



By Email Only

28 May 2021

### Message from Chief Planner

Please find below the latest news and updates regarding planning policy and practice for England, across a wide range of topics including neighbourhood planning, permitted development, building regulation and fire safety, first homes, 5G, newts and an opportunity to get involved in Natural England's digital service improvements.

We hope local authority colleagues have picked up the opportunity to apply to two MHCLG funds supporting neighbourhood planning. Please note details below and that we have extended the deadline to 7 June.

I also wanted to share an observation about graduate recruitment. We are in the process of appointing to the MHCLG town planning graduate programme. It is notable that we received over 270 applications and, while MHCLG is a great place to work, this number may reflect a low take up or retention of graduates elsewhere in the industry. One thing we can be sure of is the wide variety of roles that planners are suited to. I hope we can, as an industry, support people in the early stages of their careers; we need young and diverse voices around the table if we are to address the opportunities and challenges ahead of us.

Like many the team at MHCLG are starting to look forward to and think about what hybrid working will mean for us individually and collectively. There is uncertainty ahead, but also more than ever we know the value of the built and natural environment around us and the need to continue to sensitively adapt it to suit our changing ways of working, transacting and socialising.

Finally, can I wish you all a wonderful Bank Holiday weekend. I hope the sun is shining wherever you are and that you get the chance to see big skies and landscapes or wonder around your favourite bit of town or city.

**Joanna Averley**  
Chief Planner



## **Neighbourhood Planning Programme: Two Funds to Support Greater Uptake – Extended Deadline for Applications**

**On Saturday 24<sup>th</sup> April, the Minister for Housing, Christopher Pincher, announced two new neighbourhood planning support funds.**

Neighbourhood planning empowers our communities, allowing them to shape the places where they live and work. Over 1,000 communities have now progressed through the stages of neighbourhood planning and have a 'made' plan or order in place, and more than 2,740 communities have started the process.

However, further support is needed in certain areas which are currently under-represented. This is why we have launched two new neighbourhood planning initiatives, under which:

- Local Planning Authorities with low take-up in urban areas are able to bid for support from a £2.1m fund, focused on better resourcing and encouraging neighbourhood planning in their communities
- All Local Planning Authorities across England can also bid to take part in a £330k pilot, testing a simpler approach to neighbourhood planning.

**The closing date for applications to both funds has now been extended by a week, and we will be accepting applications until 11:59pm on 7 June 2021.** You can find more details about the [Neighbourhood Planning Programme here](#).

## **Faster Application Process for Key Public Service Infrastructure Development**

**On 31<sup>st</sup> March, the Government published its [response](#) to proposals to introduce a faster decision making process for new public service infrastructure.**

We plan to introduce this faster process from 1<sup>st</sup> August (primarily through amendments to The Town and Country (Development Management Procedure) (England) Order 2015. After this date, applications for specified major public service infrastructure projects (excluding EIA development) involving schools, hospitals and criminal justice accommodation, will be subject to this process which will:

- reduce the statutory determination period for these developments from 13 weeks to 10 weeks



- shorten the statutory consultation period for these developments to 18 calendar days (from the current 21 calendar days); and
- require that local planning authorities notify the Secretary of State when they anticipate making a decision (to ensure the process is being applied properly and to support effective engagement.)

We anticipate that the new process will only apply to a small number of applications each year. Where they do come forward, we expect them to be determined as quickly as possible. We also intend to amend the National Planning Policy Framework to make clear that applicants must engage early and effectively with local planning authorities so that the decision-taking process is as fast and efficient as possible.

## Planning Gateway One

**On 10 May, the government [published information](#) - including a draft Order amending The Town and Country (Development Management Procedure) (England) Order 2015 and a fire statement form - on its plans to introduce planning gateway one into the planning system.**

Planning gateway one delivers one of Dame Judith Hackitt's recommendations from her Independent Review of Building Regulations and Fire Safety and will ensure fire safety matters as they relate to land use planning are incorporated at the planning stage for schemes involving a relevant high-rise residential building.

We propose to bring the changes into effect from 1<sup>st</sup> August.

## Biodiversity Net Gain and the Environment Bill – what does it mean for LPAs?

**The Environment Bill will bring in new requirements for planners and decision-makers in councils, in particular Biodiversity Net Gain (BNG) for most planning applications.**

The Planning Advisory Service (PAS) has been commissioned by Defra to support councils in their efforts to get ready for the changes.

PAS wants local authority planners and members to get involved to help us decide how we best focus this support and what the priorities should be as the project evolves. You can check out the [Environment](#) pages on the PAS



website, the Planning for a Better Environment section of the [PAS KHub forum](#) and [sign up](#) to the PAS newsletter for more information.

PAS is running workshops over the next month to get input from [local planners](#) and [councillors](#). We are also looking for individuals with interest in the topic and a bit of time to form a stakeholder steering group - contact [Beccy Moberly at PAS](#) if you'd like to get involved.

## 5G Consultation

Last month, we published our '[Changes to permitted development rights for electronic communications infrastructure: technical consultation](#)'.

The consultation looks at how to implement the proposals consulted on in August 2019 to support the deployment of 5G and extend mobile coverage in England.

**The consultation opened on 20 April for eight weeks, and closes on Monday 14 June at 11:45pm. Responses to the consultation can be submitted via our [online survey](#).**

## Planning Guidance on reviews of National Policy Statements

**We have published new [Planning Guidance](#) on carrying out reviews of National Policy Statements**

National Policy Statements designated under the Planning Act 2008 establish the need for infrastructure in a particular infrastructure field and provide the primary basis for decisions on individual Development Consent Order applications for nationally significant infrastructure projects. This guidance sets out further advice on the process for carrying out a review of a National Policy Statements and supports the National Infrastructure Planning Reform Programme that is being taken forwards as part of Project Speed.



## First Homes Written Ministerial Statement

On Monday 24 May, the Housing Minister laid an Affordable Housing Update Written Ministerial Statement, [which can be found here](#).

This introduces planning policy on First Homes, which we consulted on through our Changes to the Current Planning System consultation in 2020, and sets out:

- policy detail on the definition of First Homes,
- the process for securing developer contributions for them,
- the types of developments that will be exempt from the requirement to provide First Homes,
- the transitional arrangements that will apply to local and neighbourhood plans depending on their level of advancement through the plan making process, as well as for planning applications
- the policy framework for First Homes exception sites.

The Written Ministerial Statement does not come into force until 28 June 2021.

We have also published [planning practice guidance on First Homes](#) and on [rural exception sites](#), to assist local authorities, developers and others with delivering First Homes and rural exception sites.

## National Model Design Code

MHCLG has created a helpful [video to support the National Model Design Code](#)

## Building Regulations Part M Review – Optional technical standards research

**MHCLG has been undertaking research on the use of the optional technical standards for accessible homes set out Part M of the Building Regulations:**

- Part M4(2) sets a higher standard for accessible homes.
- Part M4(3) sets a standard for wheelchair accessible homes.

Thank you to those LPAs that responded to our survey earlier this year.



We are still gathering evidence and would be grateful if those LPAs that couldn't respond earlier could now respond. Your responses will help inform us of use of these optional standards.

Evidence gathered will help government consider what changes can be made, including reviewing and potentially tightening the regulatory framework to deliver accessible new homes and updates to statutory guidance.

**We would appreciate your response to our [online survey](#) which should take you around 10 minutes to complete. Please respond by Friday 2 July 2021.**

At the start of the survey you will be asked to list your LPA name so that we can keep track of your progress, but this will not affect our review of your response.

If you have any questions regarding the survey please contact us at [accessiblehomes@communities.gov.uk](mailto:accessiblehomes@communities.gov.uk)

## **District Level Licensing for Great Crested Newts – Update**

**District Level Licensing (DLL) for great crested newts is an [award-winning](#), evidence-based approach helping streamline regulation to better protect newt populations for the future, whilst enabling developers and local authorities to deliver on their investment and home-building plans.**

It enables us to contribute to Government's ambition to Build Back Greener, advancing departmental interests to increase biodiversity and enable faster, more sustainable development. MHCLG's ongoing investment in Natural England's expansion and development of this strategic approach to licensing is a great example of our shared commitment to bring about nature's recovery whilst acknowledging the ever-increasing need for homes.

Just over two years ago, Natural England launched their first DLL schemes in Kent and Cheshire. From there, DLL has gone from strength to strength, expanding right across England. DLL is now available in 155 local authorities, more than doubling availability compared to this time last year. One new Natural England-led DLL scheme launched in March across Northumberland, Durham, Tyne & Wear and Tees Valley. Alongside eight local authorities, Natural England is working in partnership with three local Wildlife Trusts to create and maintain habitat for great crested newt. Homes England's Burtree



Garden Village, near Darlington, will be one of the first much-needed home developments to take advantage of the new scheme. [Read more](#)

With DLL now available in 155 local authorities, this option can replace up to 74% of historic traditional licensing activity, saving time, money and resources, as well as delivering better outcomes for great crested newts. Natural England are finding that developers are increasingly opting for DLL, not least because on average it takes 23 days to issue a DLL licence, compared to 101 days for a traditional licence. Importantly, this figure does not account for the seasonal delays associated with traditional licensing, restricting when customers can apply. DLL is taking great steps towards enabling house-building and leaving the environment in a better state than we found it in. [Read more about the outcomes for nature](#) and, more [information on District Level Licensing](#).

## Natural England's Digital Service Improvement Project

**Natural England, as part of its role as statutory consultee and adviser on housing and infrastructure planning and regulator for protected species, is undertaking a project to improve its digital service for planning and wildlife licensing.**

The project is currently seeking volunteers to take part in its user research phase which will help identify options for improving Natural England's digital service for wildlife licensing and planning advice and casework. Specifically, the team would like to invite comment and feedback from planners within Local Planning Authorities (LPAs), to gain a better understanding of user experiences with planning advice and consultations where these require interactions with Natural England.

If you work for a planning authority and would like to contribute to our research please participate in our [planning authority questionnaire](#).

Your input will directly inform and shape how Natural England might offer their service in the future. It is essential that we have representation from all our user groups and so your time for this would be hugely appreciated.