

## **City of London Corporation: Detailed Response to the Planning White Paper proposals**

### **Pillar 1: planning for development**

#### **Proposal 1: The role of land use plans should be simplified.**

The proposed approach would fundamentally change the planning system from the current discretionary system to one based on the zoning of land use. This change is presented as one that gives greater certainty to developers that proposed developments are acceptable in principle, with detailed technical matters to be considered through an application process.

Allocating land to one of 3 designations in a central urban area such as the City of London, where there are multiple, overlapping planning, heritage and environmental designations, often on individual sites, is likely to be difficult. Applying these principles to the City of London, for example, will require a site by site analysis to determine the appropriate land use designation. The City's complex framework including 27 conservation areas, over 600 listed buildings and strategic and local views protection policies, mean that land allocation is likely to be a complex and time-consuming process. Even those parts of the City that have seen significant development in recent years, such as the City Cluster of tall buildings, have a complex pattern of heritage and other constraints that is not conducive to the proposed simplified land use allocation.

The greater certainty of development attached to an allocation also requires a close assessment of the capacity for development and the detailed design of development on individual sites at the local plan stage, effectively moving some of the role of the private developer to the public planning authority. Whilst this would give some certainty to developers, it would also limit their capacity for innovation in the form, layout and design of development, resulting in a more uniform character across an area.

The City Corporation has for many years adopted a positive approach to planning for new development, working pro-actively with developers to deliver nationally significant and important development, enhancing economic growth within the current discretionary system. It is not clear what benefit there would be locally in adopting the proposed simplified approach. The City Corporation is supportive of the need for continuous improvement in planning, but considers that the current discretionary approach should continue, but with greater weight attached to local plan policy in the determination of applications and a greater emphasis on comprehensive engagement with residents, businesses and developers at the plan preparation stage.

There is much discussion in the White Paper about the role of local plans, but it is unclear how these proposals will apply at the strategic plan-making level, such as the preparation of the London Plan. It is difficult to see how a strategic plan could designate Renewal or Protected Areas which will depend on local interpretation of land use and opportunities. Whilst there may be a case for strategic designation of Growth Areas, such as Old Oak Park in London, or urban extensions, the proposals

do not seem to address the interaction between strategic and local designation of sites.

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

It is accepted that there is a degree of overlap between national policy, strategic planning policy in the London Plan, and local policy, with unnecessary duplication potentially leading to confusion. Currently, the NPPF is a material consideration but does not carry the same statutory weight as adopted planning policy. The Government's proposals would appear to change the status of the NPPF and make it part of the statutory policy for an area, although this is not explicitly set out in the consultation document. If the NPPF is to gain statutory weight, then amendments to the NPPF and national planning practice guidance should be subject to a similar level of scrutiny as local plans, including the potential for examination in public.

Rather than relying upon a national set of development management policies, a simple re-statement that plans should not repeat national or strategic level policy could address much of this concern without the need for fundamental reform.

A significant concern for the City of London is that policy devised and set nationally often cannot reflect the specific local circumstances, or the ambitions and aspirations of local people expressed through local plans. In any revised planning system and approach to development management, there needs to remain an option for the local planning authority to reflect locally specific issues, even where these are not in alignment with national policy. Any such local interpretation would need to be justified in the Local Plan and accepted by an Inspector through examination.

For example, much of the rationale underpinning the White Paper is concerned with increasing housing supply and addressing housing shortages. For many years, planning inspectors and Government have accepted that the City of London is a commercial centre of national and international importance, where the delivery of new commercial office space is crucial to support UK wide economic growth. The City's exemption from national permitted development rights for the change of use of offices to residential exemplifies this commercial focus. To maintain this focus in the future, it will be important for the City Corporation to give priority to commercial office development, whilst making a contribution to meeting housing needs. This approach requires the ability to set policy locally and to not be constrained inflexibly by national policy.

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

The ambition to simplify the tests of soundness required for the Local Plan and to simplify some of the assessment processes underpinning Local Plan preparation is supported.

The current Duty to Co-operate and Statements of Common Ground were developed in a piecemeal fashion to replace more strategic decision making, particularly on housing matters, undertaken by the regional assemblies. However, the process that is now in place is lengthy, bureaucratic and uncertain. Reform is needed to provide a mechanism for effective strategic planning across local authority boundaries, but the

White Paper does not provide any evidence to support the Government's view that replacing the Duty to Co-operate with the sharing of information digitally will deliver effective cross boundary working or a strategic approach to planning. In the larger urban areas, including London, elected Mayors have been given responsibilities to prepare strategic planning guidance, including housing requirements. Prior to the creation of the regional assemblies, a series of joint authority working parties existed to consider cross boundary matters. These are both examples of how effective strategic planning can be delivered and should be considered alongside the sharing of information to enhance strategic planning in England.

The Sustainability Appraisal (SA) process is a key part of the plan preparation process and provides checks to ensure that the most sustainable development options are pursued. This principle needs to be retained, particularly with the imperative to deliver climate change mitigation and adaptation, the need to enhance biodiversity, reverse species decline and create new open and green spaces for nature and people, delivering healthy local environments in a post Covid world. However, current practice has developed into a bureaucratic approach to assessment, requiring the production of long and detailed reports that add little to the understanding of a Local Plan. A slimmed down and simplified approach which retains the essential requirements of the SA process would be welcome.

The continuing need for infrastructure planning is welcomed. This is critical to ensuring that development contributes to the creation of high quality spaces and places for people to live and work. It is unclear how the new emphasis on data and data driven insights will deliver improvements to the current approach to infrastructure planning, which is already based on a range of information and projections of future need. Data, on its own, does not deliver high quality outcomes, rather it is how that data is used and interpreted. More focus on how data can be used would be helpful in understanding the future approach to infrastructure planning.

**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 Government has consulted recently on changes to the Standard Method. The City Corporation has responded to this consultation raising concerns over the way that existing stock and affordability criteria are factored into the modelling.

The proposed approach would appear to build upon the current and separate consultation for changes to the Standard Method, but would extend this to produce a method that would be binding on local planning authorities, removing local discretion over the setting of housing targets. Although the consultation does suggest that the methodology will consider other land use constraints and the need to allow for non-housing uses, it is unclear how these will be taken account of, or what weight will be attached. For the City of London, a key concern will be whether a national methodology can properly take account of the primacy attached to commercial office development in the national interest. As a minimum, any nationally derived target must have the facility for local challenge to ensure that local priorities and local needs can be properly factored into the housing need consideration. There also

needs to be a separate consultation on the detail of the new methodology before it is introduced, so that the impacts are properly understood.

The City Corporation does not support the retention of the Housing Delivery Test. This Test is a backward looking assessment of delivery over a 3 year period which does not reflect longer term delivery trends over a plan period. For areas like the City of London where housing delivery fluctuates from year to year within the context of meeting targets over a longer plan period, a focus on short term delivery gives an inaccurate picture of progress in meeting housing needs.

In this regard, rather than a top-down national approach, which is binding on local planning authorities, the alternative approach of local determination, with weight attached to the national calculation, should be taken forward. This would still require local planning authorities to justify departure from the national calculation but would allow for legitimate local constraints to be addressed. The retention of a 5 year land supply requirement would provide greater certainty of housing delivery.

**Proposal 5: Areas identified as Growth Areas 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.**

The City Corporation accepts that in areas identified for substantial new development there is merit in providing greater certainty through a Local Plan allocation as a Growth Area. The Local Plan allocation should establish the principle of development, but with the need for specific proposals to be brought forward through an application process that allows for continued local democratic and public engagement on individual developments.

For existing, largely urban sites, this granting of permission in principle through the Local Plan is not considered to be appropriate. In the City of London, for example, many sites have complex and overlapping planning designations which, although not preventing substantial development, have a significant impact on the scale and form of development that can take place. Furthermore, detailed issues of transportation access, freight and servicing have a significant impact on the type and scale of development that could be accommodated. It is difficult to see how these issues can be adequately resolved at a technical stage with permission in principle already granted through the Local Plan.

The proposed approach assumes that engagement and consultation on sites will take place at the plan-making stage, removing much of the need for detailed engagement at the application stage. Again, whilst this may be appropriate for very large sites, for smaller urban infill or redevelopment this early stage consultation cannot reflect potential local impacts which may not become apparent until detailed proposals are submitted, e.g. impacts on daylight and sunlight or freight and servicing provisions. For the reformed planning system to work effectively, it needs to have local democratic support and this will often require the ability to engage with development proposals at the point of application.

The City Corporation, nevertheless, understands the Government's concerns over the speed of planning and decision making and the need to provide certainty to the

development industry. The City Corporation would therefore support reform to the planning system in a way that gives greater weight to Local Plan allocations. If a site is allocated for a particular form of development in a Local Plan, or an area identified as suitable for a particular form of development, then there should be a general presumption in favour of that form of development, subject to compliance with other detailed provisions of the Local Plan. This would give greater certainty to developers, whilst also allowing for local policy considerations to be considered. This would have the advantage of allowing for local community engagement and objection where the detail of a proposal would have adverse impacts on local environment and amenity. In effect this would be a strengthening of the current policy that planning applications should be determined in accordance with Local Plan provisions.

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

The City Corporation agrees that there is a need to simplify and shorten the amount of information required to enable the determination of a planning application. Greater standardisation of data requirements and formats and a simplification of current assessment requirements (such as for Environmental Impact Assessments) would be beneficial, subject to there being no weakening of the protections provided by such assessments. There is scope to consider the detail of such changes outside of a wider review of the planning system.

Setting an arbitrary page limit on supporting information would be counter-productive. The amount of information required to support an application will often reflect the scheme's complexity. The design, access, sustainability and transportation assessment needed for a 300m office tower, for example, will be vastly different to the assessment needed for a single storey extension of a commercial building in the City. Even with the introduction of design guides and codes, there will be a need to present a range of supporting information to enable the local planning authority to be satisfied that a scheme accords with local plan policy in detail and does not have adverse impacts on local communities and business. The arbitrary 50 page limit should be replaced with an emphasis on shorter and more concise supporting statements and information, with the extent of additional information required determined by the local planning authority on a case by case basis.

The consultation indicates that existing 8 or 13 week time limits will be firm deadlines. This emphasis on speed ignores the quality of decision making and could result in the refusal of development where a decision cannot be made within the statutory deadlines, with such schemes then being considered at appeal, which is neither helpful to the local community, the local planning authority or the developer. The City Corporation considers that a better approach is to give greater encouragement to the use of pre-application discussions to address concerns and objections, with formal applications submitted once outstanding issues have been resolved. This could be formalised through a Planning Performance Agreement which would allow the developer and the local planning authority to agree a realistic timetable for progressing an application which reflects the specific circumstances of an application.



The proposal to return application fees if time limits are not met, or a decision is granted at appeal, is a blunt tool to speed up the decision making process and could result in applications being determined on financial rather than planning or transportation grounds.

The consultation raises other key changes:

- 1) use of national standard conditions – the City Corporation has no objection to additional guidance and model conditions being set out nationally, but there must remain flexibility to adjust such conditions to reflect local circumstances, where necessary.
- 2) Greater delegation to officers – this is supported in principle by the City Corporation which has already delegated to officers a large number of applications, with only those that raise strategic concerns or where there are 4 or more objections being considered by members. However, democratic oversight by elected members needs to be retained for larger, strategic or locally controversial schemes. The decision as to which schemes should be delegated needs to remain with local planning authorities and not be determined centrally.

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

The City Corporation supports the ambition for local plans to be more visual and map-based, but in the absence of further information on the proposed national template, it is difficult to understand what the impact of Proposal 7 will be. Any national template will need to be sufficiently flexible and adaptable to reflect local circumstances and local priorities.

The need for plans to be accessible in a range of formats, including on a smartphone, is supported. Local Plan should be easy to read and understand and not simply based around a single pdf document online. However, digital accessibility is not the same as accessibility for all communities. Not all sections of the community are able to access plans in a digital form. There needs to remain provision for plans and for consultation on plans to take place via hard copies of documents to ensure all sectors of the community have access to important decisions that impact their lives.

**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.**

The City Corporation supports the Government's ambition to speed up the process of developing and adopting a local plan. However, the 30 month time limit is not considered to be consistent with the need to undertake meaningful community consultation and engagement, the preparation of policy supported by a robust evidence base, or ensure democratic accountability through local authority committee and cabinet processes. There is a proposal that, where a local plan is at an advanced stage of preparation at the time of the passing of primary legislation, a new plan meeting the requirements of the revised planning system should be prepared within 42 months. This seems a more realistic timeframe for all local plans, along with continued encouragement to produce plans, or alternations to plans, more rapidly, where possible,

The revised planning system places much greater weight on the role of the local plan and requires all land to be categorised into one of 3 land use categories. In urban areas, in particular, where there is a complex and overlapping series of national and local designations, it is hard to see how a robust categorisation can be undertaken and agreed, or detailed assessment of the capacity for development on individual sites completed, within the timescales set out. Allocations, which in some instances will carry with them a permission in principle or a presumption in favour of development, will need to be supported by a robust evidence base.

Delivery against the more rapid timescales set out in the consultation ultimately relies upon sufficient resources within the local planning authority to prepare and progress the Local Plan. Elsewhere in the White Paper, reference is made to a reallocation of resources to other planning functions as a result of the simplification of Local Plan processes. In fact the opposite is likely, i.e. that to deliver a robust and sound Local Plan within a shorter timeframe will require additional resource, both staff and financial.

**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**

The City Corporation supports the continued role for neighbourhood plans within a reformed planning system but is concerned that little information and detail on the role of neighbourhood plans is provided. The potential for expanding the scope of neighbourhood plans is mentioned. If this is taken forward, this will place additional pressure on local planning authorities who have a statutory duty to support the preparation of such plans.

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

The Government's proposals hinge on the assertion that local planning authorities have a wider role in delivering development beyond the granting of permission. Delivery against agreed local plan targets is a matter for the development industry and not the local planning authority. The Local Government Association has published data showing that in the 10 years from 2009/10, 2,564,600 homes were granted planning permission, yet only 1,530,680 were built. The reformed planning system needs to explicitly recognise the limitations on local planning authorities and not penalise authorities for the failure of developers to deliver the development required.

The suggested approach for substantial development sites reflects the findings of the Letwin Report and would assist delivery on the larger residential sites. It is not clear that this would be a realistic option for larger commercial development sites.

## **Pillar 2: planning for beautiful and sustainable places**

**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.**

The emphasis on local design solutions, prepared and agreed with local communities is supported. The proposed national design guide, national model

design code and the revised manual for streets can provide a framework for local decision making but should not provide an inflexible framework for local guidance. National level guidance cannot reflect locally specific circumstances, needs or the ambitions of local communities. To be effective, local planning authorities will need to be sufficiently resourced, in financial, staff and skills, to deliver local codes and ensure the allocation of sites within Local Plans.

**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.**

The City Corporation supports the intention to create a new body which can support the production of locally supported design codes, noting that an announcement has been made on 22 September 2020 which takes this proposal forward in advance of the close of the consultation. Not all local planning authorities have the necessary resources and skills to prepare such guidance and codes and external support will be important. This national design body should provide support and not binding regulation; decisions on design guidance and codes must be taken locally.

The City Corporation supports the intention to require the appointment of a chief officer for design and placemaking. This will give additional weight to the work of planning departments.

The City Corporation is concerned that there is an assumption that simplifying local plan processes will release resource to deliver other planning priorities. Many local planning authorities have limited resources allocated to plan making with little, if any, scope for re-allocation. Furthermore, the changed nature of local plans, their greater weight and faster timescales are likely to require more resource for local plan preparation, rather than less.

**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.**

The Government's focus is on delivering housing and this proposal, whilst welcome, will only address the housing sector, and not other key sectors of the development industry. The City Corporation expects the proposed new national design body to provide a wider range of guidance which covers all forms of development and open spaces.

**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.**

The City Corporation supports the principles underpinning the 'fast track for beauty' and the suggested approach based on guidance in local design guides and codes. It needs to be clarified, however, that compliance with design guidance is not the sole avenue for determining the acceptability of a development proposal. The fast track approach also requires schemes to demonstrate compliance with wider local plan aspirations for an area or site.



The proposal that a masterplan and site specific design code prepared by the local planning authority will be required for sites within growth areas is supported. To ensure certainty, it should be a requirement that these additional plans are prepared alongside the Local Plan and this should be factored into the timescales for Local Plan preparation, which will need to be longer than 30 months. Examination of the detail in masterplans at the Local Plan examination will be essential to deliver local community support for larger scale development.

The City Corporation does not support further extension of permitted development rights which remove the ability of a local planning authority to manage development and transport in an area and ensure development is compatible with local community ambitions.

**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.**

The principle of having clearer and simpler guidance on how the planning system can support measures to mitigate and adapt to climate change and maximise environmental benefits through development is supported. Similarly the City Corporation supports an enhanced role for Local Plans in ensuring development proposals support climate change mitigation and adaptation. It is important, however, that the revised system requires development in all areas, not just Protected Areas, to deliver a net gain for the environment. Development in all parts of the country, whether in Growth, Renewal or Protected Areas, needs to have at its heart an ambition to deliver high quality environments that take account of nature and will, enhance biodiversity, maintain and restore habitats and reverse species decline and create new habitats across urban and rural areas. Action on climate change mitigation and adaptation should underpin all local planning activity, with a clear requirement that new development and refurbishment must deliver against the Government's national and local targets for mitigation and adaptation.

**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.**

The City Corporation supports reform to the process of SEA, SA and EIA. Although these processes have the protection and enhancement of the environment at their heart, they have lost focus, with an emphasis on process rather than outcome. Assessments are intended to be a continuous process, informing the design and delivery of plans and projects, but too often have been used to demonstrate compliance at the end of the development process. Reform to emphasise the need for assessment to be continuous and to inform and guide development decisions to ensure a net environmental gain from development, is needed.

The City Corporation is concerned that the White Paper focusses on the role of local plans, zoning of land and removal of bureaucracy and does not sufficiently address where environmental protection and enhancement dovetails into this process. In any revisions to environmental assessment procedures, there needs to be a requirement that environmental considerations are at the heart of the local plan and development

processes, in Growth, Renewal and Protected Areas, rather than being an add on at the end of the process. The need to protect and enhance habitats should not be limited to the 'most valuable and important habitats and species' but should be a fundamental principle that underpins the entire planning system, alongside measures to mitigate and adapt to climate change.

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

The commitment to conserving and enhancing heritage assets is welcomed. The intention to allow for sympathetic change, particularly to address climate change, is also supported, provided that measures retain an emphasis on retention of the heritage value of assets. The development of further guidance will need to involve Historic England, other heritage organisations and local planning authorities.

### **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.**

The City Corporation welcomes the commitment to delivering energy efficiency improvements and the national net zero target of 2050. The City Corporation has adopted an ambitious Climate Action Strategy which aims for net zero carbon in its own activities by 2027 and net zero for the whole of the City of London by 2040. The City Corporation is keen to work with partners and other organisations on the delivery of net zero and is happy to work with MHCLG to share its experience and research to inform the delivery of national targets. Delivery of net zero should consider emissions from all sources, covering scope 1, 2 and 3 emissions.

The City Corporation also welcomes the recognition of the important role that the planning system can play in achieving net zero carbon through new development and refurbishment. However, other than reference to the Future Homes Standard, the consultation paper provides little detail of how zero carbon can be delivered in non-housing development, through changes to transport infrastructure, or the role of green spaces, green walls and roofs and SuDS in helping to mitigate against the impacts of climate change and ensure the built and natural environments are more resilient to change. The City Corporation considers that the government could be even more ambitious and address the need to achieve zero carbon targets in non-residential development and transport infrastructure and set a challenging role for the planning system at the heart of the required transformation.

The City Corporation notes the reference to the potential to reassign planning resources to focus more fully on planning and building regulation enforcement. It is not clear whether there is an expectation that planning authorities will take on a new role of assisting in the enforcement of building regulations, but building regulations are a separate regulatory regime requiring different skills and expertise and it would be inappropriate to rely on planning officers to enforce these regulations.

## **Pillar 3: planning for infrastructure and connected places**

**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.**

The City Corporation has operated a CIL since 2014 alongside s106 planning obligations. This approach has worked effectively and more recent changes to CIL, such as removing the restriction on the mixing of s106 and CIL to fund infrastructure, will allow more effective infrastructure delivery going forward. The requirements for CIL and s106 in the City are well known and understood by most developers and wholesale replacement with a new system would be a retrograde step. Evolution and refinement would provide continuity and certainty. It would also enable the continued use of s106 to deliver site specific mitigation and non-financial mitigation such as contributions towards training and skills provision, which could potentially be lost under the White Paper proposals.

There are elements of the proposed Infrastructure Levy that could usefully be incorporated into the existing system, such as the potential to borrow against future levy receipts and greater flexibility on how the Levy could be spent, albeit that this should continue to emphasise the need for the Levy to be used to fund necessary infrastructure and not wider council services. Extending funding beyond infrastructure and mitigation breaks the link between development and infrastructure improvements which is necessary to not only mitigate the impact of development, but also to make development acceptable to local communities.

Clarification is also needed on the relationship between the Levy applied at borough level in London and the Mayoral Levy. Further information is needed on the proportion of funding that could be passed to the Mayor and the Mayor's role in administering the Levy at the local level.

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

The City Corporation welcomes the intention that the Levy could be applied to schemes delivered through permitted development rights and those where there is no uplift in floorspace. This will address a gap in current CIL guidance and ensure that impacts on infrastructure delivery arising from such changes can be addressed.

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

The City Corporation considers that national policy should continue to focus on on-site delivery of affordable housing alongside market housing. The provision of off-site affordable housing or financial payments to deliver affordable housing elsewhere should continue to be the exception. In this way the delivery of affordable housing can contribute to the creation of mixed and balanced communities that address a range of housing needs.

Although the City Corporation considers that the presumption should be for on-site delivery of affordable housing, the Infrastructure Levy would enable the provision of off-site provision which will assist the City Corporation in the provision of new affordable housing on its estates outside of the City of London. However, the potential for off-site contributions or commuted sums is already set out in national guidance and such delivery does not require further change.

In relation to affordable housing, the White Paper refers simply to affordable housing, defined in its widest sense and including a range of low cost home ownership products. The housing need in the City of London is primarily for social rented housing, with even low cost home ownership out of reach of many people on the City Corporation's housing register. Clarification is needed that the White Paper's definition of affordable housing includes social rented housing and provides flexibility for local definitions to meet local needs.

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

The City Corporation welcomes the intention to give greater flexibility to local authorities in the spending of the Infrastructure Levy. However, this flexibility needs to be exercised in the context of the required infrastructure plans to ensure that the infrastructure necessary to support development and local communities is delivered. A key principle of the existing s106 planning obligations mechanism is that there is a direct link between development and the infrastructure and mitigation needed to allow that development to proceed. This direct link is also critical in ensuring local community support for development. The link between development and infrastructure needs to be retained and the City Corporation's view is that this can most effectively be achieved by maintaining and continuing with the current approach to infrastructure contributions through s106 and CIL.

**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:**

Central to the role of the planning authority is the delivery of a service for the public good, exercising the management of planning to ensure development enhances the local community, economy, environment and society. The proposals would retain an element of nationally set planning fees to offset the cost of development management, but much of the cost of local plan preparation and design guidance preparation would be met through the Infrastructure Levy. In areas where there is little development, where there are significant Protection Areas, or where the uplift in development value is insufficient to justify an Infrastructure Levy charge, it is not clear where the funding for local planning services would come from. Making planning dependent on funding from development also runs the risk that inappropriate development could be permitted to ensure continued funding, that planning decisions are made on financial grounds, or that local planning services are perceived as being too closely associated with the development industry to the detriment of the local community. This is a particular concern if development value uplift is funding the preparation of local plans which, in turn, grant permission in principle for new development.

Funding for local planning services needs to continue to come principally from a combination of application fees and general taxation/local authority funding to ensure retention of the independence of the planning function.

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

The City Corporation supports the aim to strengthen enforcement powers and sanctions to ensure that local plan ambitions are met and not frustrated and that

development accords with the aims of the local plan. The City Corporation does not accept that the changes outlined in the White Paper will deliver spare capacity which can be reallocated to enforcement – the revised and speeded up local plan process and the production of design guides and codes will require additional resource and there will continue to be a role for development management in determining applications and technical consent applications. The City Corporation therefore considers it likely that additional public funding will be needed to deliver on the ambitions for enhanced enforcement.