

Beauty, Infrastructure, Democracy, Environment, Neighbourhoods, The Planning Application Process, Enforcement & Protecting Heritage

*The 8 planning related headings of the
Levelling-up and Regeneration Bill to Parliament.
Tom Ogden, Director of Bloomfields, takes a look
at the headlines behind the headings...*

■ BEAUTY

The intention is to introduce design codes to Local Planning Authorities (LPAs) that will cover certain areas and which will serve as a framework on which to design proposals and assess schemes. These planned 'Design Codes' can have subsequent detailed 'Design Codes' led by LPAs, neighbourhood planning groups or by developers. Whilst aspirations for good design are of course applauded, the inevitable shortfall in resource delivery will be key.

■ INFRASTRUCTURE

Just when you all thought you might know what CIL was (a planning tax on infrastructure) and we, as planning consultants, have debated with LPAs about legal interpretations and nuances, a new Infrastructure Levy is set, in the main, to replace CIL and S106 planning obligations. Improvements in the current system are welcome, but let's hope it leaves a system that is easy to interpret and follow.

■ DEMOCRACY

More weight is to be given to Local Plans, Neighbourhood Plans and development strategies proposed by Mayors and LPAs. There is the intention to 'separate' locally specific matters from general policy issues that will be contained in 'a suite of National Development Management Policies'.

The idea behind this is to give 'communities more certainty'. The principle seems fine, but we have numerous Local Plans still yet to meet the current requirement to be 'up-to date' so I foresee a shortfall in resource to deliver, implement and interpret.

■ ENVIRONMENT

Environmental Impact Assessments (EIAs) and Strategic Environmental Assessments (SEAs) are to be replaced with Environmental Outcome Reports (EORs). The intention here appears to be benchmarking outcomes to allow local communities to see whether outcomes are, in reality, being met. Whilst I hope the big winner here is the environment, I fear the big loser will be LPAs tasked with investigating and potentially enforcing issues in a timely fashion.

■ NEIGHBOURHOODS

The Street Vote System allowing residents to propose development on their streets and hold a vote on whether it should be given planning permission. Apparently, this will provide "a positive incentive for neighbours to consider the potential for development". Personally, I see it leading to increased levels of NIMBY folk and local politics; therefore being 'well connected' will, I believe, be key.

■ THE PLANNING APPLICATION PROCESS

There will be "a new duty on decision makers to make decisions in the accordance with the development plan and national policies unless material considerations strongly indicate otherwise". To my mind, this hasn't changed, save for the use of the word "strong". Where a conflict develops, national development management will 'trump' local policy. Hopefully this will reduce LPA planning committees going against officer recommendations – in reality though, I don't believe this will happen, until committees are held to greater account.

■ ENFORCEMENT

More power and sanctions will be available to LPAs to deal with individuals who fail to abide by the rules. Now all LPAs need is the resource to follow through.

■ PROTECTED HERITAGE

Amongst other changes to designated heritage assets, Registered Parks and Gardens are to get the same protection level as listed buildings.

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