



Planning Reform: What Does the Future Hold?

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Planning Milestones

1983	Power to create the Register
1987	First planning policy reference
1994	Development of planning policy
1995	Consultation on planning applications
2010	Further development of planning policy
2022	TBC...



Is There a Need for Reform?

YES

- National policy not being used to its full potential
- Low profile
- Underestimation of numbers
- Inadequate protection
- Failure to implement statutory consultation requirements

NO

- Local policy being used
- Alternative tools being used creatively



Can Planning Fix Everything?

Lack of understanding	✓
Materials and design	
Neglect	
Criminal damage	
Access pressures	
Funding/finance	
Loss of spirit of place	
Development	✓
Change of use	✓
Subdivision	
Development affecting setting	✓
Legislation	



What's Going On Now?

The [planning system] is beginning to crumble...

... the time has come to... tear it down and start again.



Radical reform unlike anything we have seen since the Second World War....

... levelling the foundations and building, from the ground up, a whole new planning system for England.



Planning Reform

Aug
2020

- Planning White Paper

Feb
2022

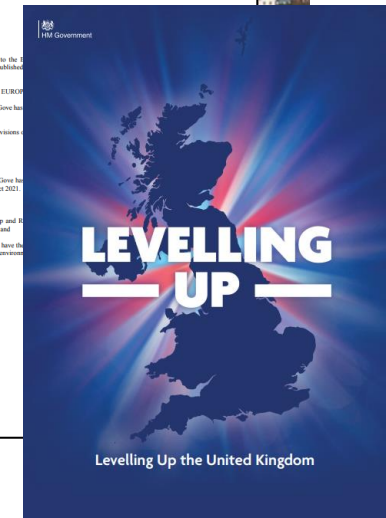
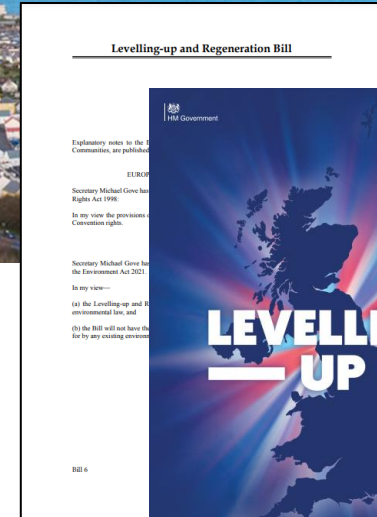
- Levelling Up White Paper

May
2022

- Levelling Up and Regeneration Bill

Sep
2022

- [Growth Plan]





Clauses of Interest in the Bill

Clause 92	Regard to certain heritage assets in exercise of planning functions
Clause 93	Temporary stop notices in relation to listed buildings
Clause 94	Urgent works to listed buildings: occupied buildings and recovery of costs
Clause 95	Removal of compensation for building preservation notice
Clause 185	Historic environment records



The Background to Clause 92

Designated heritage asset

A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.



The Background to Clause 92

- NPPF policy in respect of designated heritage assets:
 - Give great weight to the asset's conservation
 - Any harm or loss should require clear and convincing justification
 - Substantial harm to/loss of a Grade II registered park or garden should be exceptional, and, with regard to a Grade I/II*, *wholly* exceptional
 - Substantial harm to/loss of significance? Refuse consent, unless:
 - Substantial harm/loss demonstrably necessary to achieve substantial public benefits that outweigh it, or...
 - Various tests (listed in the NPPF) apply



Clause 92

- In considering whether to grant planning permission for development which affects a relevant asset or its setting, LPAs must have special regard to the desirability of preserving or enhancing the asset or its setting
- Preserving or enhancing a relevant asset or its setting includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.
- Registered parks and gardens are identified as 'relevant assets'; the 'significance' to be considered is their special historic interest.





Other Proposals in the Bill

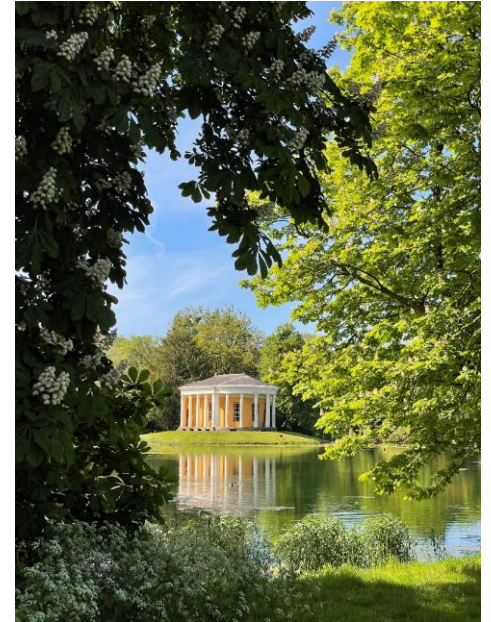
- Enforcement
- Digitisation
- Environmental Outcome Reports
- Changes to the plan-led system





Capacity and Resourcing

- Local planning authorities
- Statutory consultees





What's Not Proposed

- Parks and gardens consent
- Permitted Development Right restrictions
- Statutory consultation requirements
- Increase in community engagement
- Increased protection for locally listed assets
- Consolidation





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1983	Power to create the Register
1987	First planning policy reference
1994	Development of planning policy
1995	Consultation on planning applications
2010	Further development of planning policy
2022/23	Statutory duty



What To Do Next

- ☐ Keep an eye out for planning news
- ☐ Engage (constructively)
- ☐ Don't limit your efforts to planning
- ☐ Don't worry about knowing planning: know gardens!

