

The Conservative Party's Proposals for the Planning System

Our newsletter in November mentioned some of the key changes that the Conservatives are proposing for the planning system – should they win the General Election. With the election date rapidly approaching, the Tories have published a 'Green Paper', setting out their proposed changes in more detail. The proposals will mean a fundamental shift of power from the regional level to the neighbourhood level, where each town will be able to decide how much (or how little) development it will accept. The Tories are firmly placing local people at the centre of policy formulation and the determination of planning applications, with a clear role for developers to convince communities, rather than Officers, of the merits of their development proposals.

Key radical changes proposed include:

- **A local tariff**, replacing CIL (which Labour remain committed to having published Draft Regulations recently, proposed to come into force in April), but still based on local assessment of infrastructure. A percentage of the money raised is to be passed to the local community - although how much and to whom is not defined.
- **'Voluntary payments'** to compensate neighbours, in return for their support for applications – a bribe by any other name!
- **A fast track application process** is proposed where there is no objection from neighbours – but there is limited detail how this will be achieved.
- **Scrapping the LDF system**, and reverting to a single Local Plan, prepared using 'collaborative democratic methods' to engage the community. Plans are to include housing numbers based on local assessments of need, rather than any centrally imposed figure. Despite the financial incentives offered this could lead to lower targets as Councils seek to appease the local NIMBY contingent.
- **Third party rights of appeal** to allow residents to appeal if a decision is in contravention of the Local Plan.
- **The 'need' test** to be reintroduced for retail developments, together with a consideration of **competition issues**, which were excluded from the recently published PPS4.
- **Flexible zoning and amendments to the Use Classes Order** to allow a more flexible approach to changes of use, to enable Councils to define areas within which certain uses would be acceptable, negating the need for express permission. How much this would be adopted by Councils, where as much control as possible is sought, is debateable.
- **Power for a local authority to take enforcement action** if residents feel they have been 'mised'.
- **More Permitted Development rights** to be introduced, following the recommendations of the Killian Pretty Review.

Whilst some of the proposals appear sensible and seek to reduce delay, there is still much to be concerned about, particularly the increasing role for local communities, who may not always be familiar with the wider planning arguments.

If you would like to discuss the potential implications of the Conservative party reforms, please do not hesitate to contact one of our nationwide specialists on 0870 777 6292 or directly, as below:

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