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Cabinet

13<sup>th</sup> October 2020

Council

20<sup>th</sup> October 2020

**Name of Cabinet Member:**

Cabinet Member for Housing and Communities – Councillor D Welsh

**Director Approving Submission of the report:**

Director of Streetscene and Regulatory Services

**Ward(s) affected:**

All

**Title:**

Responses to Government Planning Consultations

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**Is this a key decision?**

No - although the proposals affect more than two electoral wards, the impact of the responses to the consultations are not expected to be significant of themselves, any further legislation is likely to have a significant impact.

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**Executive Summary:**

The Government has recently launched consultations on two Planning documents:

- Changes to the Current Planning System, and
- Planning for the Future (White Paper).

The former was a technical consultation that concluded on 01 October, the response to which was drafted and submitted by officers in consultation with the Leader and Cabinet Member for Housing and Communities. The response is included as Appendix 1 to this paper. The proposals include increasing the housing requirements and reducing the amount of affordable housing provided by some sites, both of which the Council strongly oppose.

The White Paper consultation closes on 29 October and the proposed response is included at Appendix 2. The White Paper proposes a fundamental change to the nature of the planning system in England and Wales, moving away from the current “discretionary” planning system to a zonal system. The proposals will lead to less public scrutiny and ability to influence planning decision and the Council strongly oppose this and a number of other measures proposed.

**Recommendations:**

The Cabinet is requested to:

- 1) Note the response submitted on the 1<sup>st</sup> October 2020 to the Government Consultation “Changes to the Current Planning System”.
- 2) Delegate to the Director Streetscene and Regulatory Services, following consultation with the Cabinet Member for Housing and Communities, the final submission of the White Paper consultation response attached as Appendix 2 to the report.

**List of Appendices included:**

Appendix 1: Submitted response to the Changes to the Current Planning System consultation

Appendix 2: Proposed response to the Planning for the Future (White Paper)

**Background papers:**

None

**Other useful documents**

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes

**Report title:**

Responses to Government Planning Consultations

**1. Context (or background)**

- 1.1. Central government have recently launched two public consultations on the planning system; one on changes to the current system and one proposing fundamental changes to the nature of the planning system.
- 1.2. The first consultation was principally technical in nature but included some areas of significant concern. Officers prepared a response in conjunction with the Leader and Cabinet Member for Housing and Communities, this was submitted to government prior to the 01 October deadline and is reproduced in Appendix 1 along with an opening summary.
- 1.3. The second consultation, a White Paper "Planning for the Future" closes on 29 October and proposes a radical change to the nature of the planning system. Officers have prepared a response to this consultation and this is appended as Appendix 2 along with an opening summary.
- 1.4. Members should be aware that the White Paper could have significant implications to the way that planning is delivered and funded, both in terms of fees earned and costs incurred and specifically around funding the cost of infrastructure. There is insufficient detail currently to quantify this risk, and future Cabinet papers will address when appropriate.

**2. Options considered and recommended proposal**

- 2.1. The City Council could choose not to respond to the White Paper consultation. However, given the radical nature of the proposal and the significant effect future legislation will have on the City, this option is not recommended.
- 2.2. The recommended option is to submit the response the governments consultation on the White Paper as attached at appendix 2.

**3. Results of consultation undertaken**

- 3.1. As this report relates to the Council responding to a consultation, no consultation by this Council has been undertaken.

**4. Timetable for implementing this decision**

- 4.1. The White Paper consultation closes at 11.45pm on 29 October and so the response must be submitted prior to this.

**5. Comments from the Director of Finance and the Director of Law and Governance****5.1. Financial implications**

The submission of the consultation response has no direct financial implications. There are significant potential implications in the matters being consulted upon and may be the source of future papers if legislation is subsequently passed.

## **5.2. Legal implications**

The White Paper proposes changes to primary and secondary legislation.

There are no legal implications as a consequence of the proposed consultation responses.

## **6. Other implications**

### **6.1. How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))**

The submitted and proposed consultation responses contribute to the Council Plan by reiterating our desire too:

- A prosperous Coventry: The responses defend the provisions of the local plan and the right for local influence in the Plan-making and subsequent decision-making process. This will deliver better outcomes and a more prosperous place;
- Increasing the supply, choice and quality of housing; the consultation responses consider the calculation methods to discern appropriate level of housing as well as affordable housing typologies
- Making Coventry an attractive and enjoyable place to be: The consultation responses assert the requirements for well-designed and attractive places, and that the design, assessment and delivery of these should not be sacrificed in order to deliver quick decisions;
- Making places and services easily accessible: The consultation responses consider the need for infrastructure to be delivered at the right time, connecting new development at the cost of the developer.
- Developing a more equal city with cohesive communities and neighbourhoods: The affordable housing proposals are considered and objected to as they will lead to less affordable housing being delivered;
- Improving the environment and tackling climate change: The consultation responses discuss the need for sustainable development and the priority the City Council place on environmental matters.

### **6.2. How is risk being managed?**

There is no risk associated with responding to the consultation by itself. The potential legislative changes proposed by the White Paper contain significant risk to both the statutory requirements of the Council as Local Planning Authority and the resources available to deliver these. However, there is insufficient detail at the current time to begin to proactively manage that risk.

### **6.3. What is the impact on the organisation?**

No direct impact related to submitting the consultation responses. The results of the consultations and any subsequent legislation may have significant impacts on the organisation will be the subject of future reports if necessary.

#### **6.4. Equality/ EIA**

A full Equality and Impact Assessment (ECA) was undertaken as part of developing the Local Plan. The consultation responses relate directly to the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010).

#### **6.5. Implications for (or impact on) climate change and the environment**

There is no direct impact in the submission of the consultation responses. However, the potential for a significant increase in housing requirements would have implications for climate change and the environment, which have been highlighted in the consultation responses.

#### **6.6. Implications for partner organisations?**

None

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**Service**

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