

Clive Betts MP
Chair, Levelling Up, Housing and Communities Committee
House of Commons
London
SW1A 0AA

24 March 2023

Dear Clive,

Follow up: Reforms to national planning policy

I would like to thank you for the opportunity to provide evidence as part of the Committee's inquiry into the reforms to national planning policy. I wanted to follow-up with further detail on historic and frequent changes to the NPPF and the transitional arrangements.

Changes in the Government's approach to planning, alongside changes to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG), have previously resulted in councils needing to amend their approach to development in their Local Plans after initiating consultation on proposals with their local communities. This results in delays to the plan-making process as further consultation is required to take account of national policy changes.

Transitional arrangements between existing and new planning policy frameworks should be sufficient to allow councils to adopt Plans in a timely manner against the iteration of the national planning framework they were prepared.

While we welcome the Government's intention to provide a grace period for local authorities to transition to the future planning system, as announced in the consultation (December 2022 – March 2023), we are concerned that there is currently a gap in the transitional arrangements for some local authorities based their year of Local Plan adoption.

The arrangements do not take account for those local authorities whose adopted and up to date plan is due for review from 2023 and early 2024, prior to these announced proposals coming into effect in late 2024. We support their proposed amendment to the consultation wording which would mitigate the risk of exposure to speculative applications whilst a new-style plan is prepared: Their suggested revised wording is below:

"Therefore, in addition to the arrangements described above, we also intend to set out that plans that will become more than five years old from the date of publication of the reform proposals on 22 December 2022, will continue to be considered 'up-to-date' for decision-making purposes for 30 months after the new system starts."

Developing Local Plans is resource-intensive and expensive for councils, and given such significant changes are proposed to the NPPF and through the Levelling-up and Regeneration Bill, many have paused their plan, plan review or the commencement of a new plan in order to take these into account. The Government is also proposing to consult on a full update to the NPPF in 2024 which may lead to a further hiatus in plan-making due to uncertainty. We believe that plans should be led by the most up to date evidence and would urge the Government to consider the impact on Local Plan preparation timelines of the release of the ONS population projections in mid-2024.

Any delays to the Bill receiving Royal Assent or the new NPPF coming into effect will delay plan-making further. The proposed 30-month period of developing new local plans should also be exclusive of any delay in introducing the new system.

The role of the Planning Inspectorate (PINS) is going to be critical in supporting implementation of the government's planning reforms and delivering an effective plan-led system that reduces speculative development. It will be vital that PINS has the capacity and capability to deliver on the government's ambitions for new Local Plans to be adopted within 30 months. Similarly, PINS will need to ensure staff are adequately trained on the updated NPPF and associated planning practice guidance, to ensure that decisions on appeals are in line with the new system.

This will mean that the examination of Local Plans will need to be efficient and timely. We want to work together with PINS to identify further ways to streamline the examination process - options might include requiring more written submissions or limiting speaker's time.

We recognise that nationalising policies that apply in all areas in the form of National Development Management Policies (NDMP's) may speed up the production of plan-making, reduce duplication in Local Plans and potentially simplify the examination process. However, in the absence of any material detail on the type and scope of NDMP's, beyond what is set out in the consultation, it is impossible to comment on the real impact they may have on local authorities to plan effectively at the local level. We are therefore concerned that setting policies at national level will leave councils unable to tailor such policies to local circumstances. Flexibility must be built into the system to enable councils to respond to local, complex and changing circumstances.

We would welcome the opportunity to discuss the impact of the proposed transitional arrangements with Ministers and Government officials. Further engagement must be done with local authorities to identify that no council falls through the gap in the transitional arrangements, thus ensuring they are put at no disadvantage or subject to measures which encourage speculative development which disenfranchise local communities and leaders.

I hope this additional information is helpful. My thanks once again for the invitation to share the LGA's thoughts with the Committee, and I look forward to reading the Committee's final report.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'James Jamieson', with a stylized flourish at the end.

Cllr James Jamieson
Chairman, LGA