

PLANNING REFORM: WHOLESALE CHANGES PUT ON HOLD

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Background

In Spring 2020, then Housing Secretary Robert Jenrick MP outlined proposals to reform the planning system in a paper called [Planning for the Future](#). These proposals were the subject of a [White Paper](#) published in August 2020 and subsequent consultation.

This intention was re-iterated in May 2021, when the Queen's speech announced a new Planning Bill in Autumn in 2021.

However, it has recently been reported that the proposals may not be pursued. Following the recent Cabinet re-shuffle, the new Minister Michael Gove is said to be pausing and reviewing the proposals before deciding how to proceed. It is suggested that a more limited set of changes may instead be introduced, although it is not yet clear what these might be.

Proposals

The White Paper promised *"a whole new planning system for England"*. Emphasis was placed on speeding up and simplifying the process, with a view to building more housing.

Notably, it was suggested that land should be 'zoned' thereby allowing developers to build for certain purposes in certain areas without obtaining individual planning consents. By removing discretionary decision-making, developers would also avoid local scrutiny of their plans.

Remaining Problems

There remains a housing shortage in need of a solution. Those in favour of the proposals stressed that the scale of the problem required radical change. The proposals sought to bring greater certainty to the planning system and, importantly, greater speed. There will be plenty of people who wish to see more housing sooner rather than later.

Many developers would also have been pleased to see a system that was less subjective and dependent on local councillors' views. The proposals promised a reduced likelihood of "unjustified"

refusals of planning permission that necessitate the time and cost of an appeal and/or a re-design of the proposal.

Criticisms

Critics noted that the current system already allowed for certain developments to be prioritised or streamline. For example, by way of development orders, permitted developments, simplified planning zones and the presumption in favour of sustainable development. Therefore, a more permissive planning system was said to be unnecessary.

There was also disagreement that less regulation would lead to better housing. Groups campaigning to protect the countryside expressed concerns that the changes would lead to many more houses being built on greenfield land and areas of outstanding natural beauty. They will no doubt welcome the announcement's suggestion that any changes will be more limited.

The flexibility of the current system was considered by some to be an advantage, allowing for subjective decision-making on inherently subjective issues such as the beauty of a building. It also allows decisions to be made by locally elected and accountable politicians, informed by local involvement. This is in-keeping with the recent drive towards localism and it was unclear how the new system would have incorporated that principle.

Conclusion

Notably, the recent reports do not state that the changes have been permanently abandoned. There remains the possibility that they will be resurrected at a later stage. However, for the time being, the existing planning system lives on.

Our other articles on this topic (and others) can be found [here](#).

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