

For general release

REPORT TO:	Scrutiny Streets Environment and Homes Sub-Committee 29 September 2020
SUBJECT:	Planning for the Future – White Paper
LEAD OFFICER:	Shifa Mustapha, Executive Director of Place
CABINET MEMBER:	Councillor Paul Scott & Councillor Stuart King, Cabinet Member for Environment Transport and Regeneration (Job share)
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Steve Dennington, Head of Spatial Planning, Planning and Strategic Transport

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:

[Corporate Plan for Croydon 2018-2022](#)

ORIGIN OF ITEM:	This item has been identified as an item for Scrutiny.
BRIEF FOR THE COMMITTEE:	To review the key elements of the governments Planning for the Future- White Paper and its implications for planning in Croydon

1. EXECUTIVE SUMMARY

The government on 6th August 2020 published the 'Planning for the future' White Paper for 12 weeks consultation up to 29th October 2020. The Council will be submitting a response to the consultation. However, the focus of this report is to set out the key elements of the White Paper, indicate some implications for planning in Croydon and frame a discussion at Scrutiny Committee to inform the Council's response.

Furthermore, this report sets out the current context for Croydon in terms of housing numbers, with particular regard to the existing Local Plan 2018, the emerging London Plan and current Local Plan Review.

2. PLANNING FOR THE FUTURE- WHITE PAPER

2.1 Planning for the future – White Paper - Key Elements

Local plans would be simplified and focus on identifying three categories of land – "growth areas" that are "suitable for substantial development"; "renewal areas" that are "suitable for development"; and "protected areas". In "growth areas", outline

approval would be automatically granted for forms and types of development specified in the plan. Development in renewal areas would "cover existing built areas where smaller scale development is appropriate" and could include the "gentle densification" of residential areas, development in town centres, and small sites in and around villages. There would be a "statutory presumption in favour of development" specified in the plan. Protected areas, including green belt, conservation areas and Areas of Outstanding Natural Beauty (AONBs), would still be subject to "more stringent" development controls and full planning applications would be required for new schemes.

Local plans should be subject to a single and "simplified" statutory "sustainable development" test, replacing the existing "tests of soundness". This new test "would consider whether the plan contributes to achieving sustainable development in accordance with policy issued by the secretary of state", the consultation states.

Instead of general policies for development, the White Paper says, local plans would be required to set out site and area specific requirements for development, alongside locally-produced design codes. Generic policies for development management (such as nature conservation or approach to development in Green Belt) would be set at a national level.

The legal duty to cooperate, which requires local planning authorities to continuously and effectively engage with neighbours on strategic issues such as housing need, "would be removed". However, it adds that "further consideration will be given to the way in which strategic cross-boundary issues, such as major infrastructure or strategic sites, can be adequately planned for, including the scale at which plans are best prepared in areas with significant strategic challenges". There is no mention of the London Plan and regional planning in the White Paper so it is not clear what role the Mayor of London will have in future planning in Croydon if the White Paper proposals are implemented.

The White Paper says its "proposed approach should ensure that enough land is planned for, and with sufficient certainty about its availability for development, to avoid a continuing requirement to be able to demonstrate a five-year supply of land". However, it proposes to "maintain the housing delivery test and the presumption in favour of sustainable development as part of the new system".

The standard housing need method would be changed so that the requirement would be "binding" on local planning authorities who would "have to deliver [it] through their local plans". The new method "would be a means of distributing the national housebuilding target of 300,000 new homes annually". It says the requirement would be focused on areas where affordability pressure is highest and on brownfield land. It would also have regard to the "size of existing urban settlements" in an areas and the "extent of land constraints". Using the most up to date information, the new standard housing need method would result in a need for 2,148 homes per annum for Croydon, compared to the New London Plan figure of 2,076 and the current standard method figure of 2,302¹.

¹ It should be noted that the only reason the new standard method has resulted in a lower housing need in Croydon is because they are based on 2018 Office of National Statistics Household Projections rather than the 2014 projections that the current standard method use. The 2018 Household Projection figures are 64% lower for Croydon compared to the 2014 projections. If it had not been for the significant reduction in the Household

Councils and the Planning Inspectorate would be required through legislation to meet a statutory timetable of no more than 30 months for plan preparation (42 months for authorities with a Plan that was adopted less than 3 years prior to the introduction of the proposals) with "sanctions for those who fail to do so".

The need for sustainability appraisals alongside plans would be abolished and instead a "simplified process for assessing the environmental impact of plans, which would continue to satisfy the requirements of UK and international law and treaties".

Local plans would need to be "visual and map-based, standardised, based on the latest digital technology and supported by a new standard template", the document says.

Under a proposed new "fast-track for beauty", proposals for high-quality developments that reflect local character and preferences would benefit from "automatic permission". New development would be expected to create a "net gain" to areas' appearance.

Design codes, which would be expected to be prepared locally, would be made "more binding" on planning decisions.

Each local planning authority would be required to have a chief officer for design and place-making.

A new 'single infrastructure levy' will replace the existing developer contributions system of section 106 agreements and the community infrastructure levy. The new levy will be a nationally-set, flat rate charge and would be based on the final value (or likely sales value) of a development. The White Paper says it intends the new levy to raise more revenue than under the current system of developer contributions, and deliver "at least as much" affordable housing, and on-site affordable housing, as at present

The new levy could be used to "capture a greater proportion of the land value uplift that occurs through the grant of planning permission, and use this to enhance infrastructure delivery. It is stated such a move "would need to be balanced against risks to development viability".

The scope of the levy "could be extended to capture changes of use through permitted development rights". Such a move "would allow these developments to better contribute to infrastructure delivery and making development acceptable to the community.

Community consultation at the planning application stage is to be "streamlined". Instead, there would be "a new emphasis on engagement at the plan-making stage", the White Paper says.

The determination of planning applications "should be faster and more certain, with firm deadlines". The "well-established time limits of eight or 13 weeks for determining an application from validation to decision should be a firm deadline – not an aspiration which can be got around through extensions of time as routinely happens now".

Projections figures for Croydon then our housing need would have increased under the new standard method, something which has happened for every other London borough except Barking and Dagenham.

Applications should be "shorter and more standardised". There should be just "one key standardised planning statement of no more than 50 pages to justify the development proposals", the paper proposes.

Penalties for councils that fail to determine an application within the statutory time limits could involve "the automatic refund of the planning fee for the application".

Where applications are refused and the decision is overturned at appeal, the White Paper proposes that "applicants will be entitled to an automatic rebate of their planning application fee".

Fees should continue to be set nationally but "cover at least the full cost" of processing applications, "based on clear national benchmarking". It added that this "should involve the greater regulation of discretionary pre-application charging to ensure it is fair and proportionate".

The costs of operating the planning system should be "principally funded" by developer contributions "rather than the national or local taxpayer". Currently, the White Paper says, "the cost of development management activities by local planning authorities is to a large extent covered by planning fees". However, the "cost of preparing local plans and enforcement activities is now largely funded from the local planning authority's own resources".

The government has promised to "develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms". Proposals for "improving the resourcing of planning departments" will be published "later this year", it adds.

The White Paper can be viewed in full via the link below.

<https://www.gov.uk/government/consultations/planning-for-the-future>

Croydon Housing Targets

Croydon Local Plan 2018

The Croydon Local Plan 2018 is in conformity with the current London Plan and seeks to deliver a minimum of 32,890 homes between 2016-2036. As of 31 March 2020 the borough had accommodated 7,682 homes. Policy SP2.2 Homes setting out this detail can be viewed via the link below.

<https://new.croydon.gov.uk/planning-and-regeneration/planning/planning-policy/croydons-development-plan/local-plan-2018>

New London Plan

The New London Plan is in very late stages prior to adoption, following the Examination in Public in mid 2019, receipt of the Planning Inspectors' Panel Report and the Secretary of State's consideration of the Panel Report and Mayor's Intend to Publish New London Plan, and the Secretary of State issuing the Mayor with direction on the amendments necessary to the London Plan before adoption.

Of particular note, the Secretary of State has directed the Mayor of London to amend his London Plan as below.

Change 1, relates to paragraph 0.0.21 of the draft London Plan. The Secretary of State has amended it so that it says "*The Plan provides an appropriate spatial strategy that plans for London's growth in a sustainable way and has been found sound by the*

~~planning inspectors through the examination in public.~~ The housing targets set out for each London Borough are the basis for planning for housing in London. Therefore, boroughs do not need to revisit these figures as part of their local plan development, **unless they have additional evidence that suggests they can achieve delivery of housing above these figures whilst remaining in line with the strategic policies established in this plan.**

Change 2, relates to Policy D3 of the draft London Plan. The Secretary of State has added three new clauses to the policy that say:

- a. ***“The design of the development must optimise site capacity. Optimising site capacity means ensuring that development takes the most appropriate form for the site. Higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.***
- b. ***Where there are existing clusters of high density buildings, expansion of the clusters should be positively considered by Boroughs. This could also include expanding Opportunity Area boundaries where appropriate.***
- c. ***Gentle densification should be actively encouraged by Boroughs in low- and mid- density locations to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2.”***

These changes, coupled with the fact that Policy H2(A)(5) of the draft London Plan sets out minimum targets for development on small sites (sites of less than 0.25ha) for each borough.

Officers understand that Croydon’s housing target for the period 2019 to 2039 would be as follows:

Component	Total
Intend to Publish housing target 2019 – 2029	20,790
Small sites allowance rolled forward 2029 – 2039	6,410
Strategic Housing Land Availability Assessment – total Constrained Capacity	6,296
TOTAL housing required 2019 – 2039	33,496

The housing target from the new London Plan is a minimum target. Therefore, a minimum of 33,496 homes should be built in Croydon between 2019 and 2039.

The table below compares the annual minimum housing target from the Croydon Local Plan 2018 and New London Plan.

Croydon Local Plan 2018 (original minimum annual rate of housing delivery required for whole plan period 2016-2036)	Draft London Plan (minimum annual rate of housing delivery required 2019-2039)
1,635	1,675

Croydon Local Plan Review – Direction of Travel

As a consequence of the New London Plan being at a late stage, the current direction in terms of the borough’s housing target in the Local Plan Review is set out below.

Component of housing supply	Total homes from housing supply (2019-2039)
Homes already completed April – December 2019	1,323
Homes already under construction	4,245
Unimplemented planning permissions	4,668
Large sites outside of Purley Way and Croydon Opportunity Area	3,956
Sites in Croydon Opportunity Area	6,924
Small sites (windfall)	12,820
Total (excluding Purley Way)	33,936

This direction of travel is in line with the 33,496 minimum housing target emerging from the New London Plan. The direction of travel also excludes any potential supply from the Purley Way Masterplan area (given Change 1 outlined above), which is being finalised as part of the Local Plan Review.

The Local Plan Review proposed submission drafted is anticipated to be considered by Cabinet in November and then Council seeking approval to publish for representations and submission to the Secretary of State respectively.

Further detail regarding the Local Plan review can be viewed via the link below.

<https://new.croydon.gov.uk/planning-and-regeneration/planning/get-involved-croydons-planning/croydon-local-plan-review>

CONTACT OFFICER: Steve Dennington, Head of Spatial Planning, Planning and Strategic Transport

BACKGROUND DOCUMENTS:

<https://www.gov.uk/government/consultations/planning-for-the-future>

<https://new.croydon.gov.uk/planning-and-regeneration/planning/get-involved-croydons-planning/croydon-local-plan-review>

<https://new.croydon.gov.uk/planning-and-regeneration/planning/get-involved-croydons-planning/croydon-local-plan-review>

APPENDICES: None