

The planning system

Summary of RSN policy messages

- Local planning authorities must have the flexibility to make and interpret policies in ways that suit local circumstances.
- Deep cuts to local authority budgets are undermining their ability to get Local Plans in place and handle planning applications quickly.
- Local planning authorities should be able to set their own planning application fees to cover the true handling costs.
- Delays caused by the Planning Inspectorate at Examination in Public stage must be addressed to help with getting Local Plans in place.
- More weight should be given to draft Local Plans, not least when dealing with appeals.
- A fairer way should be found to calculate five year housing land supply, which takes account of factors outside local planning authority control.
- Planning permissions should lapse where developers sit on sites rather than deliver much needed housing.
- Government should drop its proposals to include Starter Homes within the NPPF definition of 'affordable housing' and to allow them on rural exception sites.
- Grants for neighbourhood planning groups and the local planning authorities who support them should be continued.
- Government should be robust in giving weight to draft Neighbourhood Plans which have been submitted.

Context

The land use planning system is hugely important to the future of rural England. It must strike a balance, providing housing and employment for the benefit of rural communities, whilst at the same time giving adequate protection to rural character and the countryside. All rural communities must be allowed to evolve, but it is recognised how much they value the quality of their natural and built environment.

There is a separate policy briefing note available on the topic of affordable housing.

Rural issues

Among key rural issues are the following:

- Sustainable growth: in rural areas most housing and employment growth is likely to take place in and around market towns. It is important, however, that small-scale and well-designed development is possible in villages to cater for local needs. This should include affordable housing and workspace. It should consider the housing needs of an ageing rural population. In villages, a key way to provide for low income households has been the rural exception site policy, which can give planning permission on small edge-of-settlement sites specifically for affordable homes that meets local needs.
- Protected areas: large parts of rural England are fortunate to have special landscapes which are designated as National Parks or Areas of Outstanding Natural Beauty (AONB). This inevitably limits development opportunities, though it should not exclude them entirely.
- Local Plans: local planning authorities across rural England have been working hard to put in place up-to-date Local Plans, which promote sustainable development and ensure a supply of land to meet future housing needs. Preparing robust Local Plans is a complex and lengthy process, not least the Examination in Public stage which is managed by the Government's Planning Inspectorate.
- District Councils: in much of rural England the planning process (production of Local Plans and handling of planning applications) falls to small District Councils. Their already modest staffing has been significantly further reduced as a result of the severe spending cuts imposed on local government. Many District Councils now share planning teams to mitigate the impacts.
- House building: the rate at which new housing is delivered is not dependent just on local planning authorities and their ability to allocate development sites or process applications. It is equally a result of landowners or developers, and the speed at which they bring forward sites or proceed with building. An undersupply may reflect the fact that developers are sitting on sites.
- Appeal decisions: planning decisions should be taken locally wherever possible and should be respected unless there is very good reason. Too many decisions are taken on appeal, overriding local and public sentiment. This leads to cynicism with the planning system and disengagement from it. Some appeal decisions fail to recognise local infrastructure constraints.
- Neighbourhood planning: large numbers of parish/town councils and rural communities have produced or are producing a Neighbourhood Plan, to give them more of a say about the future of their locality. It is important to retain this momentum and to resource local planning authorities so they are properly able to assist neighbourhood planning groups.

Government policies

The National Planning Policy Framework (NPPF) is the key document setting out national (England) policies. Further explanation and advice is provided in National Planning Practice Guidance (NPPG). An overarching NPPF principle is that there should be positive planning for sustainable development.

It takes a plan-led approach, with local planning authorities (district and unitary councils) responsible for producing up-to-date Local Plans. Government is taking an increasingly tough stance where no such plan is yet in place.

Local planning authorities should provide for objectively assessed housing need in their area, with sufficient deliverable development sites allocated or planning permissions granted to meet need over the coming five years. Where they cannot demonstrate a five year land supply there is more chance speculative planning applications will succeed.

Government is consulting on significant changes to the NPPF. These will, among other things, widen the definition of 'affordable housing' to include Starter Homes for sale to first time buyers at 80% of market value. This includes allowing Starter Homes on rural exception sites, thus weakening their ability to deliver social rented housing for those on the lowest incomes. It also proposes a Housing Delivery Test, which would force local planning authorities to allocate additional development sites in areas where the delivery of new housing is below target.

Another key piece in the jigsaw is the Localism Act 2011 which introduced statutory neighbourhood planning. Parish/town councils (or neighbourhood forums where they don't exist) can produce a neighbourhood plan which will be used to determine planning applications. It must, however, align with the Local Plan and NPPF.

RSN policy messages

The Rural Services Network considers that:

1. Local planning authorities must be given the discretion to write and interpret Local Plan policies in ways which reflect local circumstances. Whilst explanatory guidance (such as that in the NPPG) is useful, it is important the planning system does not become any more top-down. It is a concern that consultation proposals to revise the NPPF would do just that.
2. Central government should understand that the deep cuts it is making to local government funding are impacting on the planning system. Fewer staff

resources make it harder to get up-to-date Local Plans in place and to turn round planning applications quickly – the very things Government says it wants to see.

3. Particularly given budget reductions, local planning authorities should, within reasonable limits, be able to set their own fees for planning applications, so that they can recover the true handling costs.
4. A key reason why some Local Plans are not yet in place is the time taken by the Planning Inspectorate to organise and undertake Examinations in Public. Equally, the frequency with which they send back plans for revision, which then must be resubmitted. The Planning Inspectorate should be more willing to let plans progress subject to review. They should also be tougher on time-wasting challenges mounted by developers.
5. Where planning decisions go to appeal, Inspectors should give more weight to local circumstances. Appeal Inspectors should also give greater weight to policies in draft Local Plans which have at least been locally consulted upon and reached the submission stage.
6. A fairer method is needed for calculating five year housing land supply targets. Delivery shortfalls often result from market downturns or developers not progressing sites. Where local planning authorities can show good progress towards a five year land supply that should be accepted and shortfalls from previous years should not be added back onto their target. Government could incentivise delivery by withdrawing planning permissions from developers who fail to make significant progress within five years. This would help tackle land-banking.
7. Government should drop proposals to include Starter Homes within the NPPF definition of 'affordable housing'. This will make it harder for local planning authorities to meet objectively assessed housing needs, where a key need is for social renting. Especially damaging could be the impact on rural exception sites. Communities will be less willing to support such sites and landowners less willing to sell land cheaply for them if properties are built for sale.
8. Government should continue to make grant funding available to neighbourhood planning groups and should continue to fund the additional cost burden that falls on hard-pressed local planning authorities as they fulfil the legislative requirements and support these groups.
9. It is important Government upholds the principle that draft Neighbourhood Plans carry some weight once they have been submitted to the local planning

authority (at the regulation 15 stage). This gives neighbourhood plan groups and communities more confidence that their volunteer effort is worthwhile.

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