

The Future of Planning By Flo Churchill

11th November 2021

I attended a planning seminar by Flo Churchill of Mulbery & Co which was very interesting and pointed to some very real ways that Parish Council could have influence in the coming years.

She gave an overview of legislation but in particular

The Environment Act 2021 (Became Law 10th November 2021)

The act stipulates the need for all developers to prove their applications will bring a 10% biodiversity net gain. Net gains are to be measured over 30 years. It is thought the costs of this change will incur an additional £10,000 to £15,000 per dwelling. Benefits could include the planting of trees, drainage systems or enhancing existing habitats and could be achieved on or off site (ie it could be on Bersted Parish Council land or ADC land instead of the actual development site), and would be entered into as planning obligations or unilateral undertakings by developers. They must bring about demonstrable gains and have strategic significance.

Flo said that Parish Councils could have significant influence in having pre application discussions with developers re the 10% net gain and possibly suggesting council owned sites or influencing developments. She also thought a market might develop in net gain credits so where one developer was able to demonstrate a biodiversity net gain of over 10% they might be able to sell excess credits to another developer.

The act also requires local councils (ADC) to draw up a Local Nature Recovery Strategy, and Flo saw an important role for Parish Councils in feeding into this, by preparing lists of existing local nature assets and identifying key areas for advancement.

The Planning Bill

This has currently been paused, but in its initial form, it proposed that all land should be delegated as a Growth Zone, Renewal Zone or a Protected Zone. In its original form community consultation would be massively reduced, with a greater emphasis at Local Plan stage. Planning applications would be more standardized and where decisions were not made in time by district councils, deemed consent would be given to avoid further delay. Flo advised that in its original form there is no mention of Neighbourhood Plans, no mention of Parish Councils and no measures to increase democracy or participation.

The bill is in a state of flux following Michael Gove's arrival as Minister of Housing. It is expected likely that zonal policies will be watered down and centrally issued housing targets dropped. Flo believed there would be an imminent change in the way housing need is calculated, with the possibility of more local power to determine housing numbers.

Neighbourhood Plans

It was recommended at the seminar that Parish Councils do not invest in these at the moment as it was not known what changes would be introduced by the Planning Act. It was said however that the National Planning Policy framework does give some support to them.

NALC Guidance and Net Zero

Flo remarked that NALC guidance to Parishes was that they should consider getting to net zero by 2050 by declaring a climate emergency. She recommended NALC guidance to Parish Councils on carbon footprint calculations.