168 **Chair:** I think that is one of the points that have not been thoroughly understood in this. You are saying that, in the growth areas, essentially this is determined at the local plan stage but, in renewal areas where there are individual sites and it is not clear what is going to happen to them, there will still be a planning application, which will be consulted on with the local community at that stage in the way it always has been.

Christopher Pincher: Perhaps we have not drawn that out enough. The point Simon was making is that you effectively have a fast track to development if you conform to the preordained strategic plan requirement, but you can still bring forward an individual planning application if it does not conform to those predefined requirements for consideration in the present, normal way. We are not trying to get rid of the present planning application system for those purposes.

Q169 **Chair:** That is something I had not completely understood, and I not sure that those who commented to us in our consultation had thoroughly understood it. It is a helpful explanation, which we probably want to look at a bit further. Thank you for that, Minister.

Bob Blackman has been in for the urgent questions. He has just arrived, just in time to look at the issue of resourcing of planning departments.

Bob Blackman: If circumstances were different, Minister, I would have been asking you questions about the situation in Hong Kong in one of your previous roles.

Christopher Pincher: I would have been happy to answer them.

Q170 **Bob Blackman:** An interesting form of democracy now exists in China,



but that is another matter. Can we look at the issues of resourcing of planning departments? A concern that has been raised during our inquiry by a number of people is whether there is sufficient resource within our planning departments across local authorities to meet the demand, particularly given the extent of the White Paper, where there is going to be extensive work done in local plans and suchlike. The estimate from the RTPI is £500 million extra. That is money, but it also needs bodies. What action are you taking to get the money from the Treasury and to ensure that the people are available to do the work that is going to be required under the White Paper?

Christopher Pincher: I have talked to the RTPI and Victoria Hills about this on a number of occasions. I am very conscious of the need for the right level of resources in local authorities and the time of those resources to do the job that they need to do. Quite outwith the moneys that the Chancellor made available in the SR just a few days ago for the first stage in this process—that is not the end of the process—we have committed to a review of resources and skills. There will be a comprehensive resources and skills strategy for local authorities and their interlocutors, so that we can support the reforms we are proposing. We are going to look at options for a new planning fee structure, to make sure that the planning system and local authorities have the wherewithal to do the job they need to do.

A result of the proposals we are making to digitalise the system and to make it more strategic and up front will be to free up planning officials' and other officials' time to do the sort of work that they trained to do and really want to do, which is strategic planning, rather than administrative processing of a lot of paper or PDFs, which is the nature of the present system. Over time, notwithstanding the very good people who presently populate the system, that can attract more really good people into the planning system. It will be a place where you will want to be if you have trained to be a planner, because that is what you can actually do in a local authority: you can plan.

Q171 **Bob Blackman:** To be clear, have you requested the additional funding from the Treasury as asked by the RTPI?

Christopher Pincher: The Treasury has made, from memory, £10 million available to kick off some of the work that we need to do. We will continue to have discussions with the Treasury in the usual way, recognising and understanding the demands that are made on the Chancellor and the Chief Secretary. We will devise a comprehensive review of skills and processes and, on top of that, look at the fee structure to make sure that local authorities have the wherewithal they need. We will look very closely at the feedback from local authorities, the RTPI and other players in the planning system, to make sure that our proposals are operable.

Q172 **Bob Blackman:** Apologies if this has already been asked by a colleague before I joined the meeting, but one of the problems that we have,



certainly in London, is people joining planning departments as consultants for short-time contracts and then moving on elsewhere. This is one of the problems that I foresee associated with the White Paper. With a lot of the effort going into local plans and setting up the various categories of areas, this may be done by one contractor who then moves off, only for other people to come in and ask, "What has been done here?" The lack of continuity in planning departments could be a serious drawback in the operation of the way that this new planning system would work. How are you addressing that from a resourcing perspective?

Christopher Pincher: It is for local authorities to resource their planning departments as they see fit, as you will appreciate, and different planning authorities will have different demands on them. I recognise the challenge you make, which is that, if you talk to developers, for example, they will say, "The biggest risk we face is if the planner in the authority changes because you almost go back to square one and start again". That is not in every case, but it is a theme that comes out.

Having continuity in planning is a good point. I come back to the point I made earlier on. If, in the medium to long term, the planning system allows planners to do strategic design, to work out what infrastructure should be in their planning geography, to provide for it and to work with the community on what design should look like, that is a very attractive proposition for someone starting out their career in planning. Over time, it will result in greater consistency and continuity in planning authorities because they will recruit good personnel and they will keep them.

Q173 **Bob Blackman:** You have stated in the White Paper that the intention is to have the new local plans in place by the end of this Parliament. To achieve that, we would need a position of potentially 30 months of preparation for local plans to then go in. That gives you literally less than a year to pass primary and secondary legislation and deal with the responses to the White Paper. This sounds like a very ambitious timetable. What assurances can you give us that this can be achieved by the end of this Parliament?

Christopher Pincher: I am not directly in charge of business management, as you will appreciate, Mr Blackman. I was once but not any more. We will need to work with the business managers to work out the appropriate timetabling of the Bill. It will be a big Bill and I suspect, therefore, it will take some time. I said before you arrived that the consultation process is the start of the engagement process, not the end. We want to approach this as best we can through the spirit of consensus, engaging interlocutors, experts and stakeholders in an effective way to refine our proposals, such that they are in a tight shape by the time we get to legislation and we can get the Bill effectively through the House of Commons and the House of Lords once it is introduced. It will be an ambitious timetable but we are keen to keep on track.

Q174 **Bob Blackman:** I am sure you will agree that this Committee has done a first-rate job of pre-legislative scrutiny on the draft Building Safety Bill.



HOUSE OF COMMONS

Given that this is a very big Bill, are you planning pre-legislative scrutiny on this Bill? If you are, I am sure our Committee will be very willing to help.

Christopher Pincher: Again, the business managers will want to take a view on the process of pre-legislative scrutiny, if there is any, of the Bill when it is finalised. We are nowhere near finalising the Bill as yet, but I note the appetite of the Committee for its work, most notably by its work on the Building Safety Bill just a few weeks ago. I think there were 80 pages of pre-legislative scrutiny with something north of 40 recommendations, which my colleague, Stephen Greenhalgh, and his team are working through. I am very conscious of Mr Betts's Committee's appetite for hard work.

Q175 **Bob Blackman:** We are very good at improving draft legislation, as I am sure you will agree.

Christopher Pincher: I always agree with you, Mr Blackman.

Chair: Minister, from all the experience of planning changes, in the end, to coin a phrase, the devil is in the detail. Precisely how the detail is written is key, given that legal interpretations will subsequently be put on it when we get to appeals and all those sorts of things. The offer is there, coming from Bob Blackman who had pre-legislative scrutiny of his own legislation at one point and survived the process.

Minister, thank you very much for coming this afternoon with Mr Gallagher. We appreciate your contributions. It has been really helpful to the Committee to better understand the proposals, the implications of them and your indication that you are still open to receiving comments and suggestions from us. Thank you very much indeed for coming this afternoon.