



Public Information Leaflet

THE PLANNING AND COMPULSORY PURCHASE BILL

A note on the Government's
intended planning reforms

'leading for tomorrow'



THE NEED FOR CHANGE

On the 4th December 2002, the Planning and Compulsory Purchase Bill was introduced in the House of Commons. The Bill marks the next step in the Government's aim to reform the planning system, following the Planning Green Paper, "Planning – Delivering Fundamental Change", published in December 2001. The Green Paper identifies the need for fundamental reform of the system to:

- ❖ Simplify the complex nature of plans;
- ❖ Increase the speed at which plans are produced and decisions on applications are made; and
- ❖ Better engage with the community.

The Bill, due to be enacted in June 2004, establishes a number of measures that seek to achieve the above objectives with the intention of making the system 'clearer, faster and more certain'.

This booklet overviews these changes, and in particular the move to new Local Development Frameworks. It is intended as a summary guide only. The Act, when it comes into force, may differ slightly from the Bill as currently proposed.

References to further information can be found at the back of the booklet along with useful contacts.

SUMMARY OF MAIN PROVISIONS OF BILL

<p>NATIONAL LEVEL</p>	<p><i>Planning Policy Guidance Notes will be replaced by Planning Policy Statements, a more streamlined set of government planning policies. This will be supported by an increasing quantity of best practice documents.</i></p>
<p>REGIONAL LEVEL</p>	<p><i>Structure Plans will be abolished and Strategic Planning Policy will be provided instead by Regional Bodies, paving the way for devolution to Regional Assemblies.</i></p>
<p>LOCAL LEVEL</p>	<p><i>Local Planning Authorities will still produce local planning policy but in a new more flexible form, called Local Development Documents. These will replace Local Plans and Unitary Development Plans.</i></p>
<p>DEVELOPMENT CONTROL</p>	<p><i>A number of changes are proposed to reduce delay and speed up decision-making.</i></p>
<p>COMPULSORY PURCHASE</p>	<p><i>Local planning authorities will have wider compulsory purchase powers and compensation will be available to occupiers as well as owners.</i></p>

Once enacted, the new Planning and Compulsory Purchase Act will introduce significant changes to the plan-making system at all levels. New plans are likely to look much different, will be administered differently and should provide for a greater level of public participation.

A NEW PLAN FRAMEWORK: National Level

National policies are currently set out in 25 Planning Policy Guidance Notes (PPGs) and 15 Mineral Planning Guidance Notes (MPGs). In addition, there are numerous circulars, policy statements, good practice documents, advice and other material relating to such matters as housing, transport, town centres and the countryside.

The new plan-making system will see Planning Policy Guidance Notes replaced by *Planning Policy Statements (PPSs)*. These will be reworked to distinguish national planning policy from practical implementation advice. The more detailed implementation advice will continue to be developed as good practice guides, to allow greater flexibility of interpretation at the regional or local level.

A NEW PLAN FRAMEWORK: Strategic/Regional Level

Regional Planning Guidance presently sets development strategies for individual regions, including the South-East. The Government continues to see the need for effective planning at the regional level particularly for developing regionally based policies for strategic issues, such as new housing and transport.

Under the new Bill, structure plans at the County level are abolished. Strategic policy will instead be produced by *Regional Planning Bodies* in the form of *Regional Spatial Strategies (RSSs)*. More focused and specific to regional needs, Regional Spatial Strategies will provide a framework by which to develop plans and strategies at the local level. The content of these documents is anticipated to be much broader

than the current Regional Planning Guidance, and may include additional strategic land use and development matters such as congestion charging. All Local Development Documents (see below) must be in general conformity with the Regional Spatial Strategy.

A NEW PLAN FRAMEWORK: Local Level

The Bill proposes a new type of plan at the local level called *Local Development Frameworks (LDFs)*, which all local planning authorities must produce. They will be made up of a series of documents called *Local Development Documents (LDDs)* that together will provide the framework for delivering the spatial planning strategy for the area.

Local Development Frameworks must have clear links with the local *Community Strategy* to assist in delivering its policies relating to land-use and development. In doing this, full account can be taken of the land-use consequences of other policies and programmes relating to education, health, waste, recycling and other environmental, economic and social objectives.

What is the Community Strategy?

A local strategy prepared by Local Authorities in conjunction with other public, private and community sector organisations to promote the economic, social and environmental well being of their areas and contribute to the achievement of sustainable development.

They must include:

- ❖ A long-term vision for the area which focuses on the outcomes that are to be achieved;
- ❖ An action plan identifying shorter-term priorities and activities that will contribute to the achievement of long-term outcomes;
- ❖ A shared commitment to implement the action plan and proposals for doing so; and
- ❖ Arrangements for monitoring the implementation of the action plan, for periodically reviewing the community strategy, and for reporting progress to local communities.

LOCAL DEVELOPMENT FRAMEWORKS:

Key Components

The Local Development Documents that comprise the Local Development Framework must include a Statement of Community Involvement and can include any additional documents that the local planning authority deems appropriate for delivering the spatial strategy for the area. Typically, the Local Development documents will be made up of the following components (as illustrated on figure 1):

(A) Statement of Community Involvement

This document will set out what and how the Council intends to consult with the community. As the Local Development Documents are intended to be the spatial expression of the Community Strategy, the

Statement of Community Involvement will also identify the links between the Local Development Documents and the Community Strategy.

(B) Development Plan Documents

Development Plan Documents will form the ‘heart’ of the new Local Development Framework. A series of documents, they will set out the local planning authority’s policies relating to the development and use of land in their administrative area. In most cases, it is likely that these documents will include:

- ❖ **Core Policy Document** – setting out the local authorities’ long-term vision and strategy to be applied in promoting and controlling development throughout its area. It will contain a set of primary policies for delivering the core strategy. Broad locations for development may be set out in a key diagram;
- ❖ **Area Action Plans** – which may be relevant to particular areas of change which require more pro-active policy treatment. These may include the establishment of local partnerships to assist in meeting change. These could apply, for example, to town centres, areas requiring renewal and potentially, conservation areas;
- ❖ **Proposals Map** (*with inset maps, where necessary*) – showing the areas of change for which action plans are to be prepared and existing designations, such as conservation areas.

In addition, other Development Plan Documents may be produced at the discretion of the local planning authority. These must be identified in a Local Development Scheme (see below) and approved by the Secretary of State.

(C) Supplementary Planning Documents

Supplementary Planning Documents can be developed to further define and implement the policies and strategies contained within the primary Development Plan Documents. Examples include development briefs, car parking standards, and design guides that are applicable to local circumstances. These documents will also be subject to public consultation.

Development Plan Documents and the Statement of Community Involvement must be submitted to the Secretary of State for independent examination. Local authorities must also ensure that the documents are in general conformity with the Regional Spatial Strategy.

LOCAL DEVELOPMENT SCHEME

Under the new legislation, local planning authorities must outline every Local Development Document that they intend to produce over the next three years, in a *Local Development Scheme*. The local Development Scheme will set out a rolling 3 year timetable for production of the Local Development Documents. It will be reviewed annually.

MONITORING

All local planning authorities must produce an *Annual Monitoring Report*. This will assess the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being achieved.

SUSTAINABILITY

The concept and attainment of sustainable development is increasingly at the forefront of international land use planning. An essential part of the production process is that the emerging plan must be the subject of a *Sustainability Appraisal* and *Strategic Environmental Assessment*. The latter is a European Union requirement. While the methodologies of each are slightly different, both have the objective of assessing the economic, social and environmental impacts of Local Development Documents. Documents will be tested to ensure that they reflect sustainable development objectives. Government has suggested integrating the two processes to avoid unnecessary confusion and duplication. The findings of this process must be published by the local planning authority.

DEVELOPMENT CONTROL

The Government's 'Planning Green Paper'¹. states that the present system of development control is not customer-friendly and is not well understood. It identifies the need to speed up the processing of planning applications and to improve responsiveness to the needs of the community, especially business. The Bill has subsequently introduced a number of modifications to the Town and Country Planning Act 1990, which seek to address these issues.

In summary the Bill introduces:

- ❖ **Local Development Orders** – which local planning authorities can use to implement policies in a Development Plan Document with the aim of encouraging and increasing the pace of development in specific areas;
- ❖ **Statements of Development Principles** – which will initially supplement and may eventually replace outline planning permissions;
- ❖ **Controls on Twin-tracking and Repeat Applications** – giving local planning authorities the power to decline to determine such applications;
- ❖ **Introduction of Simplified Planning Zones** – for certain activities and areas identified by Regional Spatial Strategies;
- ❖ **Reduction in the Duration of Planning Permissions** – from five to three years.
- ❖ **Statement of Community Involvement** – which will cover not only the Local Development Framework but also how the community will be consulted on major planning applications, setting minimum standards for consultation and publicity, and developing an effective pre-application process.

COMPULSORY PURCHASE

The Bill amends the existing power of local authorities to compulsorily acquire land that is suitable for and required in order to secure the carrying out of development, redevelopment or improvement. It must

¹ 'Planning – Delivering Fundamental Change' (December 2001)

be demonstrated that such work contributes to the economic, social or environmental well-being of the area.

Additionally, the Bill makes provision for 'loss payments' to occupiers and owners/tenants who are not entitled to 'home loss payments'. The purpose is to provide more generous and fairer compensation to those affected by Compulsory Purchase Orders.

PUBLIC CONSULTATION

The Government's Planning Green Paper highlights the need to deliver a system that better engages the community. Under the new Bill, the Government anticipates real community participation in the preparation of the new Local Development Frameworks.

Under the new system, local communities will have greater opportunity for involvement in plan development and implementation at various stages throughout the process. Formulation of Area Action Plans, which impact on local areas and may contribute to the regeneration or conservation of particular neighbourhoods, is one area where community participation will be most significant.

Other opportunities exist for the community to participate in the process. The public will be able to comment or object as before on all Local Development Documents. All Development Plan Documents (and the Statement of Community Involvement) will be subject to a Public Inquiry with an independent inspector. The decisions of the Inspectorate will be binding on the Council.

HAVING YOUR SAY

One of the first stages of producing the new Local Development Framework for Surrey Heath is to submit a Statement of Community Involvement outlining how the Council intends to consult the community on major planning issues. This covers consultation arrangements for both the replacement of the current Local Plan and major planning applications. The Council would like to hear from organisations, clubs, societies and individuals with an interest in Surrey Heath who wish to be involved with the planning process.

WHERE TO FROM HERE?

The Government has set an objective for all local planning authorities of adopting their first Local Development Documents by March 2007. Once the new Bill becomes legislation, the Council will begin its formal process for developing the new Local Development Framework.

In the meantime, the Council will be progressing background studies to provide an evidence base that will provide the foundation for future planning policy decisions. Work will also commence on developing the Local Development Scheme and the Statement of Community Involvement. These will be publicised once the new legislation comes into effect.

FURTHER INFORMATION & USEFUL CONTACTS

For further information about the Planning and Compulsory Purchase Bill, or the new Local Development Framework, please contact the Planning Policy and Conservation Division:

Planning Policy and Conservation Division

Surrey Heath Borough Council

Surrey Heath House

Knoll Road

Camberley

Surrey GU15 3HD

Email: planning.policy@surreyheath.gov.uk

Telephone (01276) 707, then 211, 212, 213 or 245

For Development Control Enquiries, contact:

Planning Reception

First Floor, Surrey Heath House.

Open 8.30am–5.30pm Monday–Thursday and 8.30am–5pm Friday

Telephone (01276) 707222

Email: development.control@surreyheath.gov.uk

Alternatively, contact the Government Office for the South East (GOSE) for further information on the Bill and Local Development Frameworks:

GOSE

*Bridge House
1 Walnut Tree Close
Guildford
Surrey
England
GU1 4GA*

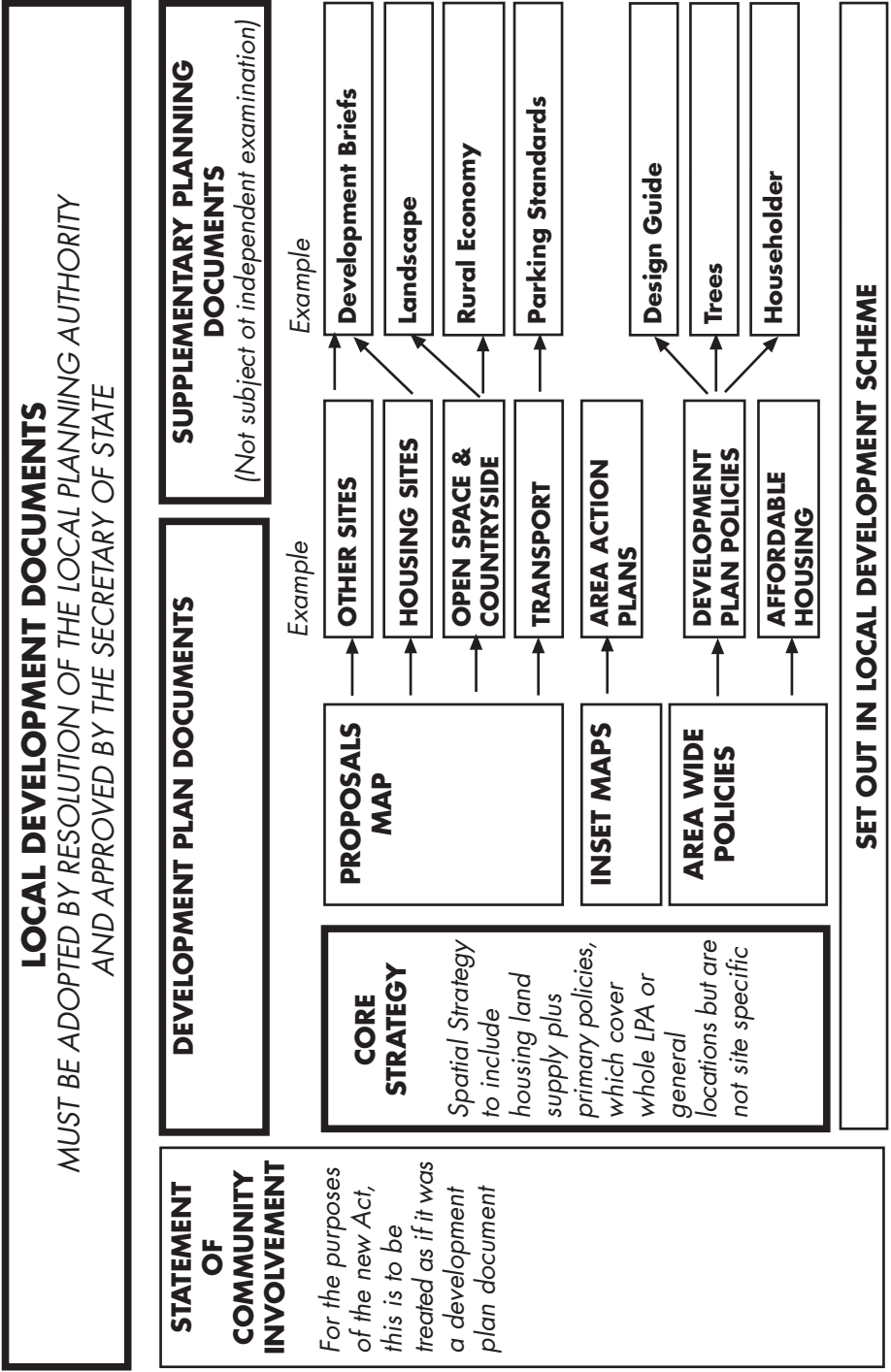
Telephone: +44(0) 1483 882255

Email: reception.gose@go-regions.gov.uk

Website: www-go-se.gov.uk

FIGURE 1

TYPICAL LOCAL DEVELOPMENT FRAMEWORK





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