

## **Appendix 1 - Planning White Paper Responses**

1. The White Paper contains a wide range of proposals that, if enacted through new primary and secondary legislation, would present a significant change from the current system of plan making and development management decision process. The main theme running through of all the paper is an intention to “simplify” the planning process. Previous attempts at simplifying planning have generally ended up leading to the opposite outcome and posing significant challenges to the delivery of key outcomes to support the growth of the city.
2. We have not proposed answers to the first four questions as they, in general, cover issues aimed at users of the planning system.

**1. What three words do you associate most with the planning system in England?**

**2. Do you get involved with planning decisions in your local area?**

***[Yes / No]***

**2(a). If no, why not?**

***[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]***

**3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?**

***[Social media / Online news / Newspaper / By post / Other – please specify]***

**4. What are your top three priorities for planning in your local area?**

***[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]***

**Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.**

3. The White Paper sets out its stall with respect to local plans at paragraph 2.7 by stating,

“Local Plans should have a clear role and function, which should be, first, to identify land for development and sites that should be protected; and, second, to be clear about what development can take place in those different areas so that there is greater certainty about land allocated for development and so that there is a faster route to securing permission. They should be assessed against a single statutory “sustainable development” test to ensure plans strike the right balance between environmental, social and economic objectives.”

4. The proposals that specifically deal with local plans revolve around ideas to “simplify” the process and content of plan making. Plans will identify three types of land area that will be designated on maps:
- growth areas suitable for “substantial development”;
  - renewal areas suitable for development; and
  - areas that are protected.
5. Growth Areas will cover land suitable for comprehensive development which could include former industrial sites; urban regeneration sites; and could also include proposals for sites such as those around universities where there may be opportunities to create a cluster of growth-focused businesses. The term “substantial development” will be defined in national policy in due course. Areas identified in a local plan under this category would have outline approval for development (linked to proposal 5 in the White Paper). Areas of flood risk would be excluded from this category (as would other important constraints), unless any risk can be fully mitigated.
6. Renewal areas “suitable for development” – this would cover existing built areas where smaller scale development is appropriate. It could include the gentle densification and infill of residential areas, development in town centres. There would be a statutory presumption in favour of development being granted for the uses specified as being suitable in each area. Local authorities could continue to consider the case for resisting inappropriate development of residential gardens;
7. Areas that are protected – this would include sites and areas which, as a result of their particular environmental and/or cultural characteristics, would justify more stringent development controls to ensure sustainability. This would include areas such as Green Belt, Conservation Areas, Local Wildlife Sites, areas of significant flood risk and important areas of green space. At a smaller scale it can continue to include gardens in line with existing policy in the National Planning Policy Framework.

8. The White Paper outlines alternative options – firstly, rather than dividing land into three categories, suggesting more binary models. One option is to combine Growth and Renewal areas (as defined above) into one category and to extend permission in principle to all land within this area, based on the uses and forms of development specified for each sub-area within it. A further alternative approach would be to limit automatic permission in principle to land identified for substantial development in Local Plans (Growth areas); other areas of land would, as now, be identified for different forms of development in ways determined by the local planning authority (and taking into account policy in the National Planning Policy Framework), and subject to the existing development management process.

**5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]**

9. The proposals for local plans present a very different type of plan to the current Core Strategy adopted in 2012. The Core Strategy intentionally sets out a strategic framework to planning the city up to 2027 (the end date of the plan). It provides clear direction on the what, where and when of planned growth within the city, whilst ensuring sufficient flexibility to account for changes in circumstances. The flexibility allowed for is in turn expressed through additional guidance in the form of strategic frameworks and supplementary planning documents. This approach has proven to be effective in maintaining a flexible approach to planning the future of the city. There is no evidence to suggest the existing approach in Manchester is hindering good quality and sustainable development.
10. The main concern with the White Paper proposals is that they would not provide flexibility through what is effectively a zoning process. The White Paper would appear to be proposing to set out a far more rigid approach for local plans to follow that simply does not reflect the need to react to changing circumstances, notwithstanding the requirement for plans to be reviewed every five years. Moreover the three proposed area types do not reflect the complexity of a major urban area like Manchester where areas of what might be categorised as growth, renewal and protection are intertwined. An example is the proposal that Conservation Areas are identified as an area for protection. In Manchester many of the Conservation Areas effectively sit within areas of growth and/or renewal thereby exposing the flaw of seeking to split them off into a category simply headed protection.
11. Neither of the alternative approaches overcome our objections to the Proposal. They would both limit the flexibility that is currently contained within Manchester's adopted local plan and likewise in any future local plan.

**Proposal 2: Development management policies established at national scale and an altered role for Local Plans.**

12. The White Paper proposes that the majority of development management policies will be established at national scale and set out in a revised NPPF. Development management policies contained in local plans would be restricted to clear and necessary site or area-specific requirements, including broad height limits, scale

and/or density limits for land included in growth areas and renewal areas, established through the accompanying text.

**6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]**

13. The proposal presents a significant tension in suggesting the development management policy framework should be set at a national level. This will dramatically diminish the opportunity for locally distinctive policies that reflect specific local conditions.

14. It is fundamental there is a local context to Development Management Policies. These have regard to local circumstances and it is simply not possible to have a one size fits all policy. This would be a retrograde step

**Proposal 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.**

15. At the examination stage of the **current Local Plan process**, Planning Inspectors will use four tests of soundness to judge whether a plan is sound and can therefore be recommended for adoption. Proposal 3 of the White Paper suggests a new single test to replace the current four tests. The White Paper does not contain any specific detail as to what the test would cover beyond stating it would consider “sustainable development”.

16. The second question covers the matter of Duty to Cooperate. This was introduced to replace the demise of regional planning and to ensure local authorities worked with each other on strategic issues that involved two or more councils. It is a specific test that is considered by Inspectors in Local Plan Examinations and a number of local plans have been found unsound as a result of failing to demonstrate that the plan has taken account of the relevant duty to cooperate issues. The White Paper is silent on what should replace the duty to cooperate, inviting views as part of the consultation. Clearly in Greater Manchester, there has been a long history of local authorities working together on strategic matters where appropriate. The current work on the Greater Manchester Spatial Framework (GMSF) is the latest clear demonstration of joint working which follows in the footsteps of joint working on Waste and Minerals Plans.

17. The White Paper suggests an alternative option whereby the existing test of soundness would be retained but reformed in order to make it easier for a suitable strategy to be found sound. For example, the tests could become less prescriptive about the need to demonstrate deliverability. Rather than demonstrating deliverability, local authorities could be required to identify a stock of reserve sites which could come forward for development if needed.

**7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which**

**would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]**

18. We agree there is some merit in reviewing the current tests of soundness as they do represent an overly complex set of rules to judge local plans by. However, we find it hard to comment on the proposal in the White Paper as there is no specific detail as to what the test would cover beyond stating it would consider “sustainable development”. We would need to see further detail on what the “sustainable development” test would consist of (e.g. would it actually have component parts and hence end up resembling something similar to the current test of soundness).

**7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

19. Clearly in Greater Manchester, there has been a long history of local authorities working together on strategic matters where appropriate. The current work on the Greater Manchester Spatial Framework (GMSF) is the latest clear demonstration of joint working which follows in the footsteps of joint working on Waste and Minerals Plans. We would therefore commend to Government that they work with Manchester and other authorities across the conurbation to build on what is currently effective under the present system. This will help to retain what does work whilst improving on that matters where the duty to cooperate has clearly fallen short.

20. The suggested alternative effectively operates in the current local plan system. It is common for local plan examinations to involve debates about including a buffer of development land to ensure flexibility within the plan period is allocated sites fail to come forward as expected.

**Proposal 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.**

21. The “standard method” for establishing housing requirement figures in local plans is proposed to be revised. Further details are set out in a separate consultation from Government that closed for comments on 1 October. The agreed response to that consultation is set out in Appendix 2.

22. The White Paper sets out the main issues that will be considered in setting housing numbers for individual local authorities including:

- the size of existing urban settlements (so that development is targeted at areas that can absorb the level of housing proposed);

- the relative affordability of places (so that the least affordable places where historic under-supply has been most chronic take a greater share of future development);
- the extent of land constraints in an area to ensure that the requirement figure takes into account the practical limitations that some areas might face, including the presence of designated areas of environmental and heritage value, the Green Belt and flood risk;
- the opportunities to better use existing brownfield land for housing, including through greater densification. The requirement figure will expect these opportunities to have been utilised fully before land constraints are taken into account;
- the need to make an allowance for land required for other (non-residential) development; and
- inclusion of an appropriate buffer to ensure enough land is provided to account for the drop off rate between permissions and completions as well as offering sufficient choice to the market.

23. The White Paper notes that the standard method would make it the responsibility of individual authorities to allocate land suitable for housing to meet the requirement, and they would continue to have choices about how to do so: for example through more effective use of existing residential land, greater densification, infilling and brownfield redevelopment, extensions to existing urban areas, or new settlements. The existing policy for protecting the Green Belt would remain. It is also proposed for authorities to agree an alternative distribution of their requirement in the context of joint planning arrangements. In particular, it may be appropriate for Mayors of combined authorities to oversee the strategic distribution of the requirement in a way that alters the distribution of numbers, and this would be allowed for.

24. The White Paper suggests that the new approach will negate the need to be able to demonstrate a five-year supply of land. However, it is proposed to maintain the Housing Delivery Test and the presumption in favour of sustainable development as part of the new system.

**8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?**  
***[Yes / No / Not sure. Please provide supporting statement.]***

25. We note that the proposals in effect continue the established approach of a standard method, albeit with some changes proposed that are set out in the accompanying consultation on changes to the current planning system. We therefore draw your attention to the points we have made with regard to the proposals in the changes to the current planning system consultation.

**8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?**  
***[Yes / No / Not sure. Please provide supporting statement.]***

26. We would draw your attention to the points we have made with regard to the proposals in the changes to the current planning system consultation.

**Proposal 5: Areas identified as *Growth* areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.**

27. A further significant change proposed is that land in growth areas would be granted an outline permission when the local plan is adopted. Moreover, land identified as a renewal area would have a “presumption in favour of development” (the concept is already set out in the current National Planning Policy Framework).

28. Detailed permission in a growth area would then be considered through a “reformed” reserved matters process or a Local Development Order (prepared alongside the local plan linking to any design guidance or masterplan for a specific area). In some cases it may be appropriate for a Development Consent Order to be considered under the Nationally Significant Infrastructure Projects process.

29. In renewal areas, consent for development would be granted in one of three ways:

- for pre-specified forms of development such as the redevelopment of certain building types, through a new permission route which gives an automatic consent if the scheme meets design and other prior approval requirements (as discussed further under the fast-track to beauty proposals set out under Pillar Two);
- for other types of development, a faster planning application process where a planning application for the development would be determined in the context of the Local Plan description, for what development the area or site is appropriate for, and with reference to the National Planning Policy Framework; or
- a Local or Neighbourhood Development Order.

30. The White Paper acknowledges that in growth and renewal areas it would still be possible for a proposal which is different to the plan to come forward (if, for example, local circumstances had changed suddenly, or an unanticipated opportunity arose), but this would require a specific planning application. This is expected to be by exception rather than the rule.

31. In protected areas where development is restricted any development proposals would come forward as now through planning applications being made to the local authority (except where they are subject to permitted development rights or development orders), and judged against policies set out in the NPPF.

32. The White Paper briefly notes that separate to the proposals set out above, the Government intend to consolidate other existing routes to permission which have accumulated over time, including simplified planning zones, enterprise zones and

brownfield land registers. No details are provided on what is meant by “consolidate”.

**9(a). Do you agree that there should be automatic outline permission for areas for substantial development (areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]**

33. We have fundamental objections to this proposal. Our objections lie in two principal points. Firstly, the proposal represents a seismic negative challenge to the current long established approach of determining planning applications as a discrete process. The planning acts have long enshrined the principle that planning decisions are made in accordance with the policies of the development plan subject to any material considerations that may also contribute to the decision. Placing the principle decision of establishing development is acceptable within the local plan removes fundamental established elements of decision making that may not be apparent at the plan making stage. It places a significant challenge on the local plan to consider site specific matters simultaneously across a raft of potential development proposals. This presupposes that development proposals are all at a stage where such a consideration can be undertaken. As a result it harms the flexibility of the local plan by forcing it to be far more prescriptive. The second key aspect is that we consider that such a process will not make local plan making faster (i.e. the proposed 30 month process set out at Proposal 8). The burden of sweeping up often very complex planning application matters into the local plan process will, in our view, inevitably lengthen the time taken to produce a local plan. All the parties involved in bringing a planning application forward in the current system will place a significant focus on the plan making stage suggested by the White Paper. It is likely therefore that, despite the intentions of the White Paper to simplify matters, what will happen is an increasing volume of material being submitted into the local plan process in lieu of the fact it has now become the de facto planning committee.

**9(b). Do you agree with our proposals above for the consent arrangements for and areas? [Yes / No / Not sure. Please provide supporting statement.]**

34. Given our fundamental objections at question 9(a), it is clear that we would not support the proposed consent arrangements set out in the White Paper.

**9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]**

35. We do not have any comment on this question given that the situation outlined does not apply to Manchester.

**Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology**

36. The Government state in the White Paper, “...we want to see a much more streamlined and digitally enabled end to end process which is proportionate to the scale and nature of the development proposed, to ensure decisions are made

faster. The well-established time limits of eight or 13 weeks for determining an application from validation to decision should be a firm deadline – not an aspiration which can be got around through extensions of time as routinely happens now.” To this end they propose a range of approaches including:

- The greater digitalisation of the application process noting an intent to ensure the validation of applications is integrated with the submission of the application so that the right information is provided at the start of the process. They note that as part of the forthcoming Spending Review, the Government will prepare a specific, investable proposal for modernising planning systems in local government;
- New, modular, software solutions to increase automation of the process and encourage digital innovation and provide access to underlying data. The Government intend to work with tech companies and local planning authorities to modernise the software used for case-managing a planning application;
- Shorter and more standardised applications with the amount of key information required as part of the application reduced considerably and made machine-readable. They propose that a national data standard for smaller applications should be created. For major development, beyond relevant drawings and plans, there should only be one key standardised planning statement of no more than 50 pages to justify the development proposals in relation to the Local Plan and National Planning Policy Framework;
- Data-rich planning application registers will be created so that planning application information can be easily found and monitored at a national scale, and new digital services can be built to help people use this data in innovative ways;
- Data sets that underpin the planning system, including planning decisions and developer contributions, need to be standardised and made open and digitally accessible;
- A digital template for planning notices will be created so that planning application information can be more effectively communicated and understood by local communities and used by new digital services;
- Greater standardisation of technical supporting information, for instance about local highway impacts, flood risk and heritage matters. Design codes will help to reduce the need for significant supplementary information, but we recognise there may still need to be site specific information to mitigate wider impacts. For these issues, there should be clear national data standards and templates developed in conjunction with statutory consultees;
- Clearer and more consistent planning conditions, with standard national conditions to cover common issues;
- A streamlined approach to developer contributions, which is discussed further under Pillar Three; and
- The delegation of detailed planning decisions to planning officers where the principle of development has been established, as detailed matters for consideration should be principally a matter for professional planning judgment.

37. The government also set out that there should be a clear incentive on the local planning authority to determine an application within the statutory time limits. This could involve the automatic refund of the planning fee for the application if they

fail to determine it within the time limit. It is also suggested that some types of applications should be deemed to have been granted planning permission if there has not been a timely determination, to ensure targets are met and local authorities keep to the time limit in the majority of cases. The White Paper notes Government want to ensure that the facilities and infrastructure that communities value, such as schools, hospitals and GP surgeries, are delivered quickly through the planning system.

**10. Do you agree with our proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]**

38. First and foremost, it needs to be recognised that the current decision making process already relies on a significant digital based approach. Manchester, like many authorities, has invested in digital solutions and continues to do so. This ensures there is a timely delivery of decisions set against the standard targets of eight and 13 weeks. Often delays in the decision making process are down to other factors which includes applicants either not responding quickly or the absence of good quality information. This is another point in the White Paper where more detail on what is actually going to happen is required to allow for further informed comment.

39. A significant omission in this section is any acknowledgment that local communities do not have equal access to digital technology. The continued push towards online solutions must ensure that access is still equally available to people without the means to acquire or use digital approaches.

40. The proposal to significantly simplify the volume of material submitted in support of an application is not supported. LPAs have worked hard to ensure the level of information is what is required to allow for proper decision making. It is important the quality of information whilst remaining proportionate to the proposal allows for all issues to be fully addressed and for communities to maintain confidence in the process. The danger is the over-simplification of information to the point that it does not fulfil the purpose of providing sufficient informing for the decision maker.

**Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.**

41. A key aspect of the proposals is to utilise the latest digital technology to deliver local plans that are more visual and map-based compared to the current system of plans. The White Paper states that the Government "...want to support local authorities to radically rethink how they produce their Local Plans, and profoundly re-invent the ambition, depth and breadth with which they engage with communities. We will set up a series of pilots to work with local authorities and tech companies (the emerging 'PropTech' sector) to develop innovative solutions to support plan-making activities and make community involvement more accessible and engaging."

**11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]**

42. First and foremost, local plans in terms of the current policies maps are already readily available online. Moreover, in the case of Greater Manchester, significant levels of mapped information is presented as a shared resource via the MappingGM website<sup>1</sup>. MappingGM provides a range of maps that users can explore Greater Manchester's housing, planning, infrastructure, socio-economic and demographic data. The maps are open for all to use, and most of the data used is freely available to download. It is clear therefore that we already seek to present information in a visual and map-based manner.

**Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.**

43. A new statutory timetable for key stages of the local plan process will be introduced. It is instructive to note the White Paper highlights that the average time taken from the plan publication stage to adoption rose from an average of 450 days in 2009 to 815 days in 2019. This coincides with changes to the local plan process and overall planning system introduced by the respective coalition and Conservative governments that sought to simplify previous processes.

44. The White Paper sets out that local plans will have to be produced over a 30 month timescale, save for where current plans have been adopted in the past three years or are already at an advanced stage towards adoption where an additional 12 months will be added to enable work to commence on the new style local plan. The specific stages proposed are set out below:

- **Stage 1 [6 months]:** The local planning authority “calls for” suggestions for areas under the three categories, including comprehensive “best in class” ways of achieving public involvement at this plan-shaping stage for where development should go and what it should look like.
- **Stage 2 [12 months]:** The local planning authority draws up its proposed Local Plan, and produces any necessary evidence to inform and justify the plan. “Higher-risk” authorities will receive mandatory Planning Inspectorate advisory visits, in order to ensure the plan is on track prior to submission.
- **Stage 3 [6 weeks]:** The local planning authority simultaneously
  - (i) submits the Plan to the Secretary of State for Examination together with a Statement of Reasons to explain why it has drawn up its plan as it has; and
  - (ii) publicises the plan for the public to comment on. Comments seeking change must explain how the plan should be changed and why. Again, this process would embody ‘best in class’ ways of ensuring public involvement. Responses will have a word count limit.
- **Stage 4 [9 months]:** A planning inspector appointed by the Secretary of State considers whether the three categories shown in the proposed Local Plan are “sustainable” as per the statutory test and accompanying national guidance

---

<sup>1</sup> <https://mappinggm.org.uk/>

and makes binding changes which are necessary to satisfy the test. The plan-making authority and all those who submitted comments would have the right to be “heard” by the inspector (whether face to face, by video, phone or in writing – all at the inspector’s discretion). The inspector’s report can, as relevant, simply state agreement with the whole or parts of the council’s Statement of Reasons, and/or comments submitted by the public.

- **Stage 5 [6 weeks]:** Local Plan map, key and text are finalised, and come into force.

45. The White Paper posits two potential alternative options:

- The existing examination process could be reformed in order to speed up the process. For instance, the automatic ‘right to be heard’ could be removed so that participants are invited to appear at hearings at the discretion of the inspector. Certain Local Plans, that are less complex or controversial, could also be examined through written representations only, as is usually the case with Neighbourhood Plans at present.
- A further alternative could be to remove the Examination stage entirely, instead requiring Local Planning Authorities to undertake a process of self-assessment against set criteria and guidance. To supplement this, the Planning Inspectorate could be utilised to audit a certain number of completed plans each year in order to assess whether the requirements of the statutory sustainability test had been met. However, there is a risk that this option wouldn’t provide sufficient scrutiny around whether plans meet the necessary legal and policy tests.

**12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]**

46. Given the proposals set out previously in the White Paper, we have significant doubts that a 30 month timescale would be achievable. The process proposed will simply not be able to resolve the complexities surrounding a multitude of increasingly detailed planning matters presented by the influx of sites into the plan.

47. We also have significant concerns about the opportunities for local communities and organisations to get involved in the process. The White Paper suggests ‘...comprehensive “best in class” ways of achieving public involvement..’ in the first six months of the process. However, experience shows us that the early stages of plan making can often prove challenging in engaging the wider community; it is often when plans have been further formulated (i.e. Stage 3 in the White Paper process) where levels of engagement significantly rise. We are not convinced that the hyperbole of “best in class” truly understands that people tend to get more interested when proposals on the ground become apparent, which would invariably be at the Stage 3 identified in the White Paper. However, by that stage, the proposals suggest a six week consultation (akin to the publication stage of the current system albeit merging it with the current submission stage).

The proposals remove at least one stage that most local authorities undertake within the current Regulation 18 stage of consulting on a draft plan, prior to then moving to a finalised plan at the Regulation 19 publication stage and subsequent Regulation 20 submission stage. It therefore strikes us that the process outlined in the White Paper runs contrary to the suggested intentions of the proposed reforms to make the planning process more accessible and allow for early engagement.

48. We do not support either of the alternative options suggested in the White Paper as both diminish the opportunity for public involvement at a crucial stage of the plan making process.

**Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools**

**13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]**

49. Neighbourhood plans have a role, where appropriate, within the planning process. In complex urban areas such as Manchester, it is crucial that any neighbourhood planning process is complementary to the fabric of other key processes including the local plan and associated non statutory planning frameworks.

**13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?**

50. Existing support via Government funding and associated services already play a key role in enabling neighbourhood planning groups to develop their plans. This is likely to be the best way to continue supporting the process including any additional help on digital tools and design matters. A key aspect on design is to ensure that any localised approach is complementary to the design process that already takes place at the whole authority level. We provide further comment on design matters in our answers to Pillar Two.

**Proposal 10: A stronger emphasis on build out through planning**

51. The White Paper highlights the link between what is termed “..plans for a simpler and faster planning process...” to be accompanied by a “...stronger emphasis on the faster delivery of development, especially for Growth areas where substantial development has been permitted.” Research undertaken in the Letwin Review (2018) is cited where the build out of large residential developments can be slow due to low market absorption rates, with some sites taking over 20 years to complete.

**14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]**

52. Manchester does not follow the pattern set out in the White Paper. The city has seen sustained significant growth based on a strong pipeline of delivery. Manchester has a track record of delivering major projects with timely planning decision making to start on site. The nature of development from bespoke residential projects to large commercial schemes particularly in and around the city centre, has meant that delivery timescales have inevitably been different to the types of schemes considered in the Letwin Review (focusing on traditional housing sites). The issues around build out are not in our experience planning related.

## **Pillar Two – Planning for beautiful and sustainable places**

53. This part of the White Paper includes a further eight proposals that revolve around two main themes: firstly seeking to distil previous work from Building Better, Building Beautiful Commission; and secondly on sustainable communities with a particular focus on the natural and historic environment.

54. Manchester already has a strong tradition of high quality design. The Council adopted, in 2007, a “Guide to Development in Manchester Supplementary Planning Document and Planning Guidance”. This document brought together key development principles to assist in the delivery of a cohesive and sustainable City. It involved all sections of the community and stakeholders to ensure it covered design in a fully holistic manner. Much of the current document was drawn from the highly successful previous editions of the Guide to Development in Manchester. This guidance was further enhanced by the publication of the Manchester Residential Quality Guidance in 2017. Prior to that the city had adopted in 2015, the London Housing Design Guide space standards as an interim measure, pending the preparation of Manchester-specific guidance. The Manchester Residential Quality Guidance completed the picture, providing clear direction on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester.

55. The production of high quality design guidance is one key aspect. The other is the day to day delivery of that guidance within the schemes that are delivered across the city. This involve tireless negotiation by the local planning authority to ensure developers and landowners promoting schemes deliver against the high standards set out in our policies and guidance. The focus continues to be on outcomes that are right for Manchester.

## **15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]**

56. Manchester City Council is proud of the high quality development within the city and believes firmly that the Council and its residents are best placed to judge what is beautiful and appropriate for the area. Manchester takes a holistic approach to design, this is not just about appearance but how safety, inclusive

access and a response to climate change are embedded from the beginning to delivery.

**16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]**

57. All of the above and for Manchester to be a place where people thrive, businesses succeed and all residents can fulfil their potential

**Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.**

58. The Government has already published a National Design Guide in 2019 and they now propose to publish a National Model Design Code later this year. It is noted that the new design code will sit alongside recent guidance on cycling and walking (published in July 2020) and complement a revised and consolidated Manual for Streets.

59. In line with the expectation set out about design codes in Pillar One, proposals are put forward for design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development. The Government is proposing to set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.

**17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]**

60. Manchester already has a strong tradition of high quality design. The Council adopted, in 2007, a “Guide to Development in Manchester Supplementary Planning Document and Planning Guidance”. This document brought together key development principles to assist in the delivery of a cohesive and sustainable City. Much of the current document was drawn from the highly successful previous editions of the Guide to Development in Manchester. This guidance was further enhanced by the publication of the Manchester Residential Quality Guidance in 2017. Prior to that the city had adopted in 2015, the London Housing Design Guide space standards as an interim measure, pending the preparation of Manchester-specific guidance. The Manchester Residential Quality Guidance completed the picture, providing clear direction on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester.

61. MCC also works well with local communities when developing guidance/frameworks for particular areas of the city. It has recently supported the 'Withington Village Partnership' and 'We are Withington' (collaborative partnerships between local people and local businesses) to develop the Withington Village Framework. Setting out the vision and opportunities in the Village, it was developed following a series of community consultation events and stakeholder meetings and provides a guide to investment and development in the area.
62. However, as well as being hugely time consuming to produce, codes would be more detailed. Care would need to be taken to ensure that codes or 'pattern books' are not so prescriptive that innovation is stifled and new development becomes a pastiche of a few original designs. Design codes often lead to a 'race to the bottom' rather than pushing for ever increasing quality. It is important that in an effort to get standards and styles agreed in advance, we don't create bland, repetitive communities without an individual sense of place. It will often be the case that no local consensus can be reached, particularly when local people are asked to comment on what they consider 'beautiful' or when many in the local community don't want any development at all. In these cases, as a democratic body, the role of the Council is key and well placed advice and arbitrate on what is appropriate for the area.

**Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.**

**18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]**

63. Manchester would not support a new central body if it took away the ability of the Council to make decisions locally on what type of development is appropriate for the area. Manchester City Council already has a Chief Officer responsible for Place-making and agree this is important in driving good quality design across the City. Good design, however, can be subjective and codes should not be used to stifle innovation and should be flexible enough to allow new ideas and ways of working to be considered.

64. Manchester as will be the case with other large urban areas as a distinct character and feel and this is not something a national body can fully understand.

**Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places.**

**19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?**

***[Yes / No / Not sure. Please provide supporting statement.]***

65. We agree that it is important Home England ensure design principles are embedded within their processes. However, it is important that any decision on what is considered 'beautiful' is taken locally. Manchester City Council agree that Homes England should consider the quality of spaces for example size of rooms and light as part of its objectives.

66. As already noted it is not agreed a national body should lead on such a key issue in Manchester.

**Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.**

67. In line with the proposals noted in Pillar One, the Government intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences. This will be achieved through a number of ways including:

- Additional policy in the NPPF to encourage schemes that are in line with design guides and codes;
- In growth areas requiring that a masterplan and site-specific code are agreed as a condition of the permission in principle which is granted through the plan;
- Further legislate to widen and change the nature of permitted development, so that it enables popular and replicable forms of development to be approved easily and quickly, helping to support 'gentle intensification' of towns and cities, but in accordance with important design principles (concept of a pattern book approach);
- Develop a limited set of form-based development types that allow the redevelopment of existing residential buildings where the relevant conditions are satisfied. These would benefit from permitted development rights relating to the settings in which they apply. Prior approval from the local planning authority would still be needed for aspects of the design to ensure the development is right for its context.

**20. Do you agree with our proposals for implementing a fast-track for beauty?  
*[Yes / No / Not sure. Please provide supporting statement.]***

68. No, Manchester City Council does not agree that these proposals could be considered 'fast-track'. Producing and consulting on locally agreed codes/guides is a very extensive process and once in place will need to be reviewed regularly. In addition any proposals will still need to be given proper consideration both by the Council and the current and future residents.

69. Moreover, we do not agree with the proposal (para 3.19) to widen the nature of permitted development as this often leads to poor quality development and places

that are far from 'beautiful'. This was very clearly evidenced in the case to the Secretary of State for the Article 4 that now exists to prevent changes of use from office to residential.

**Proposal 15: We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.**

**Proposal 16: We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.**

70. In broad terms, this section of the Planning White Paper is in line with the Council's policy approach regarding the need to take a proactive role in promoting environmental recovery and long-term sustainability, mitigating and adapting to climate change, reducing pollution and making our city more liveable through enabling more and better green spaces and tree cover.

71. However, this is yet another part of the White Paper where there is no detail regarding how this will be achieved. We are concerned about the potential impacts of a "quicker, simpler framework" for assessing environmental impacts, with again detail lacking on what this might mean. The risk is that under the proposed reforms SEA and EIA will be lost or watered down in an effort to speed up planning. The White Paper points to the role of other legislation/reviews for all future detail on environment policy. Key things to keep a watch for will be:

- The Environment Bill, currently before Parliament, that will legislate for mandatory net gains for biodiversity as a condition of most new development and introduce Local Nature Recovery Strategies which will identify opportunities to secure enhancements through development schemes and contributions;
- Autumn consultation on amendments to NPPF regarding proposed generic development management policies. DM decisions will then be based on the NPPF policies but the Local Plan will be able to provide local, spatially specific policies e.g. views, locations for woodland, renewable energy, public access. The intention is also for the NPPF to require all new streets to be tree lined, informed by the England Tree Strategy, currently under consultation. (Work on Manchester's Tree Management Plan, Our rivers Our City as well as the range of SRFs should help to provide local intelligence on where spatially specific policies may be useful);
- Government response in Autumn to the comments made on the Government's Future Homes Standard consultation in 2019. This will clarify the role LAs can play in setting energy efficiency standards in new build developments;
- Potential strengthening of policies and processes for managing flood risk and the development of a national framework of GI standards. The White Paper

refers to both but there's no detail regarding what they might be and whether they'll come forward as part of the consultation on NPPF or elsewhere;

- Autumn consultation on the detail of moving from EIA to a simpler more streamlined method for environmental assessment;
- Potential removal of some Listed Building Consent requirements; and
- The assumption that as planning authorities will no longer be managing planning obligations they'll be able to switch some resources to enforcement. This ignores the fact that the proposed Infrastructure Levy would need managing and that the skill set for managing contributions is very different from enforcement.

### **Proposal 17: Conserving and enhancing our historic buildings and areas in the 21st century**

72. The White Paper also states the Government will seek to review and update the planning framework for listed buildings and conservation areas, to ensure their significance is conserved while allowing, where appropriate, sympathetic changes to support their continued use and address climate change. Government wishes to explore whether there are new and better ways of securing consent for routine works, to enable local planning authorities to concentrate on conserving and enhancing the most important historic buildings.

73. The Council does not support the proposal that "suitably experienced architectural specialists can have earned autonomy from routine listed building." Outsourcing the role of giving consent to work on listed buildings would cause great confusion over accountability and is a recipe for disaster.

### **Proposal 18: To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.**

74. The final proposal in Pillar Two sets out the Government's commitments with respect to energy efficiency standards for buildings including existing aspects already consulted on last year in the Future Homes Standard which set targets to 2025. A further commitment is set out to explore options for the future of energy efficiency standards, beyond 2025.

75. The Council is already committed via its Climate Change Action Plan to deliver a net zero carbon city by 2038 at the latest, which exceeds the national target of 2050. To deliver on this commitment, the current action plan identifies key activities across a range of measures including planning policy and decision making. The Council is therefore clearly seeking to deliver and indeed to exceed against the national targets sets out by the White Paper.

### **Pillar Three – Planning for infrastructure and connected places**

76. This section includes four proposals that focus on the delivery of infrastructure, setting out the current process with respect to developer contributions and proposing changes to that process.
77. The first proposal in Pillar Three seeks to set up a new Infrastructure Levy that would incorporate both the previous Community Infrastructure Levy and Section 106 developer contributions into one system. The intention is that the Infrastructure Levy would be based upon a flat-rate, valued-based charge, set nationally, at either a single rate, or at area-specific rates.
78. It is intended that the scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights (the examples given are office to residential conversions and new demolition and rebuild permitted development rights). It is suggested that this approach would increase the levy base, and would allow these developments to better contribute to infrastructure delivery and making development acceptable to the community.
79. It is recognised that the removal of developer contributions would impact on the delivery of affordable housing and therefore the reformed Infrastructure Levy would be capable of seeking affordable housing provision.
80. The final proposal identifies that more freedom could be given to local authorities over how they spend the Infrastructure Levy. It is suggested that local authorities could spend receipts on other policy priorities, once core infrastructure obligations have been met.

**21 When new development happens in your area, what is your priority for what comes with it? *[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]***

81. All of the matters suggested in the question are important albeit their level of importance will vary according to the nature and location of any specific development.

82. This goes to the heart of local decision making that each application must be treated on its merits and the outcomes required to support the city. Often issues will have to be balanced which is where local knowledge had a pivotal role.

**Proposal 19: The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.**

**22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? *[Yes / No / Not sure. Please provide supporting statement.]***

83. This proposal is not supported. There are significant concerns about the establishment of a consolidated Infrastructure Levy. There is a current lack of detail in the White Paper as to the levels that may be proposed. Experience around the country has demonstrated there are significant variations in the values that can be captured from development. It is essential therefore that individual local authorities can continue to apply their own locally derived policies and approaches to deal with their specific circumstances.

**22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]**

84. Notwithstanding our objection in principle to the Infrastructure Levy noted in question 22 (a), we believe it would be nigh on impossible to develop a national rate even if the Levy was introduced. We maintain that it remains appropriate for local authorities to derive local approaches via the current system of developer contributions and hence by that means capture value from development.

**22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]**

85. Given our answers to questions 22(a) and 22(b) we maintain our view that we do not support the concept of the proposed Infrastructure Levy. Notwithstanding that point, it should be local authorities, working with their communities, to develop and decide the prioritisation of investment specific to their circumstances.

With respect to Q22(d), we are still consulting with colleagues in finance

**22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]**

**Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights**

**23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]**

86. Whilst we would agree there is merit in seeking to capture value from permitted development, applying this principle via the proposed Infrastructure Levy mechanism is not supported. We would prefer that such a proposal is considered through the existing developer contributions route. Manchester does not agree with the general proposition of a new levy as set out above and does not support the expansion of permitted development rights for a raft of reasons – not simply the inability to capture CIL/s106

**Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision**

87. We propose to answer questions 24(a) to 24 (d) and 25(a) with the following response. As stated in our previous responses, we do not support the concept of the proposed infrastructure levy. In terms of securing the provision of affordable housing we would prefer this is done through a proposal linked to the existing developer contribution route. In the majority of cases we would want to secure the provision of affordable housing on site unless there were valid reasons why this would not be practical. Where affordable housing cannot be provided on site a commuted sum would be ring fenced in a secure account (Manchester's Housing Affordability Fund). This fund would be strategically deployed to support the delivery of affordable homes within an agreed area (the Manchester boundary).

**24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]**

**24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]**

**24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]**

**24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]**

**Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy**

**25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]**

88. We would prefer that further consideration is given to the operation of the developer contributions regime. The recent easing of restrictions that has already taken place with respect to developer contributions is an example of that approach.

**25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]**

89. See proposed response at paragraph 87.

**Proposal 23: As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms. In doing so, we propose this strategy will be developed including the following key elements:**

90. The White Paper finishes with a section considering the potential transitional arrangements that may be required in bringing forward the proposals set out previously. It refers to the parallel consultation on changes to the current planning system (see next section for more details). It also covers other aspects of the planning process including:

- Public Assets and Investment:
  - Ensuring investment in new public buildings supports renewal and regeneration of town and city centres across the country.
  - Exploring how disposal of publicly-owned land can support the SME and self-build sectors.
- Supporting innovation in delivery including exploring potential changes to enable more flexible development corporation models that can drive housing, regeneration and employment.
- Making sure the system has the right people and skills and the Government's belief that the proposed new approach to simplify planning will enable a redesign of how planning services are delivered. This links to a further proposal in the White Paper to develop a comprehensive resources and skills strategy for the planning sector to support the implementation of the Government's reforms.

**Proposal 24: We will seek to strengthen enforcement powers and sanctions**

91. The White Paper concludes with a brief focus on enforcement with a proposal for a review and strengthening of existing planning enforcement powers and sanctions available to local planning authorities to ensure they support the new planning system. This will include implementing commitments from the

Government's response to the consultation on unauthorised development and encampments, to strengthen national planning policy against intentional unauthorised development and ensure temporary stop notices are more effective. It will also consider what more can be done in cases where the Environment Agency's flood risk advice on planning applications is not followed.

92. There are no specific questions for Proposals 23 and 24 and it is therefore information to note.

**26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?**