

Report of Head of Democratic Services

Report to Scrutiny Board (Infrastructure, Investment and Inclusive Growth)

Date: 21 October 2020

Subject: Planning White Paper – Working Group Summary

Working Group Attendees

Board Members	Apologies	Officers	
Cllr Cunningham	Cllr Buckley	Martin Elliot	Head of Strategic Planning
Cllr Dawson	Cllr Goddard	Sarah Hellewell	Principal Planner
Cllr Dye	Cllr Maqsood	Nasreen Yunis	Principal Planner
Cllr Grahame		Rebecca Atherton	Principal Scrutiny Advisor
Cllr Shahzad			
Cllr Taylor			
Cllr Truswell (Ch)			
Cllr Wadsworth			

1. Purpose of this summary

- 1.1 To reflect the comments of members of the Infrastructure, Investment and Inclusive Growth Scrutiny Board at a working group on 21 October 2020, at which members considered the draft Leeds City Council response to the consultation on proposals set out within the Government’s Planning White Paper.

2. Background information

- 2.1 The Government published its Planning White Paper on 6 August 2020, which purported to set out a radical ‘root and branch’ redesign of the planning system.
- 2.2 The draft Leeds City Council response to the national consultation on the White Paper proposals encompasses feedback from a wide range of stakeholder services including regeneration and asset management. Officers have received further input from Plans Panel members and the draft consultation response was discussed at meetings of Development Plans Panel and Council in September 2020.
- 2.3 The Infrastructure, Investment and Inclusive Growth Scrutiny Board has a long-standing interest in the way in which the planning system contributes to the delivery of sustainable development and successful place-making in the city. The Board’s priorities in this area are reflected in the concluding recommendations of its Housing Mix and Sustainable Development inquires and the ongoing tracking of those recommendations.

2.4 The Board therefore requested a working group be held to consider the Planning White Paper proposals within the context of its own remit and the ongoing prioritisation of the conclusions of the aforementioned inquiries.

3. Main issues

3.1 Martin Elliot outlined the key proposals set out in the Planning White Paper and the draft position set out in the Council's consultation response. He noted the aim of making the planning system quicker and more efficient for investors and local communities could be broadly welcomed in principle, as could the proposal to make the planning system more easily accessible through increasing digitalisation.

3.2 Sarah Hellewell and Nasreen Yunis provided further commentary on the anticipated impact of the proposals on housing mix and sustainable development, and updated members on proposals for a consolidated Infrastructure Levy.

3.3 Officers were keen to reiterate that much of the White Paper is currently 'headline proposals' and substantially more detail will be required in order to determine how those proposals could then be implemented locally.

3.4 Martin noted the considerable emphasis on boosting housing supply. He went on to outline proposals for authorities to designate growth, renewal and protection areas within their boundaries, which would each bring with them different presumptive permissions supported, in the early stages of the planning process, by masterplans and design codes. It was suggested that design codes would need to be developed through engagement with a range of local stakeholders.

3.5 Members agreed that a presumption in favour of development in growth areas would speed up the planning process but stressed the importance of retaining local influence over final decisions and noted that areas at risk of flooding, for example, should be excluded from such designation automatically. Members also questioned whether communities may become disillusioned with the planning process where the front-loaded system pre-empted their ability to challenge future applications.

3.6 Members were keen to understand how the White Paper proposals would impact upon the broader social, environmental and economic ambitions of the city.

3.7 They underlined the importance of the planning system in place making. Concern was expressed that a simplified planning system could struggle to reflect the complexities of an authority like Leeds, which incorporates a range of different rural and urban communities.

3.8 Members welcomed the fact that the consultation response recognises the importance of a new planning system promoting greater equity within the housing market and addressing bias towards greenbelt development by volume house builders.

Feedback on key themes

3.9 **Housing supply:** Members supported the consultation response in its assertion that any standardised national approach to establishing housing requirements must also retain sufficient flexibility to respond to specific local issues relating to land constraints and economic growth strategies.

- 3.10 **Climate change:** Members expressed regret that national proposals had not put climate change ‘front and centre.’ They advocated a robust response to Government which reiterates that any new system should not adversely impact on an authority’s ability to meet its own zero carbon ambitions. Members noted the importance of planning as a tool to manage decarbonisation. They highlighted that many local authorities have already declared a ‘climate emergency’ and that in Leeds there is an ambition to achieve zero carbon targets by 2030.
- 3.11 **Duty to co-operate:** Members discussed the important function of the current ‘Duty to Cooperate,’ particularly in cases where communities are situated on the boundary of another authority. While acknowledging that the current system is not perfect, it was argued that it does recognise that individual authorities are part of a much wider economic geography and that the experience of local residents does not necessarily directly correlate with administrative boundaries. It was agreed that if the Duty to Cooperate is abolished, there should be another such mechanism in place to ensure meaningful dialogue continues around issues including transport, flooding, carbon reduction and access to public services.
- 3.12 **Engagement:** There was consensus that early engagement in the planning process would be beneficial for local people and a ‘front loaded’ system may encourage that to take place. However, members discussed the need for enough detail to be available in those early stages to enable people to visualise what a planning application may mean for their area.
- 3.13 Members reiterated the need to ensure those who are digitally excluded are not excluded from participating in the planning process as digitalisation increases.
- 3.14 Members considered whether a system with a greater presumption of permission in growth areas risks achieving least engagement in those areas with the greatest growth. Members recommended safeguards be introduced to avoid such a scenario.
- 3.15 **Digitalisation:** A move towards greater digitalisation is reflective of the current approach within the city’s own planning system and therefore increasing ease of access in this way was broadly welcomed. The benefits of creating a more standardised approach at a local and national level through further digitalisation were also understood. However, as noted above, concern was expressed about engaging those who are digitally excluded.
- 3.16 **Neighbourhood Planning:** The consultation response highlights the need for greater clarity about the role of neighbourhood planning – this was supported by Board members, who noted that involvement in neighbourhood planning often resulted in greater general engagement with, and understanding of, the planning process. There was support for the position outlined in the consultation response regarding the need for neighbourhood planning policies to retain functions such as the designation of green spaces.
- 3.17 **Sustainable development:** Members supported the response within the draft consultation which called for greater clarity about the meaning of “sustainable development.” Members discussed the importance of ‘high sustainable quality’ being the key to securing sustainable development rather than a focus on aesthetic ‘beauty’. They further supported the proposal contained within the draft response that

Government should consider incorporating the UN's Sustainable Development goals within the White Paper as has been the case in other countries.

- 3.18 **Consolidated Infrastructure Levy:** There was consensus that there needs to be more clarity about how a consolidated mechanism would work in order to understand how it would operate in practice.
- 3.19 The importance of securing financial contributions towards community infrastructure was a particular concern for members and those present endorsed the view set out in the draft consultation response that states the rate of a future consolidated infrastructure levy IL must be set locally. It was regarded as essential that local authorities are able to generate the funding necessary to tackle infrastructure gaps in their communities, which are created by new development. Members further supported the position set out in the consultation response that it should remain the case that IL funding is ring fenced in order to tackle infrastructure challenges brought about by new development rather than there being a general freedom to bring IL into mainstream funding.
- 3.20 Members suggested the current system enables local communities to understand what a particular development in their area will bring in terms of new infrastructure and there was a concern a new system could reduce that sense of connection. A number of members raised concern that the new Infrastructure Levy might create barriers to securing local improvements, such as road safety measures.
- 3.21 There was a preference to retain flexibility in the system in order to ensure brownfield development was incentivised.
- 3.22 **Democratic representation:** Members noted the lack of clarity in the proposals about the future democratic role of locally elected representatives within the planning process. It was agreed that the role of elected members is a valuable part of the current system and should be retained in some form.
- 3.23 **Affordable housing:** The group highlighted the importance of securing accessible affordable housing within new developments and noted the significant regional variations in market strength and viability. Members endorsed the principle outlined in the draft consultation response that levels of accessible housing should be set locally in order to ensure development responds appropriately to local need.

4. Conclusions

- 4.1 The Board acknowledged that not all the extensive implications of the proposals set out in the Planning White Paper could be fully explored in the time available to the working group.
- 4.2 However, of those prioritised for discussion the consensus was that the draft consultation response was “robust and detailed” and that issues of particular concern for the Infrastructure, Investment and Inclusive Growth Board were highlighted within the narrative.
- 4.3 The Chair sought and received support from colleagues to endorse the consultation response in so far as the matters set out in the note above were discussed.

5. Recommendations

5.1 Members are asked to note:

- the summary of the discussion on 21 October 2020
- the endorsement by those present at the working group on 21 October 2020 of the position set out in the draft consultation response, in relation to the specific themes discussed at the working group and summarised above.

5.2 It is recommended that the conclusions of the Board are shared with the Executive Member for Climate Change, Transport and Sustainable Development and senior officers, ahead of the submission deadline for the consultation response.