



**Report to: Place and Economic Development Committee, 13<sup>th</sup> March 2023**

**Report of: Corporate Director - Planning and Governance**

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**Subject: LEVELLING-UP AND REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY – CONSULTATION RESPONSE BY WORCESTER CITY COUNCIL**

**1. Recommendation**

**1.1 That the Committee note Worcester City Council's response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation.**

**2. Background**

2.1 The Government recently published a consultation on its proposed reforms to National Planning Policy (Levelling-up and Regeneration Bill: reforms to national planning policy) alongside a full draft version of the proposed new National Planning Policy Framework ('NPPF').

2.2 The consultation on the 'Levelling-up and Regeneration Bill: reforms to national planning policy' commenced on 22 December 2022 and closed on 2 March 2023.

2.3 The consultation, consisting of 58 questions, sought views on the proposed approach to updating the NPPF, as well as seeking views on various other longer-term aspects of the reform agenda, including the future approach to new National Development Management Policies. The proposed changes are likely to have implications for decision-taking on planning applications, alongside new transitional arrangements for plan-making. Subject to the comments received during the consultation, the updated NPPF is proposed to come into effect in Spring 2023, with further consultation on the reform agenda to follow.

**3. Policy Objectives**

3.1 The proposed reforms outline six main policy objectives, namely:

- building beautiful and refusing ugliness;
- securing the infrastructure needed to support development (new Infrastructure Delivery Strategies);
- more democratic engagement with communities on local plans;
- better environmental outcomes;

- empowering communities to shape their neighbourhoods; and
- delivering more homes in the right places, supported by sustainable and integrated infrastructure for our communities and our economy.

#### **4. Draft NPPF**

4.1 In relation to the draft version of the new NPPF, many of the proposed changes in the consultation are focused upon matters of housing supply and delivery, including issues relating to the five-year housing land supply. This includes:

- Removal of the requirement to demonstrate a five-year housing land supply, subject to the housing requirement in strategic policies in a local plan being less than 5 years old (paragraph 75).
- The removal of buffers from the five-year housing land supply calculations (Paragraph 75).
- Alternative approaches for assessing local housing need (the government's 'standard method' calculation to continue, but it will become an "advisory starting point") (paragraph 61).
- Not having to meet objective housing need where meeting the need in full would mean building at densities significantly out of character with the existing area (paragraph 11 b).
- Factoring in past over-supply of housing delivery when assessing local housing need requirements in plan making (paragraphs 11 b and 75).
- No requirement to review or alter the Green Belt when producing local plans if this would be the only means of meeting the objectively assessed need for housing over the plan period (paragraph 142).
- Changes to the requirements for under-performing councils relating to the Housing Delivery Test (addition of a new permissions-based test which can 'switch off' the presumption of favour of sustainable development) (paragraph 77).

4.2 In addition to this, the consultation also covers other issues, including such matters as:

- Changes to the tests of soundness for Local Plan-making with the removal of the "justified" test and amendment to "positively prepared" test (paragraph 35).
- Giving Neighbourhood Plans more weight as a consideration when determining speculative development (paragraph 14).
- References to establishing the needs for retirement housing and care homes (paragraph 63).
- References added supporting "beauty" in design and placemaking and a stronger emphasis on design codes (paragraphs 20, 94, 126).

- Changes relating to climate change and renewable energy (repowering and life-extension of existing renewables sites, updates on wind energy) (paragraph 160).
- Consideration of the availability of agricultural land used for food production should be considered when deciding what sites are most appropriate for development (paragraph 178).

## **5. Transitional Arrangements**

5.1 The NPPF consultation and the wider reform agenda also proposes a number of transitional arrangements for when moving over to the new system. This includes:

### **NPPF**

- A four-year housing land supply requirement for emerging local plans which have been submitted for examination or where they have been subject to a Regulation 18 or 19 consultation which includes both a policies map and proposed allocations towards meeting housing need (applies for two years) (paragraph 226).

### **Wider Reform Agenda**

- A deadline of 30 June 2025 for plan makers to submit their local plans for independent examination under the existing legal framework.
- All independent examinations of local plans must be concluded, with plans adopted, by 31 December 2026.
- 31 December 2031 - Latest date when Local Planning Authorities must begin the new style plan-making process (if their previous plan was adopted on 31 December 2026 or before).

## **6. Next Steps**

6.1 As part of the wider reform agenda, consultation on further changes to other parts of the NPPF and more detailed policy options and proposals for National Development Management Policies (supported by environmental assessments) are planned by the government once the Levelling-up and Regeneration Bill has passed through all its Parliamentary stages (anticipated to be from Spring 2023).

6.2 Worcester City Council's response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation is set out in **Appendix 1** of this report. This was submitted electronically on 2<sup>nd</sup> March 2023.

## **7. Implications**

### **7.1 Financial and Budgetary Implications**

There are no direct financial and budgetary implications associated with producing the consultation response.

However, the updated NPPF and the wider reform agenda could have financial and budgetary implications insofar as how the proposed changes to the planning system eventually manifest themselves in relation to plan-making and decision taking.

## 7.2 Legal and Governance Implications

There are no direct legal and governance implications associated with the consultation. However, the updated NPPF and the wider reform agenda could have legal and governance implications insofar as how the proposed changes to the planning system eventually manifest themselves in relation to plan-making and decision taking.

## 7.3 Risk Implications

Whilst there are no direct risk implications in relation to producing the consultation response, the updated NPPF and the wider reform agenda could pose a risk to the timetable of the South Worcestershire Development Plan Review (SWDPR). However, as part of the consultation, transitional arrangements have been proposed that would allow local authorities which have reached the advance stages of local plan production to progress and continue to be examined under the 2021 version of the NPPF and the associated tests of soundness.

## 7.4 Corporate/Policy Implications

There are no direct corporate/policy implications associated with the consultation response. However, the updated NPPF and the wider reform agenda may have corporate/policy implications insofar as how the proposed changes to the planning system eventually manifest themselves in relation to plan-making and decision taking.

## 7.5 Equality Implications

The government's consultation sets out how it adheres to the Consultation Principles issued by the Cabinet Office. Worcester City Council are responding within the parameters of these consultation principles.

## 7.6 Human Resources Implications

There are no human resources implications associated with this item.

## 7.7 Health and Safety Implications

There are no health and safety implications associated with this item.

## 7.8 Social, Environmental and Economic Implications

There are no direct social, environmental and economic implications in relation to producing the consultation response, however the updated NPPF and the wider reform agenda may have social, environmental and economic implications insofar as how the proposed changes to the planning system eventually manifest themselves in relation to plan-making and decision taking.

### **Ward(s):**

**All**

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### **Background Papers:**

[Levelling-up and Regeneration Bill: reforms to national planning policy - GOV.UK \(www.gov.uk\)](#)

### **Appendices:**

**Appendix 1** – Worcester City Council: Response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation.