

Appendix 1: Proposed GBC response to Government consultation on Levelling-up and Regeneration Bill: consultation on implementation of plan making reforms

This consultation will last for 12 weeks from 25 July to 18 October 2023.

www.gov.uk/government/consultations/plan-making-reforms-consultation-on-implementation/levelling-up-and-regeneration-bill-consultation-on-implementation-of-plan-making-reforms

Plan content

Question 1: Do you agree with the core principles for plan content? Do you think there are other principles that could be included?

The core principles in the consultation document are not particularly explicit and could be made clearer within the document.

Support the bullet points in paragraph 22 which says local plans should contain ambitious locally distinctive policies which meet key economic, social and environmental objectives linked to the vision. However there may be issues between the council's ambitions and vision and the tests of soundness in relation to how planning inspectors examine deliverability which may lead to local authorities being cautious in their plan making approach.

The proposal for plans to contain 'ambitious locally distinctive policies' is supported, however ambition can be stymied at examination. There is no shortage of ambition amongst local authorities, which want to make their local area a better place. Too often, it is a constantly changing planning system, a focus on short term deliverability, and the wider economic context which quashes this ambition.

Paragraph 21 refers to 'sustainable development being a golden thread throughout plans'. Clarification is however sought on the difference between 'sustainable development' and just 'development', with reference to the pressure from national planning policy to grant development in potentially unsustainable and undesirable locations if it has not been possible to demonstrate a five year housing supply with housing supply measured against a standard method requirement based on outdated 2014-based household projections.

The policies map should be 'digital, interactive and easily accessible'. While this is supported, will assistance be provided to LPAs in the forms of templates and software to create such maps?

Plan visions

Question 2: Do you agree that plans should contain a vision, and with our proposed principles preparing the vision? Do you think there are other principles that could be included?

Agree that plans should contain a vision and that in some cases they need to be more specific and deliverable. However, if deliverability becomes the overarching requirement it is questioned at what stage the Plan loses the visionary thinking which fosters beautiful places and creates ambitious local policies.

The proposal in paragraph 26 to give communities a much stronger voice in the plan-making process, with visions being shaped by communities is supported. However, visions could become complicated and undeliverable, and more like a 'wish list'. While the Government's aspiration for visions to set out measurable outcomes is understandable, this will require expectation management when engaging with local communities.

While the principle of deliverable outcomes is supported, visions should be ambitious. If there is too much emphasis on deliverable outcomes, this may lead to cautious visions.

Local development management policies

Question 3: Do you agree with the proposed framework for local development management policies?

The Government's recognition that local authorities will still be able to produce local plan policies on distinctively local issues is supported. The Council previously made comments on this element. This will be particularly relevant in Gosport for issues such as the marine economy and coastal habitats. The Government's consultation document does not provide detail on how Councils can produce supplementary local development management policies if very specific local circumstances on a particular theme are not covered. The Government should clarify in guidance the types of local policies it considers appropriate, for example Gosport Borough Council may require specific local policies to deal with impacts on the Portsmouth Harbour SPA.

Local DM policies are needed to provide local flavour and reflect local circumstances. However it is not clear how they will be expected to work with the proposed national development management policies.

Whilst local development management policies will be subject to public scrutiny through consultation and then tested through the examination process; it is unclear what level of scrutiny the National Development Management Policies will be subjected to.

The Government's proposals risk creating significant inequality in the amount of scrutiny given to various elements of the policies that will be used to determine planning applications.

On one hand local plan policies to be used by the Council to determine planning applications, which have been approved by locally elected councillors, will be subject to significant local engagement with at least two stages of public consultation and be subject to scrutiny as part of the Examination in Public. The policies therefore will have been subjected to a significant level of scrutiny by an Inspector even though the implications of these policies are local.

On the other hand it is not clear whether National Development Management Policies will have been through the same level of scrutiny, particularly as their impact will be on a national scale. For example will such policies be subject to the same degree of local engagement? Will the policies be subject to an Examination in Public? The level of scrutiny should be equitable. A national policy will result in different implications across the country and therefore each part of the country should be able to make representations through an examination process to ensure the policy is suitably worded or caveated for its own circumstances.

Given the approach the Government has taken to changes to the permitted development regime there is little confidence that the NDMPs will genuinely take into account the concerns of local Councils and their communities. The blanket permitted development change from commercial, business and service uses (Class E use) to residential is one case in point. Whilst it is recognised that certain parts of the high street could be repurposed to residential development at ground floor the permitted development scheme makes this difficult for local authorities to control. This matter should be determined by local planning authorities in consultation with their communities to decide through the local plan process rather than a radical change being made to the permitted development system. A similar case can be made regarding the permitted development rights given to convert offices to residential development which has led to numerous inappropriate developments across the country where families are living in poor housing conditions within industrial estates. Without proper scrutiny there are significant concerns that the NDMPs will undermine local decision-making, harm community engagement and lead to poor quality developments.

The Government has previously made the case that NDMPs have the advantage for small and medium builders of not having to navigate a myriad of policies. This may be the case in many aspects but without proper scrutiny this lack of flexibility could also be a burden for the same housebuilders. What works in one area may not work in another. Local decision-making allows some flexibility to address particular circumstances that would not be considered at a national level.

It is also not clear what takes precedence and what happens if there is a policy tension between national and local development management policies. Whether this is resolvable through the proposed 'gateway assessments' needs to be made clear in guidance.

Templating and digital efficiencies

Question 4: Would templates make it easier for local planning authorities to prepare local plans? Which parts of the local plan would benefit from consistency?

Yes. Provided national templates are created with sufficient input from Planning Policy Teams in LPAs then this is very positive. There needs to be appropriate opportunities for feedback from planning officers, Members, the community and the development sector on whether the templates are appropriate and that such formats can be reviewed. The proposal in paragraph 36 with templates designed to provide sufficient flexibility, for example to allow for individual local circumstances and to enable local innovation, whilst ensuring that key standards are met where it really matters is strongly welcomed.

There is concern that over-simplification of the Local Plan document through templates could make it harder for the community, developers, planning officers and Members to understand some of the detailed requirements of a particular planning issue. It would be useful for the Government to produce some prototype specimen documents before enacting the system so that practitioners can see what is actually meant by the simpler template system.

All parts of the local plan could benefit from consistency and template options. Planning guidance should make clear which parts of the plan are not expected to conform to a specific template so this isn't contested during examinations.

Should templates be adopted, there should be ongoing opportunities for planners to provide feedback in how the templates could be amended to better reflect policies and improve layout and appearance.

Local authorities will need to receive sufficient new burdens funding from Government to enable the further transformation towards digital formats and to enable the relevant training to be undertaken.

It will be necessary to ensure those sections of the community that either do not wish to use digital forms or indeed are unable to use digital technology can be fully catered for under the new system.

Question 5: Do you think templates for new style minerals and waste plans would need to differ from local plans? If so, how?

No comments

The new 30 month plan timeframe

Question 6: Do you agree with the proposal to set out in policy that planning authorities should adopt their plan, at the latest, 30 months after the plan preparation process begins?

No, a 30 months' timetable should not be set out in policy at this stage. There is no evidence this is achievable.

The consultation at paragraph 38 states DLUHCs evidence shows that it takes 7 years, on average, to produce a local plan. Has work been undertaken to understand why it takes 7 years and do the proposed reforms really tackle the causes for delay?

If the Government is confident that the system is achievable in 30 months, then it should play out in this way in practice. In reality, there are a multitude of issues beyond the remit of this consultation which impact local plan timetables and the Government should remain open to change on the 30 month timetable as the new system is rolled out.

Planning departments will need to be adequately resourced and trained if such a timetable was introduced.

The scoping and early participation stage

Question 7: Do you agree that a Project Initiation Document will help define the scope of the plan and be a useful tool throughout the plan making process?

Yes in principle, however further feedback will be required once a template has been produced.

Digital Plans

Question 8: What information produced during plan-making do you think would most benefit from data standardisation, and/or being openly published?

- Allocation sites – housing, employment, open space, etc.
- All layers of a policies map – providing the Government facilitates licensing arrangements as much of this data is produced using an ONS Licence.
- Developer contribution requirements

Listening, understanding and removing barriers

Question 9: Do you recognise and agree that these are some of the challenges faced as part of plan preparation which could benefit from digitalisation? Are there any others you would like to add and tell us about?

Yes, uncertainty about evidence requirements is certainly a cause for excess expenditure and delay, however this situation is preferable to having a plan fail at

examination. Clarity on what exact evidence is required, and standardisation of that evidence, would therefore be beneficial.

Whilst it is recognised that the level of evidence required for plan making has become very onerous requiring significant resources it is important to ensure that local plans remain evidence-based. Therefore it will be necessary for there to be very clear guidance in the forthcoming NPPF and accompanying PPG on what level of evidence is required to ensure a more proportionate approach to examination. There is concern that there will still need to be a considerable amount of evidence in order to address representations received as part of the Examination and the scrutiny from the Inspector.

Local Plans are required to meet a significant level of scrutiny through all the tests of soundness which impels local authorities to produce significant amount of evidence to ensure matters can be covered at Examination. Inspectors can introduce matters at the Examination which have not even been subject to representations in order to demonstrate that a particular test of soundness is met and consequently local authorities will produce detailed evidence on all matters which may not be considered proportionate. Hence the need for the Government to review all the tests of soundness and the examination process. Removing the 'justify' test alone would not necessarily reduce the evidence burden and therefore it will become very difficult to achieve the Government's proposed 30-month deadline for the new style Local Plans.

Additional opportunities for digitisation will make it easier for local people to know what planning applications have been submitted in their area, and when local plans are being consulted on.

Learning and building on best practice, innovations and investment

Question 10: Do you agree with the opportunities identified? Can you tell us about other examples of digital innovation or best practice that should also be considered?

Yes agree with the opportunities identified.

Question 11: What innovations or changes would you like to see prioritised to deliver efficiencies in how plans are prepared and used, both now and in the future?

Roll out of an appropriate platform to all LPAs for editing/producing a local plan in the Government format would speed up the process, ensure consistency and prevent different LPAs adopting different platforms. This platform should be funded by the Government if they want it to be universally adopted.

Roll out of mapping software to produce Policies Maps in an interactive format should be as easy and slick to navigate as Google Maps and the Government should

provide appropriate software for this at no cost if they want it to be universally adopted.

Training – this is key and the Government should produce online/in person training events for all LPAs so any innovations and changes can actually be used to deliver efficiencies.

The local plan timetable

Question 12: Do you agree with our proposals on the milestones to be reported on in the local plan timetable and minerals and waste timetable, and our proposals surrounding when timetables must be updated?

Yes, support a simpler document and a faster update process.

Question 13: Are there any key milestones that you think should automatically trigger a review of the local plan timetable and/or minerals and waste plan timetable?

No comment

Changes to national policy and guidance

Question 14: Do you think this direction of travel for national policy and guidance set out in this chapter would provide more clarity on what evidence is expected? Are there other changes you would like to see?

The Government's recognition that clearer national policy and guidance is required to ensure LPAs have sufficient certainty on what makes an evidence base proportionate is welcome and overdue. This will free-up planners to focus on important place-making work.

In recent years, LPAs have been criticised for producing too much evidence. However this evidence is usually only commissioned in response to areas where other LPAs have been found 'unsound', representations have been received which challenge the Council's position, and/or existing national policy and guidance specifies that it should be.

Uncertainty about evidence requirements is certainly a cause for excess expenditure and delay, however this situation is preferable to having a plan fail at examination. Clarity on what exact evidence is required, and standardisation of that evidence, would therefore be beneficial.

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Standardisation of key evidence and data

Question 15: Do you support the standardisation of evidence requirements for certain topics? What evidence topics do you think would be particularly important or beneficial to standardise and/or have more readily available baseline data?

Strongly support. However standardisation requirements should in themselves not be too complex to avoid causing difficulties for LPAs when interpreting the guidance. Simple methodologies with examples and templates could be beneficial, but some flexibility on complex topics is required. Issues differ in different geographical areas and the standardisation of evidence should allow for such circumstances.

In addition to the topics listed in paragraph 95, the Government and Environment Agency should consider producing formal templates for Strategic Flood Risk Assessments to ensure all the EAs expectations are clear.

Care should be taken in some areas of standardisation, and flexibility should be built into methodologies. For example, Whole Plan Viability Reports should be scrapped as it has been demonstrated that these are not fit for purpose as they follow a generic methodology at a particular point in the economic cycle yet dictate the potential for developer contributions over the whole plan period. Due to their generic nature they do not sufficiently take into account different motivations of landowners

and developers, nor funding arrangements and other variables that affect the development of sites. A site specific viability assessment with third party scrutiny is a much more accurate assessment of on-site viability at the point of the planning application and can be factored in by developers as part of the process. Most of this information should be to hand as part of the business case for the particular development. The generic whole plan viability reports can lead to LPAs having to adopt policies which minimise developer contributions (either through CIL or Section 106) for much needed infrastructure and reduce rates for affordable housing.

Freezing of data or evidence

Question 16: Do you support the freezing of data or evidence at certain points of the process? If so which approach(es) do you favour?

Yes, agree with all approaches in paragraph 97. In theory, a 30 month timetable should negate the need for changes of data/evidence throughout unless these changes are extremely significant. Any changes can be picked up in the next round of plan-making.

Regulations

Question 17: Do you support this proposal to require local planning authorities to submit only supporting documents that are related to the soundness of the plan?

This may be helpful but the guidance will need to be very clear and unambiguous on what evidence is required to support the soundness of a local plan at examination. At the moment it is not clear what evidence will be required and the depth that evidence needs to cover in order to meet any test of soundness in this consultation. This is particularly important given the examination could be paused if the Inspector considers there is a significant issue with the evidence base – see paragraph 122.

Paragraph 100 also states that it would not preclude the Inspector from requesting additional evidence at examination if they felt it was necessary. It is this fact in the current system that can lead to LPAs producing significant volumes of evidence in anticipation of areas where Inspectors may ask for additional evidence even if it never happens (see response to Question 14).

The proposal to allow LPAs to choose to publish wider materials to help to explain decisions taken could cause confusion, with participants still trying to use this material to challenge at examination. Regulations must make it very clear the weight such material holds.

The distinction between examination evidence and evidence concerning 'wider plan-making activities' need to be clearly set out. If the latter evidence is being undertaken, it may be important to the shaping of the local plan and therefore be of consequence for discussion at Examination. This could leave such evidence in a

grey area where the ability to challenge such evidence is unclear, leading to confusion.

Gateway assessments

Question 18: Do you agree that these should be the overarching purposes of gateway assessments? Are there other purposes we should consider alongside those set out above?

Yes, the proposals are appropriate.

Question 19: Do you agree with these proposals around the frequency and timing of gateways and who is responsible?

Yes, the proposals for three gateway assessment is appropriate. The assessing body will need to be appropriately resourced to ensure it does not become a bottle-neck.

Question 20: Do you agree with our proposals for the gateway assessment process, and the scope of the key topics? Are there any other topics we should consider?

Appear appropriate.

Question 21: Do you agree with our proposal to charge planning authorities for gateway assessments?

The Council is supportive of the Gateway meetings with the Planning Inspectorate however the Council considers that the Government should fund the three Gateway meetings for the first round of the new plan-making system as part of the new burden requirements of the newly introduced system.

Plan examinations

Question 22: Do you agree with our proposals to speed up plan examinations? Are there additional changes that we should be considering to enable faster examinations?

It is disappointing that the Government in Paragraph 117 makes the assumption without any evidence or justification that Examinations 'in its form, broadly continues to provide a good basis for testing local plans and for interested parties to have their say.'

Yet it goes on to say that examinations can take too long. Many of the problems of the Local Plan system identified in the consultation paper may stem from the Examination process itself. This includes the rigorous nature of the tests of

soundness which can lead to a disproportionate amount of evidence with significant time and cost implications.

A full review needs to be made of the examination system and how it can have a lighter touch but yet still sufficiently scrutinise local plans with appropriate engagement for all those who wish to have the right to be heard.

This could involve amending the current tests of soundness with a new system that can allow local plans to go through even if there are identified weaknesses. These weaknesses may be outside of the local planning authority's control and there may be some deliverability issues that need to be overcome in relation to complex brownfield sites.

In relation to the proposals outlined in the document itself the Council generally agrees with proposals to speed up plan examinations. Care should be taken when trying to achieve these proposals and local people must have a meaningful say on planning policies that affect them and their local area. Examinations play a key role in conflict resolution and providing members of the public with an opportunity to have their say. Greater community involvement at an early stage of the plan-making process needs to be carried through to its conclusion and people should be given a proportionate amount of time at the examination.

Strongly agree with revising the way the Matters, Issues and Questions process works. MIQs are too often used by third parties to repeat extensive reams of material which are irrelevant to the matter being discussed.

Agree with streamlining the main modification stage so only the most significant amendments are consulted on.

Question 23: Do you agree that six months is an adequate time for the pause period, and with the government's expectations around how this would operate?

Seems appropriate.

Community engagement and consultation

Question 24: Do you agree with our proposal that planning authorities should set out their overall approach to engagement as part of their Project Initiation Document? What should this contain?

It sounds like the intention for this will be more comprehensive than is currently set out in the SCI, the biggest concern with this is the resources available – it depends how ambitious the Council wants to be on this and in order to do this the Council needs to understand what the requirements of the digital engagement tools will be and how that will work. How rigid is this system of engagement once it has been through the discussions at the Gateway 1 stage? Will the Government provide funding to facilitate new methods of engagement?

Paragraph 140 states ‘We want to encourage planning authorities to be ambitious when it comes to outlining their overall ambitions to approaching engagement and consultation.’ Extensive engagement requires funding and staff and the Government needs to ensure ambitious engagement and consultation can be achieved.

The use of a digital toolkit is welcome. LPAs should be provided with low cost software to undertake local plan consultations to encourage adoption of digital approaches.

Question 25: Do you support our proposal to require planning authorities to notify relevant persons and/or bodies and invite participation, prior to commencement of the 30 month process?

Support. Certain prescribed bodies such as Natural England, Historic England and the Environment Agency should be required to advise the LPA regarding the specific baseline information that should be collected by the LPA at this stage and provide appropriate data on their respective websites on a single webpage. This could include the specific datasets that should be used in the SEA process (or Environmental Outcome Reports when introduced). This would significantly reduce the time it takes LPAs to gather baseline data and avoid LPAs being criticised for not spotting certain baseline data later in the 30 month timeline, thus reducing delays.

Prescribed bodies such as Natural England, Historic England and the Environment Agency should not charge local authorities for their time when being involved in Local Plan discussions instead this process should be considered as part of their core business and consequently they should work collaboratively to address any issues early on in the process rather than having to be addressed at the Examination or planning application stage. The Government will need to put appropriate funding and resourcing in place to ensure public bodies can assist in plan-making in a timely way. There could be significant resource implications on these organisations as they often work in relatively small teams providing advice to a lot of local authorities.

Question 26: Should early participation inform the Project Initiation Document? What sorts of approaches might help to facilitate positive early participation in plan-preparation?

Yes, however the LPA should be the final decision maker on what community engagement is appropriate in the context of limited resources and budgets. LPAs can justify the methods chosen within the Project Initiation Document.

At this early notification stage it would be useful if the Government produced a simple easy to read online guide to the plan-making process including what plans can and can't do. This would assist LPAs in setting out what the public can expect from engagement during the plan-making process. LPAs could direct people to this online guide in the Project Initiation Document and it would help to facilitate positive engagement with communities by setting realistic expectations for the process. The guide should set out what plan-making alone cannot achieve (i.e. reducing anti-social behaviour, recruiting more GPs, changing national government policy decisions on other policy matters).

Question 27: Do you agree with our proposal to define more clearly what the role and purpose of the two mandatory consultation windows should be?

Yes, this is sensible.

Abolishing the top-down standard method and allowing local authorities to devise their own housing targets, in consultation with their local communities, would have a huge positive impact upon consultations, empowering genuine discussion without the imposition of fixed outcomes. It would also allow other key considerations, such as design quality, biodiversity and traffic impacts to be considered in more detail.

Question 28: Do you agree with our proposal to use templates to guide the form in which representations are submitted?

Yes this should assist LPAs in analysing representations which is very time intensive.

However, from experience many respondents don't like being restricted to a formal template and often append free text to responses. Flexibility needs to remain so people can feel free to say what they want without feeling like they are being directed in a certain way. At the first stage of mandatory consultation, there could remain more flexibility.

Appropriate methods for people without access to the internet or a computer must remain in place otherwise many of those who currently participate in the planning system will be excluded.

Some residents also prefer to provide more informal comments on social media platforms. Guidance is required on how to appropriately incorporate such comments.

Requirement to assist with certain plan-making

Question 29: Do you have any comments on the proposed list of prescribed public bodies?

Strongly support the inclusion of water and sewerage undertakers on the prescribed list of bodies. Support that these bodies are required to provide responses to local plans.

Question 30: Do you agree with the proposed approach? If not, please comment on whether the alternative approach or another approach is preferable and why.

This is currently a major issue, so a requirement to assist may be helpful. However in cases where organisations are willing to assist, they often charge the LPA for their advice i.e. Natural England and the Environment Agency. The Government will need to put appropriate funding and resourcing in place to ensure public bodies can assist in plan-making in a timely way. There could be significant resource implications on these organisations as they often work in relatively small teams providing advice to a lot of local authorities.

No detail is provided on the arrangements for how LPAs can legally require prescribed public bodies to assist.

The introduction of a requirement to assist with certain plan making for prescribed public bodies will clearly not cover private sector infrastructure providers. This omission is disappointing and the scope of this requirement should be widened to include certain private sector operators such as water and sewerage undertakers.

Monitoring of plans

Question 31: Do you agree with the proposed requirements for monitoring?

Support a light touch annual return and detailed return by 4 years after adoption.

Support the use of a template for authorities to complete.

However, LPAs will still need to resource monitoring appropriately as annual monitoring is still necessary to ensure a detailed return can be published 4 years after adoption. Given this, this area of the proposed reforms may not free up officer time for plan-making and monitoring is likely to remain a resource intensive process.

Question 32: Do you agree with the proposed metrics? Do you think there are any other metrics which planning authorities should be required to report on?

Largely agree.

An additional metric to measure the number of dwellings built in Flood Zone 2 and/or Flood Zone 3 should be included.

Number of 'Heritage at Risk' buildings could be included too.

Supplementary plans

Question 33: Do you agree with the suggested factors which could be taken into consideration when assessing whether two or more sites are 'nearby' to each other? Are there any other factors that would indicate whether two or more sites are 'nearby' to each other?

It is disappointing that the Government's questions in relation to Supplementary Plans (SPs) are not more wide-ranging relating to the principle of SPs, other opportunities they could provide and the arrangements for existing Supplementary Planning Documents (SPDs). It is noted the question only relates to whether two or more sites are 'nearby' to each other.

The latest detail on SPs is welcome and further to the previous consultations the merits of SPs for design coding, site-specific master plans and other matters contained in Figure 5 are accepted. It is understood that that these would be subject to examination through written representations and given significant weight and consequently this is also supported.

However the Council continues its strong objection on the need to force local authorities to abandon their current suite of SPDs. As stated in Paragraph 205 the Government acknowledges '*that authorities have invested considerable time and effort in creating SPDs and their content is locally beneficial.*'

The proposal to delete the Council's existing SPDs is opposed as these have in many cases been subject to significant community engagement and have gone through a due process. They have largely been supported by communities and the development industry who welcome the additional guidance to complement the Council's Local Plan policies. SPDs should therefore be retained until such time as the Local Planning Authority wishes to delete or review.

There is very much a case to retain the SPD system as planning guidance as it has been demonstrated that they often secure much more community interest than the local plan itself and can provide useful guidance to complement a local plan (and potentially the proposed National Development Management Policies). This would remain a simple, cost effective way of engaging with the community and adopting relevant local guidance.

Notwithstanding the above, the consultation document does introduce some ambiguity as paragraph 205 and figure 6 states that SPD content can be fully or

partially absorbed into a local plan or become full or partial guidance. It is not clear whether this full or partial guidance is a SP or another form of planning guidance.

The cost and resources incurred by an examination for SPs will potentially be a disincentive to produce useful guidance.

In conclusion the Government should maintain provision for SPDs and include the flexibility if Councils wish to prepare a Supplementary Plan through the examination process.

The factors cited on 'near-by' seem appropriate. Future guidance should make it clear that in addition to sites being geographically connected, additional factors such as socio-economic factors can be taken into consideration. For example, two regeneration opportunities may be located opposite sides of an LPA and linked by socio-economic factors such as sharing similar deprivation and employment issues. These factors should be added to guidance.

The consultation document states that these plans are intended to be produced 'at pace', however as they will be subject to an examination, this could take some time.

Question 34: What preparation procedures would be helpful, or unhelpful, to prescribe for supplementary plans? e.g. Design: design review and engagement event; large sites: masterplan engagement, etc.

The Government should make it explicit in guidance what supplementary plans can and can't be used for, and make it clear what should happen with existing Supplementary Planning Documents. Should parking standards be included in Local Development Management Policies?

Question 35: Do you agree that a single formal stage of consultation is considered sufficient for a supplementary plan? If not, in what circumstances would more formal consultation stages be required?

Yes, further stages would significantly slow down the process.

Question 36: Should government set thresholds to guide the decision that authorities make about the choice of supplementary plan examination routes? If so, what thresholds would be most helpful? For example, minimum size of development planned for, which could be quantitative both in terms of land use and spatial coverage; level of interaction of proposal with sensitive designations, such as environmental or heritage.

Support the general rule for the use of written representations for examinations.

Agree with Government view that certain supplementary plans, for example for major urban extensions, will likely need to be subject to more in person examination given the contentious issues at stake.

Thresholds should be set for examination routes. This could be based on the quantum of development proposed. However, this will have clear resource implications and is likely to hinder LPAs ability to adhere to the 30 month timetable for plan-making.

Question 37: Do you agree that the approach set out above provides a proportionate basis for the independent examination of supplementary plans? If not, what policy or regulatory measures would ensure this?

Seems appropriate.

Minerals and waste plans

Question 38: Are there any unique challenges facing the preparation of minerals and waste plans which we should consider in developing the approach to implement the new plan-making system?

No comments.

Community Land Auctions

Question 39: Do you have any views on how we envisage the Community Land Auctions process would operate?

LPAs should be given support by central Government to navigate this process and have access to national advisors on specialist issues. Smaller LPAs often don't have the specialist staff in these areas and it is costly to seek support from third parties. A central Government resource should be established to support LPAs.

Is there evidence for how popular this process is with landowners? Unless a landowner is desperate to sell, what would be their incentive to take part in a scheme which reduces the amount of money they can make from a land sale? LPAs would need reassurance that this process is worth the time and resource costs before proceeding with it.

Question 40: To what extent should financial considerations be taken into account by local planning authorities in Community Land Auction pilots, when deciding to allocate sites in the local plan, and how should this be balanced against other factors?

No comments.

Approach to roll out and transition

Question 41: Which of these options should be implemented, and why? Are there any alternative options that we should be considering?

There clearly needs to be a cut-off date and 30 June 2025 seems appropriate. The proposed roll-out set out in paragraphs 243-246 seem appropriate.

The Government should publish a list of all LPAs and the dates when they are expected to start plan-making under the new system, and all the key milestones. This should also make clear the LPAs which the Government expects to still adopt a plan under the old system prior to 31 December 2026.

The Government should set out that there is likely to be a hiatus in plan making as LPAs consider the best way forward. The Government needs to recognise its role in creating uncertainty within the planning system due to the lengthy process of proposed reforms that have not been progressed.

Plan making is costly and considerable uncertainty in the system in recent years means LPAs are not always sure what to do. The Government must ensure that all regulations, policy and guidance are released well in advance of any deadlines so LPA departments can re-arrange their resources appropriately and understand the implications of changes.

The Government needs to make clear that any authorities that successfully submit their 'old-style' local plan by 30 June 2025, will not be penalised if the examination process is unforeseeably delayed in relation to the 31 December adoption deadline.

Saving existing plans and planning documents

Question 42: Do you agree with our proposals for saving existing plans and planning documents? If not, why?

Yes

Equalities impacts

Question 43: Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

The proposals could have a significant impact on certain groups in society who may be less au fait with some of the digital methods proposed. The Government should retain some conventional methods within any new system to ensure all can participate in plan-making.

To encourage the adoption of digital tools, the Government should produce simple guides for LPA planners and members of the public alongside any new tools.

Guidance could over time help people who are less digitally literate to try out new methods. If digital tools are introduced with no guidance and training, their adoption will be patchy across the country.