

Delegated Portfolio Holder Decision: TWBC Representations to the Department for Levelling Up, Housing and Communities Consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy

For Councillor Hugo Pound on 26 February 2023

Summary

Lead Member: Councillor Hugo Pound

Lead Director: Lee Colyer

Head of Service: Carlos Hone

Report Author: Ellen Gilbert, Interim Planning Policy Manager

Classification: Public document (non-exempt)

Wards Affected: All

Approval Timetable	Date
Portfolio Holder	26 February 2023
Report Published	2 March 2023
Decision Due Not Before	10 March 2023

Recommendations

Officer recommendations as supported by the Portfolio Holder:

1. That the tables of TWBC officer comments presented in **Appendix A** be submitted, on or before the 02 March 2023, as the Borough Council's

representations to the Government consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy.

1. Introduction and Background

- 1.1 This report relates to a consultation by the Department for Levelling Up, Housing, and Communities (DLUHC) on the Levelling-up and Regeneration Bill: reforms to national planning policy (the National Planning Policy Framework (NPPF)).
- 1.2 The consultation commenced on the 22 December 2022 and runs until 02 March 2023. The proposed amendments to the NPPF will be interim arrangements until the Levelling-up and Regeneration Bill gets royal ascent in late 2024.
- 1.3 Details of the consultation can be found [here](#). DLUHC is seeking views on how it might develop new national planning policy to support its wider levelling up objectives. In addition, it seeks views on its proposed approach to preparing National Development Management Policies, and how it might develop policy to support levelling up (through amendments to the NPPF), and how national planning policy is currently accessed by users.
- 1.4 DLUHC advises that a fuller review of the Framework will be required in due course, and its content will depend on the implementation of the government's proposals for wider changes to the planning system, including the Levelling-up and Regeneration Bill.
- 1.5 The consultation includes 15 chapters, with questions spread throughout these. Chapter 14 provided a comprehensive table of all the 58 consultation questions, with signposts to their relevant scope. A tracked change version of the NPPF is included.

2. Representations to be made by TWBC to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy

- 2.1 **Appendix A** to this report provides two tables, the first of which is a comprehensive table of all 58 consultation questions set out against their relevant chapter number and name, with the TWBC response alongside each question.
- 2.2 In some cases, it is not considered necessary for TWBC to respond, and this is noted on the table.
- 2.3 TWBC seeks to respond on a significant number and range of questions asked including for example, in relation to:
- Reforming the 5-year housing land supply
 - Boosting the status of Neighbourhood Plans
 - Local housing need and the standard method
 - Introducing new flexibilities to meeting housing needs
 - Enabling communities with plans already in the system to benefit from changes
 - Taking account of permissions granted in the Housing Delivery Test
 - More older people's housing
 - Ask for beauty
 - Refuse ugliness
 - Embracing gentle density
- 2.4 Further comments are provided at the end of the table, for example in relation to proposals to replace Supplementary Planning Documents with Supplementary Plans, and the introduction of National Development Plan policies.
- 2.5 The second table provides comments relating to the NPPF identified tracked changes.

Conclusion

- 2.6 This report provides the Council's suggested response to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy.

- 2.7 The response is set out at **Appendix A** to this report and provides comments on a range and wide scope of consultation questions and matters, including proposed tracked changes to the National Planning Policy Framework (NPPF).

3. Options Considered

- 3.1 Option A): 'not submitting TWBC representations to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy': This option would involve the borough council not having an input into proposed changes to national planning policy, missing a valuable opportunity to shape future national policy, including regarding Local Plan making and planning decisions.
- 3.2 The Council should take a proactive and positive approach to this opportunity to shape future national planning policy.
- 3.3 Planning and specialist officers have input into the TWBC representation, presented at **Appendix A**.
- 3.4 Option B): 'submit alternative representations to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy': the representations presented in **Appendix A** that it is proposed to submit to the consultation on the reforms to national planning policy reflect advice and comments from a range of TWBC professional officers in the planning department. This option would require additional liaison and discussion with these officers.
- 3.5 Option C): 'to endorse the proposed representations to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy': this option would enable the borough council to engage in the development of future national planning policy and shape both plan-making and the decision-making processes.

4. Preferred Option and Reason

- 4.1 The preferred option, Option C): 'to endorse the proposed representations to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy' as this would enable the borough council to engage in the development of future national planning policy, which will directly affect the work of the Local Planning Authority, and shape future plan-making and planning decisions.

5. Consultation on Options

- 5.1 N/A

Recommendation from Cabinet Advisory Board

5.2 N/A

6. Implementation

6.1 The TWBC representations to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy, set out in **Appendix A**, will be submitted using the email address given - PlanningPolicyConsultation@levellingup.gov.uk

7. Appendices and Background Documents

Appendices:

- **Appendix A:** TWBC representations to the DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy

Exempt appendices (if any): N/A

Background Papers:

- DLUHC consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

8. Cross Cutting Issues

A. Legal (including the Human Rights Act)

There are no legal implications.

Robin Harris, Mid Kent Legal 24 February 2023

B. Finance and Other Resources

There are no cost implications.

Jane Fineman, Head of Finance, Procurement and Parking 01 March 2023

C. Staffing

There are no staffing implications.

Carlos Hone, Head of Planning 28 February 2023

D. Risk Management

All risks associated with this report are within the Council's current risk appetite and managed in accordance with its risk management strategy.

Carlos Hone, Head of Planning 28 February 2023 2023

E. Environment and Sustainability

There are no environmental and sustainability implications identified.

Carlos Hone, Head of Planning 28 February 2023

F. Community Safety

There are no community safety issues.

Section 17, Crime and Disorder Act 1998

Carlos Hone, Head of Planning 28 February 2023

G. Equalities

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.

Carlos Hone, Head of Planning 28 February 2023

H. Data Protection

There are no data protection implications.

Article 5, General Data Protection Regulation 2016

Carlos Hone, Head of Planning 28 February 2023

I. Health and Safety

There are no implications for Health and Safety.

Carlos Hone, Head of Planning 28 February 2023

J. Health and Wellbeing

There are no implications on any social, economic and environmental factors which impact on people's health and wellbeing.

Rebecca Bowers, Health Improvement Team Leader 28 February 2023