

Title: Levelling-up and Regeneration Bill: reforms to national planning policy – consultation response

Lead Officer: Philip Clarke (01926 456518), Andrew Cornfoot (01926 456203), Gary Fisher (01926 456502)

Portfolio Holder: Councillor John Cooke

Wards of the District directly affected: All

<b>Approvals required</b>	<b>Date</b>	<b>Name</b>
<b>Portfolio Holder</b>	17/1/23	John Cooke
<b>Finance</b>	10/1/23	Andrew Rollins
<b>Legal Services</b>		
<b>Chief Executive</b>	10/1/23	Chris Elliott
<b>Head of Service(s)</b>	10/1/23	Philip Clarke
<b>Section 151 Officer</b>	10/1/23	Andrew Rollins
<b>Monitoring Officer</b>	10/1/23	Andrew Jones
<b>Leadership Co-ordination Group</b>	23/1/23	
<b>Final decision by this Committee or rec to another Cttee / Council?</b>	Yes Recommendation to: Cabinet	
<b>Contrary to Policy / Budget framework?</b>	No	
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>	No	
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>	No	
<b>Accessibility Checked?</b>	Yes	

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## Summary

The Department for Levelling Up, Housing & Communities has launched a public consultation on some significant proposed changes which will impact on the planning service. This consultation was launched on 23<sup>rd</sup> December 2022 and closes before the next Cabinet meeting in March. This report recommends giving delegated authority to officers to allow the Council to make a response before the close of the consultation period.

## Recommendation(s)

- (1) That authority is delegated to the Head of Place, Arts & Economy, in consultation with the Portfolio Holder for Planning & Place and all Group Leaders, to prepare and submit a response to the current Government consultation "Levelling-up and Regeneration Bill: reforms to national planning policy".
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## 1 Reasons for the Recommendation

- 1.1 On 23<sup>rd</sup> December 2022, the Department for Levelling Up, Housing & Communities launched a public consultation on its proposed approach to updating the National Planning Policy Framework (NPPF). The scope of the consultation also included also seeking views on the government's proposed approach to preparing National Development Management Policies, how it might develop policy to support levelling up, and how national planning policy is currently accessed by users.
- 1.2 This is a wide-ranging planning consultation. Whilst the focus is on planning policy (most significantly the South Warwickshire Local Plan), the changes that are being consulted on will also have implications for decision making on planning applications. Whilst some of the matters under consideration in the consultation will need to await primary legislation, and therefore will not have immediate effect, some relate to changes to the NPPF. These would not require legislation and so could be in place by the spring / summer of this year, subject to Government timetables. It is important, therefore, that the Council understands the implications these changes may have on its work and decisions it will make.
- 1.3 Officers are in the process of considering how the Council may wish to frame any responses, however they have not been able to complete this, and consult with members, in time for this Cabinet. The consultation closes on 2<sup>nd</sup> March 2023 which is before the date of the next Cabinet meeting. It is therefore recommended that authority is delegated to the Head of Place, Arts & Economy, in consultation with the Portfolio Holder for Planning & Place and all Group Leaders, to prepare and submit a response to the consultation.
- 1.4 The final response will be shared with all councilors, and consideration will be given to how it can be placed in the public domain.

## 2 Alternative Options

- 2.1 There is no requirement on the council to respond to this consultation and so an alternative option would be for the Council not to make a response. This is not recommended as it is felt helpful for the Council to make any concerns it may have about the changes known to Government through this consultation. It is

also an important opportunity to register support for any proposed changes which it is considered would be helpful to the Council, particularly in its plan-making work.

### **3 Legal Implications**

3.1 There are no legal implications associated with this report.

### **4 Financial**

4.1 There are no financial implications associated with this report. The potential impact on finances, including impacts on current funding such as s106 payments and the Community Infrastructure Levy, will be considered as part of the consultation response.

### **5 Business Strategy**

5.1 Warwick District Council has adopted a Business Strategy, which sets out key areas for service delivery.

5.2 The changes proposed by the Government consultation will have an impact on the Council's planning work and in particular the development of planning policy, most notably through the South Warwickshire Local Plan (SWLP). It will potentially impact on all the matters below.

5.3 Health, Homes, Communities: This will have a major impact on the Council's ability to meet its housing needs, including the provision of affordable housing, and to provide sports, recreation, leisure, community and cultural facilities to serve its population.

5.4 Green, Clean, Safe: This will have a major impact on all the Council's "green, clean and safe" aspirations. It will include the Council's ability to meet its climate change targets through the planning policies it puts in place regarding the location of new development and standards for new buildings.

5.5 Infrastructure, Enterprise, Employment: This will have a major impact on the Council's ability to support the local economy through providing appropriate and affordable places of work in the right locations and by other policies to support the economy including within the district's town centres.

5.6 Effective Staff: Staff will, however, require training to be able to respond to the proposed changes.

5.7 Maintain or Improve Services: See "effective staff" comment above.

5.8 Firm Financial Footing over the Longer Term: The potential impact on finances, including impacts on current funding such as s106 payments and Community Infrastructure Levy, will be considered as part of the consultation response.

### **6 Environmental/Climate Change Implications**

6.1 These will be considered as part of any proposed response to the public consultation.

### **7 Analysis of the effects on Equality**

7.1 The Government will undertake its own Equality Impact Assessment of these changes.

### **8 Data Protection**

8.1 No issues.

## **9 Health and Wellbeing**

9.1 These will be considered as part of any proposed response to the public consultation.

## **10 Risk Assessment**

10.1 There are no risks associated with the decision on whether the Council makes a formal response to this public consultation. As part of the Council's place shaping role, there may be an expectation by some stakeholders that the Council will respond to such a consultation, and so there may be some very minor reputational risks if the Council decided not to do so.

## **11 Consultation**

11.1 As the recommendation indicates, all Group Leader would be consulted on the proposed response. It is also intended to arrange a briefing for all members (to take place during February) to update them on the key issues relating to this consultation.

### **Background papers:**

None.

### **Supporting documents:**

All documents relating to the Government consultation can be viewed [here](#).