About us

PortalPlanQuest Limited, established in 2015, operates the Planning Portal as a joint venture between MHCLG and TerraQuest Solutions. Prior to that, Planning Portal operated within the public sector under a series of executive agencies and departments, The Planning Inspectorate, ODPM, and finally DCLG/MHCLG.

Since 2002, the Planning Portal website has been the digital planning and building regulations resource for England and Wales, providing planning and construction professionals and homeowners with current, authoritative and accurate guidance, helping them stay informed with developments in planning and building, legislation and policy.

The website delivers around 90% of planning applications (approximately 2,200 each working day) electronically to councils via an open standard interface, providing an integrated planning solution to all local planning authorities (LPAs). Alongside this we maintain a wealth of advice and guidance on permitted development, planning policy and building regulations, including interactive tools, which are accessed free-of-charge by around 600,000 users each month. LPAs direct their users to our content, knowing it is up-to-date and accurate, and thereby removing the need for them to maintain it locally at their own cost.

The service is provided without taxpayer's money therefore removing the burden from both central and local government in supporting application submission and guidance. The business continues to diversify and extend its offering, ensuring the core products meet the changing needs of LPAs, the industry and the general public; as well as delivering changing legislation and making good use of evolving technology.

Why we are submitting evidence

Since 2002, the Planning Portal has helped to transform the planning process, making information and services simpler and more accessible for those involved in the process, be that applicants, agents or LPAs.

Our mission is to continue and build on this, transforming planning and building.

We believe that the planning system should support all organisations, including housebuilders, planning consultants and architects who submit across local authority boundaries and the standardisation of the application process therefore brings the greatest efficiency, as well as significant economies of scale. All parties play an important role in the understanding and delivery of planning, through innovation in the digital platform, tools and services as well as consistent guidance and information.

We believe that our response to this call for evidence is a reflection of our unique insight into the planning process based upon our interactions and feedback from a wide range of key players from

LPAs, planning professionals (including architects), applicants, building control bodies and builders.

Our current system and data standard, through necessity to provide a nationally compliant and continuous service, is structured to hold information based on the existing application templates and legislation. The service delivers a common data footprint (schema) of all questions on all application forms, made available for every LPA to download as fragments of data, as well as in the form of documents. However, we welcome that this 'status quo' is being challenged as we have found it to be fundamentally incompatible with delivering many of the benefits that use of modern online services should bring, and that we and our users have long desired to realise.

The main constraints preventing the system working as it should, at national and local level, are:

i. The lack of 'rules as code' and clear standards for sharing information and data for transactional planning and building services (applications, consultations, developer contributions, etc.).

ii. The lack of access to datasets to both:

- inform on the location/proposal specific matters that affect the viability/permissibility/fit for purpose nature of a development and/or the validity of any submission regarding it; and

- monitor and inform users of progress once submissions have been made.

In summary, we support the better collection of data to support digital planning through government's focus on the creation of common national data standards and templates; to provide consistent standardisation for local planning services and their customers. We also support and believe in the collection of data-driven insight and the use of digital tools that can make information accessible to all parties, and support community engagement in the planning system; this should make the process more efficient and provide fit-for-purpose developments.

As an established service provider, we see our role as using this standardised data and emerging, innovative technology to simplify the process of planning and building, working in partnership with all parties involved in the planning process.

We would welcome further discussions about how the services we provide and our existing partnership and data transfer channels, with all LPAs in England and many Local Authority Building Control departments (LABC), could deliver the outcomes required on engagement and consultation to provide consolidated, compliant information without additional burdens on, for example, local authorities.

It is worth noting that parts of this submission also form part of our response to the current Planning White Paper consultation. However, they have not been 'published' and we feel it is important that they are surfaced to both processes.

Our response

Our response to this consultation is based upon our areas of involvement and engagement, accordingly we are only submitting a response in relation to questions 1, 3 and 5.

1. Is the current planning system working as it should do? What changes might need to be made? Are the Government's proposals the right approach?

The current planning system is 'functional'. There is established policy and procedure for plan making and development management as well as delineated functions at national and local levels. There is the general ability for people to engage and contribute.

However, in the many reviews of the system, its current limitations and failings have also been brought to light. While there is no unanimity from these reviews on how these should be resolved, there are some common themes throughout which we support.

- Better and appropriate use of digital, data and technology

- Proper resourcing of planning functions at all levels

- Clarity on the meaning and application of planning policy

- True opportunities for everyone to meaningfully engage and consult on planning

Plan making

We have long supported the ambition for "*standardisation of Local Plans across the country*" and believe this can benefit from agile development and client feedback, facilitated through digital platforms and services such as the Planning Portal.

With engagement with all parties and prior agreement both locally and centrally this would ensure consistency and scalability across all LPAs. However, any reform to the existing process needs to be supported to enable it to work. There should be sufficient time for proper transition to any new arrangements and LPAs may need support, particularly where new skills or resources are required.

The importance of a clear, comprehensible, Local Plan which is easily and simply presented for use by all the key actors in the planning process is important. Indeed, many of the mechanisms for producing such plans already exist.

At one time, the Planning Portal held over 100 Local Plans in a standard web-based format with a proportion of these also provided via an interactive map. It was our intention to drive take-up of this functionality alongside the online application system. However, there was not the will in Government at the time to continue to support the project and the Local Plans reverted back to being provided separately by individual LPAs.

By making Local Plans and associated geospatial information available in a standard format, the data will be accessible to homeowners and industry professionals in the research and preparation of their planning proposals. We would also seek to include this in the submission process for all planning applications as this may alter the information requirements for a valid submission.

We note that this is already being prototyped in MHCLG-funded, small scale proofs-of-concept by individual local authorities based on their internally held data, and support the recommendation of the white paper to allow such information to be made available for use by the wider sector.

Development management

We fully support the stated aim that "*all development management policies and code requirements,*

at national, local and neighbourhood level, are written in a machine-readable format".

This is a fundamental piece of a digital, consistent and standardised planning service that can be used by all parties. We believe that this underpins the ability of any system or service to be able to utilise such information effectively and realise benefits for its users. Version control of information would also be critical to ensure integrity and accurate use of historic data.

We agree that decision making should be more certain and "*proportionate to the scale and nature of the development proposed*".

Efforts to make decision making 'faster' should come from automation, efficiency and process optimisation without risking quality or rigor. It is important to ensure understanding, manage expectations and demonstrate/monitor progress. An appropriate and proportionate procedure may, in certain cases, necessitate it being a lengthy one. However, it can still demonstrate pace and momentum.

The ability for all parties to be kept informed of progress is critical in demonstrating this. However, the ability to monitor such progress is currently limited to each local authority and their specific procedures rather than being available in a standard way to external services such as the Planning Portal.

We also agree that "*validation of applications should be integrated with the submission of the application*". Indeed, the features of online services such as those offered through the Planning Portal already do this in many places. However, the lack of a national validation standard to accompany the national standard application templates is a major inhibitor and we would support and willingly assist any moves towards one. There are also many types of consent (e.g. Prior Approvals) that rely solely on the wording of legislation without any supporting templates or standards, providing even less certainly when it comes to validation.

Many areas are currently specified by Government as 'free-text' fields in templates or simply as matters that legislation specifies determinations should consider. This provides no means to ensure the contents of any application is complete or sufficient unless a specialist human resource reviews the information in a proposal-specific context. This is further complicated where single fields are used to request a variable range of information rather than specific points of data.

In our experience of providing a system that integrates with all LPAs in England and Wales, and processes around 90% of current planning applications, it has been possible for us to work around some of these 'gaps' in specification to ensure a standard level of validation for every application. However, there are limits where, for example:

- There is a legislative obligation to provide "*a form published by the Secretary of State (or a form to substantially the same effect)*" and that form is only provided by Government as an electronic version of a paper document; or

- Legislation provides a requirement but does not provide a clear and consistent interpretation of it.

Government's position to date is that it is a matter for each LPA to determine, however, we know from experience that local levels of validation differ between authorities, for example something as

simple as the applicant's details is not properly defined (e.g. can it be a company, or is a named individual always required?).

This is something that we are keen to resolve going forward but will best be achieved collaboratively. We have a well-established data standard in place that, through necessity to provide a nationally compliant and continuous service, is structured to hold information based on the existing application templates.

We are also aware of the areas in which it and the validity of the information it contains can be improved, and the challenges of delivering and supporting a national service whilst trying to ensure that all our users can realise the benefits of any such improvements.

Our position in the current system has allowed us to gather much insight from applicants, agents and LPAs who, with us and national government, all share a common interest in end-to-end improvements to the development management process.

Where information and validation requirements (rightly) sit at a local level, they should be explicitly called out by Government as part of any national specification so that a comprehensive and standardised list of local level requirements can be maintained and utilised. This would allow requirements to be coded in a machine-readable format, facilitating integrated up-front validation and ensuring that users can be informed, in context, why certain information is required for any given consent type or location.

While this is currently achievable at a small scale (as demonstrated through the digital projects funded by MHCLG), we would want to see this information available nationally and would be interested in any opportunity to help facilitate this. This is equally applicable to both 'core' and 'supporting' information and in reviewing this and the 'Planning Application Requirements' provided by local authorities we have found a lack of consistency in terms of the structure, contents, level of detail, and terminology used. However, this is to be expected where no resources and standards are provided at a national level.

Finally, in regard to the penalties for breaching determination deadlines, online services provide clear and accurate timestamps to allow such periods to be accurately monitored and determined. However, there is not a corresponding level of clarity in legislation, with terms such as 'submitted' or 'received' being used with no specific and consistent definitions provided.

3. How can the planning system ensure that buildings are beautiful and fit for purpose?

Design guides for beauty, or any other requirement to make them fit for purpose (e.g. environmental standards or residential space standards) based upon predetermined codes, potentially at a local level and aligned to Local Plans would assist in the standardisation of the digital infrastructure not only in a local area but nationally as well, to better support quality.

This information could greatly support and enhance such things as localised interactive guidance to inform users on permissible designs although careful consideration will be needed in aligning to other codes and requirements. Work as part of the Local Plan making process, demonstrating compliance with such rules should be able to be carried forward into the relevant application/

approval processes, for both planning and building control services.

However, more detail is required on how local design codes can be determined and applied to different contexts of planning and any 'fast-track' routes should still ensure rigor and transparency in the determination process.

5. What is the best approach to ensure public engagement in the planning system? What role should modern technology and data play in this?

Although changes in the planning processes should deliver better synergies between Local Plans, planning, building control consents and development, delivering a golden thread of data, there is a need to ensure communities are engaged and that the use of digital services and standard data is maximised. Getting the digital information right as quickly as possible will support this. This should also include better ways of monitoring build out and presenting information nationally, including mechanisms to surface not only good but bad examples that can be used to inform future decisions and encourage both communities and developers to work together and deliver better more sustainable communities and developments where both parties can be accountable.

Because of our role in the planning process, our response is focused on the public consultation element of the development management process. We believe that using common data standards and interoperable systems, a national planning register could be provided. It could be surfaced locally by each LPA, as well as nationally, but users would be directed to a common 'end point' – an online service (or offline alternative/point of contact) that provided access to the information and the means to engage and contribute.

All parties would be able to find out about plans and proposals in a manner that is contextually specific to them, for example focused on their specific interests or preferred method of reviewing the information. It would allow a range of response types based on level of interest and overall views, to more detailed comments on specific points or a means to ask questions or raise matters for consideration.

Users would be able to clarify their understanding through links into more detailed information about the plan/proposal or by reference to the local/national policy and guidance that it relates to. Technical terms, if used, would have clear and consistent definitions provided. Any stated 'compliance' could be fact checked.

The contributions of other interested parties could be reviewed and responded to. Users may wish to 'follow' another interested party whose views matter to them. Where contributions are used to help refine or justify a plan/proposal, users could review the changes and indicate their approval (or otherwise).

By surfacing these interactions, the planning process can demonstrate the benefits of the engagement process as well as provide transparency and oversight.

There also needs to be due care and attention paid to the risk of any 'digital divides' being created or reinforced by a transition to online services and functions, with appropriate and accessible alternatives provided to ensure no one is excluded or disadvantaged.

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