



Chelmsford Policy Board

28 September 2023

Consultation on National Planning Policy Reforms - Implementation of Plan-Making Reforms

Report by:

Director of Public Places

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Purpose

To set out the government's proposals to implement the parts of the Levelling Up and Regeneration Bill which relate to plan-making and provides responses to the consultation questions for consideration by the Board.

Recommendations

That the Board note the report and approve the proposed consultation responses set out in Appendix 1.

1. Introduction

1.1. The government is consulting on proposals and direction of travel for the implementation of certain key aspects of the new plan-making system that will be introduced through the Levelling up and Regeneration Bill. The consultation closes on 18 October 2023 and can be viewed here:

[Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms - GOV.UK \(www.gov.uk\)](https://www.gov.uk/levelling-up-and-regeneration-bill-consultation-on-implementation-of-plan-making-reforms)

1.2. The main proposals relate to changes to the way local plans (and minerals and waste plans) are prepared including:

- Making the role and contents of plans simpler to understand and use
- Speeding up the process for preparing and updating plans to ensure more planning authorities have up-to-date plans that reflect local needs

- Ensuring local communities are engaged in helping to positively shape plans, and
- Making the most of new digital technology to drive improved productivity and efficiency in the plan-making process.

1.3. The government is seeking views on:

- A proposed set of core principles for local plan content
- A new requirement for plans to include a focused, specific and measurable vision
- A framework for local development management policies
- An approach to nationally defined digital templates
- A proposed 30-month timeframe for future plan-making, and
- Possible transitional arrangements from the current to the new plan-making system.

1.4. The proposals are set out in separate chapters and are subject to the Bill receiving Royal Assent as well as Parliamentary approval of the relevant regulations. Appendix 1 to this report sets out the 43 consultation questions and the proposed Council response, where appropriate.

2. Background

2.1 The government consulted previously on reforms to the national planning system in the White Paper in Autumn 2020. The responses informed the Levelling-Up and Regeneration Bill which is currently undergoing Parliamentary scrutiny.

2.2 The City Council responded to the consultation on the Planning White Paper and to subsequent consultations on proposed changes to the National Planning Policy Framework (NPPF). These were considered by this Board at meetings held on 1st October 2020, 15th March 2021 and 28th February 2023.

2.3 This latest consultation published on 25th July is seeking changes to regulations, national policy and guidance to implement the parts of the Levelling Up and Regeneration Bill which relate to plan-making. These are proposed to be in place by autumn 2024 to enable the preparation of the first new-style local plans.

3. Proposed Changes

Simplifying plan content

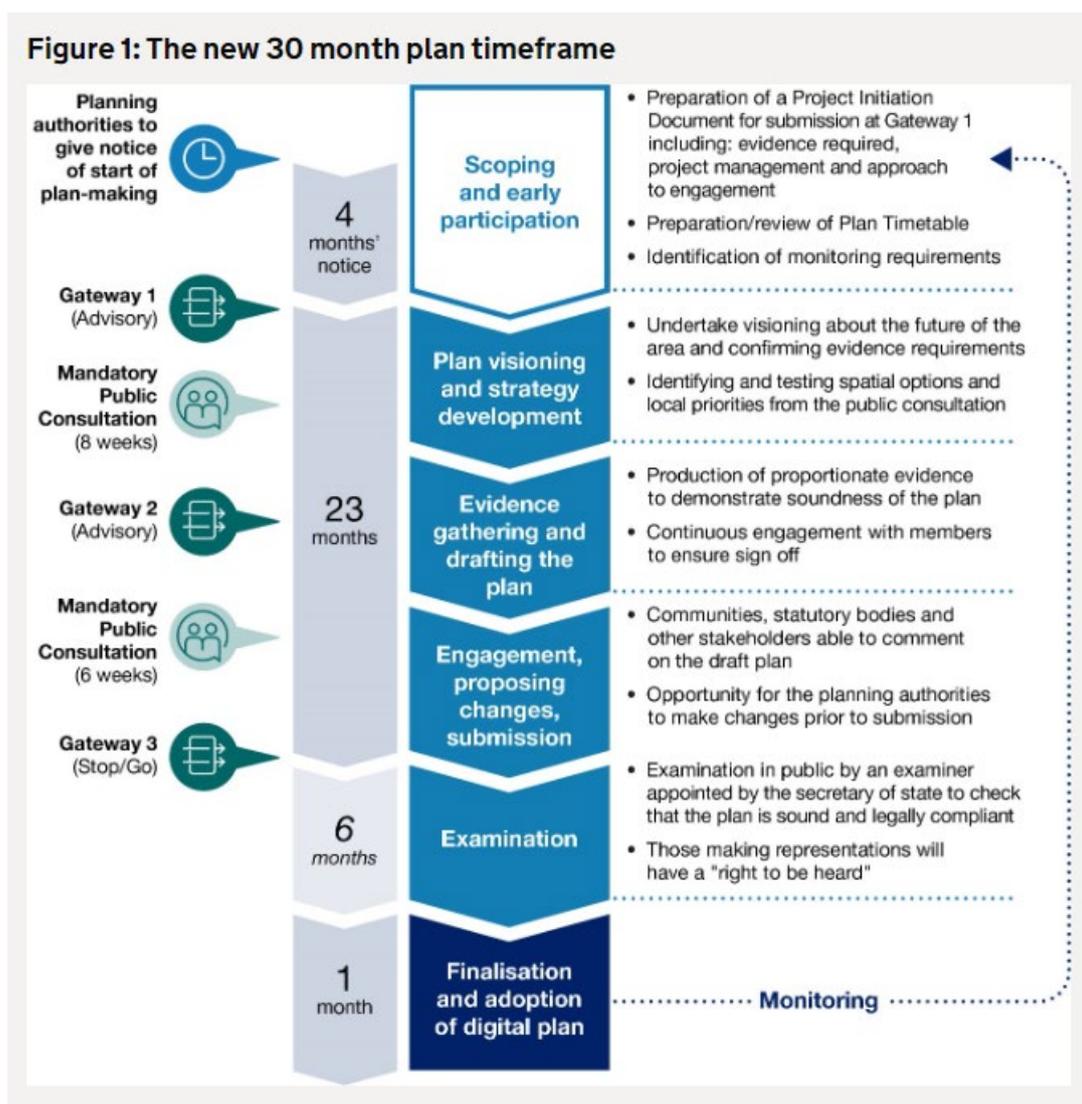
3.1. The consultation proposes a series of additional core principles for plan content to support the intentions of the Levelling Up and Regeneration Bill of producing more simplified plans more quickly. These core principles include proposals for:

- Plans to contain a locally distinct vision which would serve as a “golden thread” through the entire plan
- Plans to contain ambitious locally distinctive policies which meet key economic, social, and environmental objectives, linked to the vision
- Plans to foster beautiful places and recognise the importance of design, linking to design codes where appropriate
- Plans to set out a clearer, more focused approach to monitoring and ongoing review of the plan
- Plans to contain less and more focused local development management (DM) policies to address distinctly local issues

- Plans to use of standardised templates and checklists to promote consistency in the appearance, structure and terminology of plans to make them easier to use
- The introduction of data standards to help to ensure that plan data is created and published consistently across all local planning authorities, and
- The greater use of digital tools to improve and speed up how plans are prepared and used.

Speeding up plan-making

- 3.2. The consultation confirms the Government’s proposals, originally set out in The Planning White Paper for local plans to be prepared and adopted within a 30 month timeframe. The Government’s evidence suggests that it currently takes 7 years, on average, to produce a local plan.
- 3.3. The key requirements over the 30 months are detailed in the consultation document and summarised in Figure 1. Before the 30 month timeframe begins, local planning authorities would be able to undertake preparation work aimed at putting them in the best position to start their plan. This early scoping and participation stage would include preparation of a ‘Project Initiation Document’ (PID), preparation of the plan timetable and identification of monitoring requirements. Whilst there are no proposals to place a time-limit on this stage, local planning authorities would be required to commence the 30 month process at a certain point, and to give a minimum of 4 months’ notice.



- 3.4. The PID would use a digital template provided by government and confirm the evidence requirements and project management arrangements. It would also set out the approach to engagement and the timings of the mandatory gateway assessments and public consultation, and in doing so remove the requirement on authorities to prepare a separate Statement of Community Involvement (SCI).
- 3.5. The first stage at the beginning of the 30 month timeframe will be to undertake a formal plan visioning and strategy development consultation with local communities and stakeholders. This would focus on gathering baseline information to inform the plan and seek views on drafting a vision, initial principles, and other key matters such as overall approaches to engagement and plan monitoring. It is designed to give communities a genuine opportunity to shape, from the earliest stages, how their area meets its needs and evolves over time and to make sure the plan takes account of a wide range of views.
- 3.6. At 23 months into the timeline, authorities will be expected to have resolved any issues with statutory consultees and stakeholders following a second mandatory consultation on the draft plan. Although there will be an opportunity to make modifications to the plan prior to submission, authorities should avoid re-consulting wherever possible prior to the examination.
- 3.7. It is proposed to speed up the examination stage so that they take no longer than six months, moving away from the current situation where examinations can potentially last for several years. The new gateway assessment process is intended to be key to achieving this, by ensuring that any issues with the plan are picked up earlier in the plan-making process and resolved prior to the examination. Changes to the examination process such as using panels of two or more Inspectors and shortening the minimum notification for hearing session are also being put forward.
- 3.8. Authorities would need to adopt the plan as soon as possible (within 1 month) following receipt of the Inspector's Report advising that it is sound.

Gateway assessments

- 3.9. During the 30 months plan making timeframe, three new mandatory 'gateway' assessments would be introduced. These are intended to avoid plans being submitted for examination with deficiencies which can result in delays during examinations and plans failing late in the preparation process. Under the current system, authorities may choose to take up advisory visits through the Planning Inspectorate, but the consultation states that these often take place too late in the process to be able to genuinely resolve issues.
- 3.10. The timings of the three mandatory gateway assessments are shown in Figure 1 and described below:
 - Gateway 1 would be at the very beginning of the 30 month process, following work undertaken at the scoping stage. This would seek to ensure that the local planning authority has the right tools and resources to deliver, that the scope of the plan and associated supporting information and evidence is appropriate, and that key risks are identified with suitable mitigation proposed
 - Gateway 2 would be part-way through plan preparation (between the two mandatory consultation windows). This would consider compliance with legal and procedural requirements and early resolution of potential soundness issues
 - Gateway 3 would be at the end of the plan-preparation process at the point the local planning authority intends to submit the plan for examination. This would

include checking the plan is ready to proceed to examination and ensuring legal and procedural compliance.

- 3.11. The role of the first and second gateways will be advisory, although local planning authorities will be required to have regard to their observations and advice. Gateway three would be a 'stop/go' assessment by a Planning Inspector with the power to halt or delay the plan preparation process if they consider it fails to meet prescribed requirements.
- 3.12. It is proposed to charge local planning authorities for gateway assessments.

Community Engagement

- 3.13. The consultation outlines proposals to improve the quality, quantity and diversity of community engagement throughout the local plans process. These include:
- Greater use of modern digital engagement tools and services alongside more traditional methods
 - A proposed new requirement for authorities to outline their overall ambitions and approach to engagement and consultation in their PID (see Para. 3.3)
 - A proposed new requirement to "notify" and "invite" participation at the start of the plan-making process
 - A more standardised approach to mandatory public consultations.

Requirement to assist with certain plan-making

- 3.14. The Levelling Up and Regeneration Bill proposes to give local planning authorities the power to legally require that "prescribed public bodies" provide assistance when preparing the local plan. The proposed list includes infrastructure providers as well as other bodies of a public nature such as County Councils, Environment Agency, Natural England and Sport England.

Evidence and the tests of soundness

- 3.15. The consultation document outlines proposals to reduce the amount of evidence required to develop a plan and defend it at examination, whilst still ensuring high quality plans are delivered. These are intended to reduce time and resources spent on producing evidence that can be disproportionate. The proposals include:
- Providing clearer expectations through national policy and guidance including setting out what 'proportionate' evidence looks like
 - Greater standardisation of the evidence base relating to development needs and impact assessments, and
 - 'Freezing' data or evidence at certain points in the plan-making process including at the point of submission for examination.
- 3.16. Further work will be undertaken to explore whether the proposed changes to evidence base requirements could merit changing/removing the 'justified' and 'effective' tests of soundness against which plans are currently examined. It is also proposed that local planning authorities complete a new, light touch and templated 'statement of compliance with legislation and national policy' – which would set out where in the suite of evidence each national policy has been considered. Some local planning authorities, including Chelmsford, already produce similar documents using the Planning Advisory Service Toolkits to support the examination of their plans.

Plan monitoring

- 3.17. Following adoption of the local plan, authorities will be expected to monitor how it is performing using a clearer, more focused approach following a government template. This would include a light touch annual return of plan performance against the plan vision and nationally prescribed metrics such as net additional dwellings completed and delivery of 10% Biodiversity Net Gain. A further detailed return of how planning policies and designations are being implemented would be required within four years of adoption. This would be used to inform the update of the plan, which would need to commence five years after adoption, at the latest.

The Local Plan Timetable

- 3.18. The consultation proposes replacing Local Development Schemes (LDS) with a new, simpler local plan timetable. These would set out timescales for key milestones in the plan making process such as gateway assessments, mandatory consultations, submission for examination and adoption of the plan. The timetable will be required to follow a prescribed digital format and have to be updated at least once every six months.

Supplementary Plans

- 3.19. The proposals include replacing Supplementary Planning Documents (SPDs) with new Supplementary Plans. These would have to undergo a similar local plan style independent examination, where at the moment they can be adopted by the Council following consultation, but as such could be afforded the same weight as local plans. They could be used by local planning authorities to react quickly to changes in particular areas (for example, an unexpected regeneration opportunity), or set authority-wide design policies although they should not be used routinely, only for exceptional or unforeseen circumstances that need resolving between plans.
- 3.20. Existing SPDs will remain in force until a local planning authority is required to adopt a new-style plan.

Community Land Auctions

- 3.21. Other proposals include piloting Community Land Auctions (CLA). These are a longstanding idea of identifying land for allocation for development in a local planning authority's area in a way which seeks to optimise land value capture for the benefit of the local community. CLAs are akin to competitive tendering and encourage landowners to reveal the true price at which they would willingly part with their land: if they choose to offer a higher price, they risk another site being allocated for development.
- 3.22. The responses to the consultation will be used to inform new CLA regulations which will be subject to further consultation in due course.

Approach to roll-out and transition

- 3.23. The consultation confirms the Government's intention that the latest date for plan-makers to submit local plans for examination under the current system will be 30 June 2025. They also confirm their intention that those plans will, in general, need to be adopted by 31 December 2026. These dates are contingent upon Royal Assent of the Levelling Up and Regeneration Bill, as well as Parliamentary approval of the relevant regulations. However, Government is setting this out now to provide local planning authorities with as much notice as possible of these dates. Regulations will provide limited flexibility for authorities to adopt plans at a specified later date in the most

exceptional circumstances. Arrangements for Neighbourhood Plans will be set out in due course.

- 3.24. The consultation confirms that the new system of plan-making is expected to go live in late 2024. As set out above, this deadline is contingent upon Royal Assent of the Levelling Up and Regeneration Bill, as well as Parliamentary approval of the relevant regulations. It is proposed that authorities that have prepared a local plan which is more than 5 years old when the new system goes live (and are not proactively working towards the 30 June 2025 submission deadline under the current system) will be required to begin preparing a new style local plan straight away. Authorities that have prepared a local plan which is less than 5 years old when the new system goes live will not be required to begin preparing a new-style plan until their existing plan is 5 years old. So, for example, for a plan adopted in mid-December 2026, the preparation of a new plan must start by mid-December 2031. The period of 5 years applies from the date of adoption and authorities could begin preparing a new plan sooner if they wish. Authorities that do not meet the 30 June 2025 submission deadline for 'old-style' plans (as set out previously) will need to prepare plans under the new plan-making system.
- 3.25. Authorities can begin preparing a new plan sooner if they wish. However, in order to achieve a smooth transition for local planning authorities to the new system from autumn 2024, the government proposes to put in place a transitional timetable for plan preparation, covering the transitional period and beyond. The consultation proposes options for a phased roll-out. The proposed approach is to start with a small cohort of around ten "front runner" authorities from autumn 2024 followed by a second cohort starting seven months later from 30 June 2025. The remaining authorities would then be ranked chronologically by the date that they have most recently adopted a plan and grouped together sequentially into groups of up to 25 authorities. Each group would then be allocated a 6 month plan-making commencement window (a "wave"), within which plan making should start. Alternative options in the consultation document include grouping authorities by county boundaries and being allowed to begin plan-making earlier than these dates, with the waves acting as a final 'back stop' by which authorities should have begun preparing their new plan.
- 3.26. In order to ensure authorities do not face adverse consequences from being placed into a wave which would mean them beginning plan-making later than they otherwise would do, once the new plan-making system is commenced, further measures are proposed. A period of 30 months is proposed after their most recently adopted plan is five years old, , where authorities would be protected from speculative development (i.e. their plans would be considered up to date for decision making purposes).
- 3.27. It is anticipated that the plan making reforms will result in local planning authorities having a single local plan for their areas. This is intended to help make it clearer to applicants the relevant policies that will be considered when determining planning applications. The Government are also proposing that when the new plan-making system comes into force, existing Development Plan Documents and saved policies will remain in force until the local planning authority adopt a new-style local plan. SCIs and LDSs would also remain in force where they relate to emerging old-style plans, until those plans are adopted or the deadline for their adoption passes.
- 3.28. The new plan-making process will be supported by other reforms in the wider planning system, including the introduction of the Infrastructure Levy and Infrastructure Delivery Strategies, and Environmental Outcomes Reports. These reforms have been subject to separate consultations, which have now closed.

- 3.29. Alongside this, through the Capacity and Capability programme, the Government is seeking to ensure that local planning authorities have the skills and capability they need to adapt to the new measures proposed in the Levelling Up and Regeneration Bill. Officers have submitted an initial bid to the Planning Skills Fund.
- 3.30. Officers are currently assessing the implications of the consultation proposals for the timetable for the Local Plan Review. It is anticipated that an updated Local Development Scheme will be presented to the Board in November. However, it is expected that the Local Plan Review will continue to be developed under the existing plan-making system and be ready for submission before the 30 June 2025 deadline.

4 Conclusion

- 4.1 This is a further stage of consultation on detailed changes to national planning policy arising from the Levelling-Up and Regeneration Bill. It contains proposals to change the NPPF, national guidance and regulations to come into force from autumn 2024. It will be followed by further consultation and changes in due course following the Levelling-Up and Regeneration Bill receiving Royal Assent following Parliamentary scrutiny.
- 4.2 The proposed responses to the consultation questions are set out at Appendix 1 of this report.

List of Appendices:

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

Background Papers:

[Levelling-Up and regeneration Bill: Reforms to National Planning Policy - Proposed Consultation Responses](#) – 28 February 2023

[Levelling-Up and Regeneration Bill – Reforms to National Planning Policy](#) - 22 December 2022

[National Planning Policy Framework: Draft Text for Consultation](#) – 22 December 2022

Chelmsford Policy Board Reports: [1 October 2020 Agenda Item 5](#) : [15 March 2021 Agenda Item 6](#)

Corporate Implications

Legal/Constitutional:

The consultation is proposing a new legal framework for plan-making.

Financial:

There are no immediate financial implications. Awaiting more detailed proposals in further consultations and guidance.

Potential Impact on Climate Change and the Environment:

There is an overarching requirement for new style local plans and supplementary plans to contribute to the mitigation of, and adaptation to, climate change so positive impacts are envisaged if the proposals are introduced.

Contribution toward Achieving a Net Zero Carbon Position by 2030:

There are proposals for local plan monitoring to include metrics on progress toward net zero emissions from buildings so positive impacts are envisaged if the proposals are introduced.

Personnel:

There are no immediate direct staffing implications arising from this report.

Risk Management:

The consultation proposals could affect the route for reviewing and updating the Council's Local Plan which will need to be monitored.

Equality and Diversity:

The consultation seeks feedback on any potential impacts that might arise under the Public Sector Equality Duty as a result of the government proposals.

Health and Safety:

There are no direct health and safety implications arising from this report.

Digital:

There are no immediate direct digital implications arising from this report. The Government has indicated increased use of digital communication in the planning system.

Other:

None.

Consultees:

CCC - Development Management and Economic Development and Implementation

Relevant Policies and Strategies:

The report takes account of the following policies and strategies of the City Council:

Chelmsford Local Plan 2013-2036

Our Chelmsford, Our Plan, January 2020

Chelmsford Climate and Ecological Emergency Action Plan

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

Chapter 1: 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 are supported in principle including the need for plans to contain a locally distinct vision and policies which meet key economic, social, and environmental objectives, linked to the vision. It is agreed that these should help to ensure that plans are focused on the right things and that users will be able to understand how the area will develop and change over the plan period.

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?

The requirement for a local plan to contain a focused, concise and locally distinct vision to set out the main aims and objectives of the plan is supported in principle. Proposals for a digital vision template to provide guidance for authorities on what a vision should contain is also broadly supported where designed to allow authorities flexibility to reflect local circumstances.

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

Proposals for authorities to be more focused in scoping and designing local DM policies to enable shorter and more concise plans, and to reduce the amount of additional justification required is broadly supported. Proposals should still enable authorities to expand upon the new National Development Management Policies to reflect local circumstances.

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?

Proposals to produce a series of templates, setting out standardised approaches to specific parts of the plan including the contents page and presentation of specific policies are broadly supported. It is agreed that that these could help to simplify plans and make them more accessible to use and engage with. Templates should be designed to allow authorities flexibility to reflect local circumstances.

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

No comment. More applicable to minerals and waste planning authorities.

Chapter 2: 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?

The Council supports the Government's ambition to speed up the process of preparing and reviewing local plans. The consultation document proposes significant detailed changes to the plan making system which will require additional financial resources to implement and take time to learn. Although the 30 month time limit would commence after a 4 month scoping stage, this Council has significant concerns that it is too short a period in which to undertake meaningful community consultation and engagement, prepare robust evidence base to support policies, , and to ensure democratic accountability through local authority public committee meetings.

Circumstances may also arise that mean a milestone is not met, for example a delay in receiving third party information, local and national elections, a change in political administration, or the unexpected absence of key personnel. The length of the independent examination, and the date of plan adoption, will be dictated primarily by the Planning Inspectorate and the receipt of the Inspector's Report. As such, it is considered that there is insufficient flexibility in the timeframe for such circumstances.

Careful consideration also needs to be given to ensuring that the Planning Inspectorate are equipped to meet the proposed reduced examination timelines.

See also response to Question 25.

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

The requirement to produce a PID is generally supported. This should bring information currently contained with the Local Development Scheme and Statement of Community Involvement into one document making the system simpler and more accessible. The proposed national digital PID template should be designed to allow authorities flexibility to reflect local circumstances and knowledge from previous engagement activities.

Chapter 3: Digital plans

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

The Council publishes a range of information to support its plan-making, from evidence base, consultation events, and feedback reports to topic papers, examination documentation, and FAQs. It is considered that a key part of future digital access will be for mapping and digital representation of a Policies Map which is easily searchable by the user.

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?

The Council agrees that lack of standard formats and terminology could be a challenge for users.

The other challenges listed are already being dealt with to some extent by the Council, in that it is considered that guidance is clear, timelines can be presented in a clear way using graphics, plans are necessarily fixed until they are formally updated, and the Council has had some success using alternative methods of raising awareness such as explanation videos and virtual exhibitions. The cost of procuring and developing such specialist software should be considered and additional resources or funding should be made available e.g. New Burdens Grant.

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?

The mix of emerging tools appears to cover the main opportunities, but the statements in Para 72 represent the real challenges for any digital system – to ensure that different systems are compatible, simple to use (by the plan-maker), that data is secure where necessary, and that the digital tools cover all the local plan needs.

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?

Demonstrating local plan policies and allocations spatially as a digital map should be a priority. Users should be able to easily navigate to their location or area of interest for a simple-to-use and rewarding experience which indicates proposals and designations geographically. The layers/data can signpost to supporting policy text, evidence or other background, but the digital map should be the starting point.

Chapter 4: 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?

The approach to reporting on milestones is broadly supported. The ability to update the local plan timetable when it is revised will be helpful for users to track real-time progress, rather than the current less flexible format of the Local Development Scheme. However, effective support will be required to enable the milestones to be met, as set out in the response to Question 19.

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?

Although the proposals to reduce plan-making timeframes are welcomed and understood, circumstances may arise that mean a milestone is not met, for example a delay in receiving third party information, local or national elections, a change in political administration, or the unexpected absence of key personnel. Such circumstances may require some flexibility for a timetable to be updated by the local authority when appropriate, and not purely in relation to a trigger of a delayed milestone.

Chapter 5: Evidence and the tests of soundness

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?

In principle the direction of travel is supported. A clearer approach to what level and type of evidence is required to support an appropriate strategy for the area is welcomed, subject to the detailed proposals.

The Council supports the idea that evidence should only normally be discussed and argued against at examination where there is a significant and demonstrable reason for doing so, in relation to the tests of soundness and legal requirements. Whilst in principle this is supported it is unclear what could be seen as significant or demonstrable reasons for doing so. It will be interesting to see what this will look like and how it will be implemented consistently.

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?

The principle seems to be a good idea, subject to the detail of how and what is to be standardised. There may however be the need for local exceptions or circumstances to be able to be considered.

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?

This would be helpful to a degree, but the implementation of the plan once adopted needs to be considered. If freezing evidence would result in a plan which would be contrary to, or out of date with, National Policy or Guidance upon adoption then it would make implementation for the local planning authority and the public confusing. This already happens to a certain degree if a plan is adopted under an old National Planning Policy Framework in part meaning planning applications must be considered against the latest National Planning Policy Framework, resulting in some policies being out of date as soon as they are adopted.

Freezing of evidence at the point of publication of the plan and submission to the Inspector would seem the most appropriate option. It is assumed that the

requirement will also be imposed on third parties or enable the Inspector to disregard any late evidence submitted by third parties?

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?

Subject to what the list of evidence may include this would seem to be a sensible approach.

Chapter 6: Gateway assessments during plan-making

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?

The three purposes of the gateways are broadly supported. The roll out of gateway assessments should be closely monitored to ensure that they are delivering against their key purposes, helping to speed up plan making and providing helpful outputs that support authorities.

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

The requirement to undertake three gateway assessments at key stages in the plan preparation process rather than at precise timeframes is generally supported. The precise dates of the gateway assessments should be for local planning authorities to set out in their local plan timetable and reflect local circumstances.

It is essential for Government to ensure that systems and personnel are in place to enable the delivery of effective gateway assessments for local planning authorities. Providing flexibility in guidance to allow these to take 6 weeks could adversely impact on an authorities' overall 30 month plan making timeframe and is not supported. If gateways are allowed to take longer than 4 weeks or get delayed by delivery partners, local planning authorities should be able to extend or pause their 30 month plan period. See also response to Question 6.

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?

The gateway assessment process is broadly supported including proposals for an interactive workshop day during the first and second gateways to work through issues identified and to provide initial observations and advice to the planning authority.

Minimum standards should be set out to ensure that the proposed 'short' gateway reports prepared by the appointed person(s) are also comprehensive, helpful and provide the authority with value for money. It would be helpful if draft reports were

provided to authorities so they can highlight any factual errors or inconsistencies before the final report is issued and published.

The scope of the assessment topics at each gateway is supported including reviewing the Project Initiation Document (at gateway 1), progress with relevant SEA requirements (at gateway 2) and practical readiness for examination (at gateway 3). Topics should be kept under review drawing on learning and best practice as the new system is rolled out.

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

No, the plan making process is already very expensive placing significant strain on local authority resources and budgets. As such, the Government should cover the cost of new mandatory gateway assessments.

Chapter 7: Plan examination

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?

The proposals seem sensible, subject to the Planning Inspectorate being able to support them and being able to adhere to the timeframes set out.

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?

It may be appropriate in some circumstances but if a further piece of evidence is required which would take over 6 months this would mean the whole plan would have to be withdrawn and the process start all over again – also see response to Q16. This has implications for such plans to take even longer. For example, if submitted under one National Planning Policy Framework and then it is withdrawn, would it continue to be examined under the original National Planning Policy Framework or would it have to be resubmitted/restarted with evidence to support any subsequent National Planning Policy Framework or national policy and guidance which has been published?

Chapter 8: 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 (PID)? What should this contain?

Setting out the local authority's approach to consultation through a PID is welcomed, to ensure the commitment to and method for engagement is clear. However, with the proposed removal of the requirement for a Statement of Community Involvement (SCI), local authorities should consider using a similar format for demonstrating other

planning engagement such as for consultation on planning applications, consultation relating to planning appeals, neighbourhood plans and stakeholder engagement, all of which are currently included in the Council's SCI alongside engagement for plan-making.

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?

It is considered essential for early participation with both the public and stakeholders, which may not be possible within the 30 month process. Many local authorities, including our Council, choose to hold two Regulation 18 consultations to ensure that early participation is as effective as possible. This is particularly important in relation to evidence gathering, visioning and setting strategic priorities. It is not only about allowing time for communities and stakeholders to get involved, but to provide enough time for the local authority to carry out the necessary level of engagement within its resources.

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

It may be helpful to use the outcomes from early participation to inform the PID, however local authorities will also need to manage expectations particularly on communities' ideas for higher cost or resource-hungry activities. Early participation could provide, for example, a good opportunity to encourage people to register to a digital consultation platform to ensure they are notified of future opportunities to get involved.

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?

The Council considers that this approach would be helpful in setting out the purpose of each consultation window, and encourages the use of consistent, clear and straightforward language, where the purpose of the consultation is central rather than the regulation reference (e.g. rather than 'Regulation 18 Consultation', 'Regulation 19 Consultation' etc).

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

The Council uses this template approach which it has transferred to its digital platform and assists both with consultees being able to make representations in a consistent manner, and for officers in assessing comments received.

Chapter 9: Requirement to assist with certain plan-making

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

The list is similar to the current list of Duty to Co-operate bodies, but has a better balance of national and local interests. However, it is considered that neighbouring local planning authorities should be added.

It would be helpful if through the Project Initiation Document resources, a list could be maintained of current energy and telecoms consultees and the geographical areas in which they operate, to avoid local authorities sending blanket communications to organisations who have no interest in a particular area or specific local plan. This information is currently difficult to find, and it dates quickly.

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.

The approach is supported, and the Council has good relationships with many of the prescribed public bodies due to ongoing Duty to Co-operate activity. However, it should be recognised that any need to formally notify a stakeholder of a requirement to assist could impact on the plan-making timetable. Will there be further resource implications arising from prescribed public bodies charging for their timely input?

Chapter 10: Monitoring of plans

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

A light touch annual return seems appropriate and more detailed information should be published in the Annual Monitoring Report. A template of the fuller monitoring report to be made available to the Secretary of State would be helpful.

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?

Some of the nationally prescribed metrics need further consideration i.e. affordable housing completions per annum are a poor indication of the performance of planning policies, especially on larger, phased developments. Planning permissions provide a more accurate metric to measure the performance of planning policies for affordable housing on threshold sites. The environmental metrics as shown are difficult to comment on currently and further guidance will be required to establish national measures for establishing the benchmarks from which changes will be measured i.e. 10% biodiversity net gain will vary depending on the starting point for a site(s). Progress toward net zero emissions from buildings is more a statement than a metric. Additional guidance will not only be needed on the baseline for these measures but on how to calculate 'progress' and 'delivery'. Further guidance, by way of examples, of the metrics that might be considered 'measurable outcomes' against different visions would also be welcome.

Chapter 11: 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?

The proposed factors are broadly supported. Shared infrastructure to support sites could also be a consideration.

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.

It is considered that local planning authorities should be given flexibility to determine preparation procedures based on the purpose and scope of the supplementary plans and local circumstances.

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?

A single formal stage of consultation is expected to be sufficient. However, there may be circumstances where a further consultation may be helpful, for example, if a site boundary changes, so local flexibility and judgement should be allowed.

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.

It would seem sensible to set thresholds to guide the decision that authorities make about the choice of supplementary plan examination routes, but this should be a guide and should not preclude the local planning authority from selecting one route or the other as they may be best placed to advise if the supplementary plan is contentious or not, rather than simply relying on arbitrary thresholds.

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?

In principle yes, subject to the detailed requirements of each of those set out.

Chapter 12: 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 comment. More applicable to minerals and waste planning authorities.

Chapter 13: Community Land Auctions

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

We note that the Government intends to consult on the draft CLA regulations in due course. The Council will await the future consultation containing more detail in order to make informed comments.

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?

We note that the Government intends to consult on the draft CLA regulations in due course. The Council will await the future consultation containing more detail in order to make informed comments.

Chapter 14: 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?

Proposals for a phased roll out of the new system to avoid a large group of authorities starting at the same point are supported in principle. It is agreed that this could help to avoid a lack of professional capacity in the sector to support the new system (e.g. Consultants, Planning Inspectors) and should enable authorities to learn from emerging best practice. Grouping authorities ranked chronologically by the date that they have most recently adopted a plan seems a fair roll out option.

Chapter 15: Saving existing plans and planning documents

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

The proposals seem to be sensible, subject to the Planning Inspectorate being able to meet the timeframe between submission and adoption.

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?

No comment.