



PINS NOTE 12/2014

To: All Inspectors (England), All Examining Inspectors

Date of Issue: 22 August 2014

Currency: review at 6 months after issue

Technical Consultation on Planning

Action

1. Inspectors should note the [announcement](#) by the DCLG minister of a [consultation](#)¹ on a range of proposals for how Government wishes to improve the planning system under the headline "Cutting red tape to breathe new life into local communities."
2. The consultation is divided into 6 sections and covers:
 - (i) Proposals to make it easier for residents and business to produce a neighbourhood plan or neighbourhood development order.
 - (ii) Proposals to expand permitted development rights.
 - (iii) Proposals to improve the use of planning conditions to enable development to start more quickly on site after planning permission is granted.
 - (iv) Proposals for improving engagement with statutory consultees as part of the planning application process.
 - (v) Proposals to raise the environmental impact assessment screening thresholds for sites which are located outside defined sensitive areas.
 - (vi) Proposals for making improvements to the nationally significant infrastructure planning regime (as identified as part of the [2014 review](#) of that regime)
3. The consultation also provides more detail around the 'deemed discharge' of planning conditions included in the Infrastructure Bill currently being considered by the Lords. This provides clarity on the type of conditions which are expected to be exempted from the deemed discharge provisions.

¹ Technical consultation on planning. Department for Communities and Local Government July 2014.

4. The consultation applies to England only, except in the case of (vi) above where the proposal to amend the regulations to make changes to Development Consent Orders applies to infrastructure projects in Wales also.
5. The consultation concludes on **26 September 2014** with a summary of responses to each of the proposals contained within it to be published within 3 months of the closing date.
6. PINS is not seeking the views of Inspectors on this consultation.
7. Please contact XXXX if you have any queries on this note.

Background

8. Reforms of the planning system have been made as part of the government's long term economic plan, with the stated aims of scrapping top-down targets and giving people a greater say over planning decisions that affect their neighbourhood.
9. These proposals are described as the next stage, designed to make it easier for communities to devise neighbourhood plans, help builders get onto sites with planning permission without delay and reduce bureaucracy and red tape.
10. Specific measures for discussion include:
 - requiring planning authorities to provide written justification why pre commencement conditions could not be dealt with after development has commenced.
 - establishing new permitted development rights to allow homes to be created in buildings currently used for light industry, warehousing, launderettes, casinos, nightclubs and amusement arcades. Payday loan shops and betting shops would be excluded from this new regime.
 - new proposals to enable high streets to adapt to meet the changing needs of the consumer², freeing retailers to make changes to their premises without planning permission to enable them to offer "click and collect" services
 - imposing a time limit of 70 days on local authorities dealing with applications for neighbourhood area status
 - streamlining the process of seeking views on applications from statutory consultees. This is expected to reduce the number of applications requiring input from English Heritage, Natural England and the Highways Agency but will not affect the role of the Environment Agency

² [New powers could bring "click and collect" to a store near you](#) – DCLG and Penny Mourdant MP, 11 August 2014

- raising the screening threshold for Environmental Impact Assessments for development of residential property in urban areas to exclude schemes of below 150 units. This is expected to reduce the number of such screenings for residential developments from 1600 a year to around 300.

11. This PINS Note will be updated following the outcome of the consultation.

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Acting Chief Planning Inspector