



## Additional / To Follow Agenda Items

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

### Nottingham City Council Planning Committee

**Date:** Wednesday, 19 August 2020

**Time:** 2.30 pm

**Place:** Remote - To be held remotely via Zoom -  
<https://www.youtube.com/user/NottCityCouncil>

**Governance Officer:** Catherine Ziane-Pryor **Direct Dial:** 0115 876 4298

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| 4c <b>Update Sheet</b>   | 3 - 6        |
| <b>6 Urgent Item - Changes in permitted development being introduced before the end of August</b><br>The Chair of the Committee has agreed that this item, although not on the agenda, can be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972 due to recent and sudden changes to the use of legislation, not realised before the previous committee, but being introduced before the next. | 7 - 20       |

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## PLANNING COMMITTEE

### UPDATE SHEET

(List of additional information, amendments and changes to items since publication of the agenda)

19 August 2020

#### **4(a) Playing Field Between Eastglade Road And Bala Drive East Of Beckhampton Road**

1. Report amendments:

Additional para 8.2 - The applicant has indicated that all on-site parking spaces would be provided with Electric Vehicle Charging Points with the precise details to be secured via condition.

Amended para 9.1 - The applicant; Nottingham City Homes are the development agent, managing the delivery of this proposed affordable housing scheme on behalf of Nottingham City Council. Housing colleagues presented the project budget inclusive of the requested contribution towards Education enhancement for approval at Executive Board on 21st July 2020. The proposed development was dutifully approved by Members. A memorandum of understanding has been received from the Head of Regeneration and Housing to confirm that the required Education contribution will be paid prior to the first occupation of the properties.

Amended para 10.1 - The issues raised in this report are primarily ones of planning judgement. However, it should be noted that whilst interference with light arising from a new development is a material consideration for decision-makers – regardless of whether daylight or sunlight is involved, legal rights of light are not an entitlement to receive the same amount of light to that pre-obstruction on an ongoing basis. Even if light levels are reduced, there may still be sufficient for land to be adequately enjoyed. Each case must be considered on a case by case basis.

10.2 - Should other legal considerations arise these will be addressed at the meeting.

2. Design amendments:

Amended plans have been received showing a revised elevation treatment for the flats.

#### **4(b) The Guildhall, Burton Street**

1. Further Responses:

**SC5 Planning on behalf of NTU:** Supports the redevelopment in principle and also welcomes the potential for environmental improvements and new impetus to development around the Guildhall site. NTU's main comments are aimed at ensuring the Council considers key parts of the application proposals as they specifically affect NTU's Arkwright/Newton campus but also how future development on the remainder of the Guildhall site will take place and its impact on the adjacent environment. The application documents state that the applicant has 'collaborated closely' with the

prospective developer of the large Guildhall site masterplan but no indication given as to how the comprehensive development of the Guildhall site will be facilitated as a result of this application nor what the impact of such development will be. In NTU's view, attention should be given in the determination of the application as to how an acceptable comprehensive development of the Guildhall site as a whole would come forward with the hotel scheme in place.

NTU supports the principle of tall buildings in the city centre but would wish the City Council to explain in its determination of the application how a thirteen storey building would be justified in the context of wider considerations of building heights in the city centre generally, including a review of wider viewpoints such as can be carried out using the city's architectural model. We trust the Council will have looked at this issue and with reference to the Council's Urban Design Guide where the proposal is significantly higher building than this document would envisage and would be a material consideration. The construction of the thirteen storey hotel would undoubtedly change the setting of the Newton building in that context.

Although NTU feels the overall impact of the thirteen storey building is understated in the application's Heritage Report, the fact the hotel is set back behind the existing Guildhall building would not result in the impact on NTU's buildings as being 'substantial' for the purposes of the NPPF. We are though concerned about any cumulative impact on the Arkwright building in particular of the combination of the development of the northern part of the Guildhall site with that now being proposed on the southern site.

This development together with what appears likely to take place on the northern side of the Guildhall site will significantly change the townscape and urban form in this part of the city and it is in all parties interests to ensure that change is for the better and leads to further investment that will enhance the economy and environment at the same time.

**Nottinghamshire Wildlife Trust:** Note that there are protected peregrine falcon bird species nearby. As the birds roost on and around the Newton Building all year round and we cannot imagine that all works on such a large proposed redevelopment site can be carried out outside of the nesting season. Timing of construction works is crucial, especially in relation to phases that are likely to be particularly noisy or visual disturbing (such as erection of cranes etc). We therefore strongly recommend that a method statement in relation to how works should proceed near an active peregrine nest is produced. This should provide a detailed schedule in relation to the timing of each phase of construction and identify risks of disturbance to peregrines at each stage. It should also provide details of how such risks will be avoided or reduced and of any mitigation proposed. This should be submitted alongside any application to Natural England for a Sch1 licence. Should the application be approved, we strongly suggest the above is controlled by a suitably worded planning condition.

As well as construction phase impacts, it is essential that the ecologists assesses the design of the extension and new building to ensure that it is 'peregrine friendly' and, for instance, doesn't present a hazard to recently fledged young by creation areas where they could become trapped.

Finally, we welcome the proposed ecological enhancements for mammals, insects, nesting birds, as well as proposed measures in relation to bat 'friendly' lighting and measures to protection of water from pollution. We additionally recommend

incorporation of bat and swift boxes or bricks. Again, these habitat enhancements should be secured through an appropriate condition.

**Biodiversity Officer:** Satisfied with the further information from the applicant's ecologist in relation to the bat survey.

The applicant has provided further information in respect of biodiversity and the impact of the proposals on nearby Peregrines. The Biodiversity and Greenspace Policy Officer has concerns that the information supplied by the applicant does not yet demonstrate that impacts on the Peregrines will be satisfactorily mitigated, and has concerns that the applicants proposals for the impact to be addressed through a method statement does not give adequate safeguards if the submitted information is unacceptable. They have also questioned the submitted information in relation to biodiversity, and in particular the extent of green walls/roofs and SuDS.

*Officer Comments:*

**SC5:** *The application report covers the issues raised. Whilst proposals for the norther section of the larger Guildhall site are not yet available, the review of this future development will consider the context with adjacent heritage assets as well as any planning permission that may be granted for the proposed development that is the subject of this Committee report.*

**Nottinghamshire Wildlife Trust:** *The need for appropriate peregrine mitigation is noted within the Committee report and considered below. A condition to secure swift/bat boxes is now proposed.*

**Biodiversity Officer:** *The further comments are noted. Notwithstanding these concerns, it is considered that pre-commencement planning conditions can be added to agree a method statement for proposed work, and mitigation measures, in respect of the Peregrines because the council retains sufficient control to refuse inadequate mitigation measures. Officers do not consider that such information is necessary prior to determination.*

*The requirement to agree drainage details is included in the recommended conditions, and the extent of green walls/roofs is shown on the plans and considered acceptable.*

### 3. **Amended recommendation**

Add conditions to the planning permission to require:

- further details of measures to mitigate any adverse impact on Peregrines, in particular during the construction of the development, together with requirements for implementation of any mitigation measures;
- The incorporation of swift/bat bricks/boxes in the development.

Details of the wording of such conditions to be delegated to the Director of Planning and Regeneration, in consultation with the Biodiversity Officer.

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## Changes to the Planning System- Briefing Note

19 August 2020

The government is making significant changes to the planning system, introducing new permitted development rights and changing the way in which the use of commercial buildings is controlled.

'Permitted development' is a right to carry out development without needing to apply for planning permission. Some permitted development rights are subject to a 'prior approval' process, where the council can consider limited aspects of the development, such as design, but cannot refuse the principle.

Planning permission is usually needed to make a significant change in the way land/buildings are used ('a material change of use'). However, not all changes of use need planning permission. The Use Classes Order groups activities into classes, and planning permission is not needed to go from one use to another in the same class. Many changes of use from one class to another are also covered by permitted development.

From 31 August 2020, new permitted development rights are being introduced.

### Upward extensions

<https://www.legislation.gov.uk/ukxi/2020/755/contents/made>

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 introduces new permitted development rights for buildings to be extended upwards.

For dwellinghouses, there is a new right to enlarge by the construction of new storeys on top of the highest existing storey of the dwellinghouse. Two storeys may be added if the existing dwellinghouse is two or more storeys tall, or one additional storey where the dwellinghouse consists of one storey.

This right is subject to a number of limitations, the main ones being:

- It doesn't apply in conservation areas;
- It doesn't apply to houses built before 1948 or after 2018, or to houses that have previously been extended upwards;
- An absolute maximum height of 18m, but extensions to attached properties can't be over 3.5m higher than the neighbouring house, or all other houses in a terrace;
- The floor to ceiling height of a storey can't exceed the lower of 3m or the floor to ceiling height of any of the existing storeys;
- The extension can only be on the principal part of the roof;
- The roof pitch of the new storey(s) must be the same as the pitch of the original roof, and the materials must match existing;
- Windows in side elevations are not allowed;
- After extending, a house can only be used for C3 purposes, so exercising this right would prevent a house from subsequently being used as an HMO (without planning permission).

This right is subject to a prior approval process, with the council able to consider design (of the front), impact on the amenity of neighbours, air traffic and defence impacts, and impacts on any protected views.

A number of other permitted development rights for upward development are also introduced:

- Class AA permits construction of up to two new storeys of flats on top of detached buildings in commercial or mixed use, including where there is an element of residential use;
- Class AB permits the construction of new flats on top of terrace buildings (including semi-detached buildings) in commercial or mixed (including residential) use;
- Class AC permits the construction of new flats on top of terrace dwellinghouses (including semi-detached houses);
- Class AD permits the construction of new flats on top of detached dwellinghouses.

The new rights are subject to prior approval applications, relating to:

- the transport and highways impacts of the development;
- air traffic and defence asset impacts;
- contamination risks in relation to the building;
- flooding risks in relation to the building;
- the external appearance of the building, including the design and architectural features of the principal elevation and any side elevation that fronts a highway;
- the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
- the impact on the amenity of neighbouring premises including overlooking, privacy and the loss of light;
- whether, because of the siting of the building, the development will impact on protected views.

Other limitations on the new rights include that they do not apply to buildings constructed before 1st July 1948 or after 5th March 2018.

### **Demolition and rebuilding of vacant buildings**

<https://www.legislation.gov.uk/ukxi/2020/756/contents/made>

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 3) Order 2020 adds a new permitted development right to demolish and rebuild a vacant building.

- Class ZA allows for the demolition of a single detached building in existence on 12 March 2020 that was used for office, research and development or industrial processes, or a free-standing purpose-built block of flats, and its replacement by an individual detached block of flats or a single detached dwellinghouse within the footprint of the old building.

The old building should have a footprint no larger than 1,000 square metres and be no higher than 18 metres. The old building must have been built before 1990 and have been vacant for at least six months before the date of the application for prior approval. The right provides permission for works for the construction of a new building that can be up to two storeys higher than the old building with a maximum overall height of 18 metres. The new right is subject to a prior approval process.

### **Changes to the Use Classes Order**

From 1 September 2020

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 will introduce three new broad use classes - Class E, Class F1 and Class F2.

- Class E - "commercial, business and service" - use class would subsume the existing Class A1 (Shops), Class A2 (Financial and professional services), Class A3 (Restaurants and cafes), and Class B1 (Business) use classes.
- Class F1 relates to learning and non-residential institutions and includes any non-residential use for the "provision of education, for the display of works of art (otherwise than for sale or hire), as a museum, as a public library or public reading room, as a public hall or exhibition hall, for, or in connection with, public worship or religious instruction, as a law court".
- Class F2 relates to "local community" uses. These are listed as "a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where the shop's premises cover an area not more than 280 metres square, and there is no other such facility within 1,000 metre radius of the shop's location".
- In Class F2 a 'shop' is defined "as a shop mostly for the sale of a range of essential dry goods and food to visiting members of the public". This is intended to provide some protection for such shops while placing those shops found on high streets and town centres in the new 'commercial' class.
- F2 uses also include "a hall or meeting place for the principal use of the local community, an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms, an indoor or outdoor swimming pool or skating rink".
- The following uses are excluded from any use class ("sui generis" uses):
  - public houses, wine bars, or drinking establishments;
  - drinking establishments with expanded food provision;
  - hot food takeaways;
  - live music venues, cinemas, concert halls, bingo halls and dance halls.

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## **PLANNING UPDATE NEWSLETTER**

Welcome to this latest newsletter, which summarises several recent changes to the planning system. Many of these – and especially those being introduced by the Business and Planning Act 2020 – are a further response to the challenges posed by COVID-19, and the need to ensure that the system can continue to operate effectively and support the recovery. The Government has indicated that it intends to bring forward proposals for wider reform of the planning system in the near future, and we will circulate a further Planning Update Newsletter at that time.

**Dr Michael Bingham OBE**  
**Interim Chief Planner**

### **Business and Planning Act 2020**

The Business and Planning Bill received Royal Assent on 22 July 2020. It introduces a series of urgent, mostly temporary measures intended to help businesses, particularly in the hard-hit hospitality and construction sectors, to get back to work safely and quickly.

### **Outdoor Seating**

As part of the [Business and Planning Act 2020](#) we are supporting our businesses which sell food or drink, such as cafes, pubs and restaurants by introducing a temporary fast-track process for these businesses to obtain permission from the local council for a pavement licence. These licences enable the business to place furniture such as stalls, tables and chairs on the pavement outside their premises, enabling them to maximise their capacity whilst adhering to social distancing guidelines.

This includes a capped application fee of £100, and quicker consultation and determination periods which means that businesses can obtain licences in a timely and cost-effective manner aiding their financial recovery. When granted, the licence also provides deemed planning permission for anything done by the licence-holder pursuant to the licence.

The Act also provides local authorities with robust enforcement and revocation powers so councils can safeguard public safety and amenity. There is a clear requirement within the Act that accessibility for highways users, in particular disabled people, should be protected, which is why these licences will be subject to a no-

obstruction condition which seeks to prevent unacceptable obstructions. When local authorities are determining whether furniture put on the highway would be, or already is, an unacceptable obstruction, they will also need to have specific regard to the needs of disabled people, and to any recommended distances required for access by disabled people as set out in guidance issued by the Secretary of State.

Further information on these measures can be found in the [pavement licenses guidance](#).

## **Extending Planning Permissions**

We have introduced measures through the [Business and Planning Act 2020](#) to provide for an extension to planning permissions and listed building consents which have lapsed or are due to lapse between 23 March and 31 December 2020. This extension will be to 1 May 2021.

The extension will apply automatically for permissions and consents which are extant in between the measures coming into force on 19 August 2020 and 31 December 2020. Any planning permissions which have lapsed since 23 March 2020 can be reinstated and extended subject to an Additional Environmental Approval.

More information on these measures, including the process for Additional Environmental Approval, can be found in the [planning practice guidance](#).

## **Construction Site Hours**

The [Business and Planning Act 2020](#) has introduced measures to provide for a temporary, fast track deemed consent route for developers to apply to local planning authorities to vary existing conditions, or the details submitted under a condition, that limit construction site working hours. This measure comes into force on 28 July 2020. Local authorities have 14 calendar days excluding public and bank holidays to consider such applications.

If an application is approved, this will temporarily amend planning restrictions on construction working hours until 1 April 2021, unless another earlier date has been requested by the applicant or decided upon by the local planning authority, with the agreement of the applicant.

More information can be found in the [published guidance](#).

## **Hybrid Appeals**

We have introduced measures through the [Business and Planning Act 2020](#) to enable the Planning Inspectorate, on behalf of the Secretary of State, to apply more than one type of procedure (inquiry, hearing and/or written representations), depending on the particular issue at hand, when dealing with certain planning appeals under section [319A of the Town and Country Planning Act 1990](#) or under

section [88D of the Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) or section [21A of the Planning \(Hazardous Substances\) Act 1990](#).

The Inspectorate will be updating its procedural guides shortly to reflect this new flexibility available to its Inspectors in conducting certain appeals.

## **London Plan Spatial Development Strategy**

In response to the impact of Covid-19 we have introduced measures through the [Business and Planning Act 2020](#) to allow for the Mayor of London's current spatial development strategy to be inspected electronically. The Act removes the requirements on the Mayor, in the [Greater London Authority Act 1999](#), to make copies available for physical inspection and to provide hard copies upon request, if the strategy is available for inspection by appropriate electronic means. This is a temporary measure that expires on 31 December.

[Guidance](#) has been produced in support of this provision and it is designed to ensure the strategy is made available electronically in the most convenient way. It also provides guidance on how the Greater London Authority could make arrangements for appropriate mitigation where persons are not able to access the strategy by electronic means.

We have, through secondary legislation, introduced measures for other aspects of the plan making regime which are covered in detail below (digitising planning).

## **Regulations**

### **Use Class Reform**

We have introduced regulations to reform and simplify the Use Classes Order to make it easier for high street uses to change use without the need for a planning application. This will create a new broad category of 'commercial, business and service' uses which will allow commercial, retail and leisure uses greater freedom to adapt to changing circumstances and respond to the needs of their local communities. A new community and learning class will allow for the protection of community facilities and infrastructure. Certain uses such as pubs and theatres will remain protected, while others such as hot food takeaways or betting shops will require full planning consent.

The regulations provide for the existing range of permitted development rights in the GDPO to be preserved as of 31 August until 31 July 2021. Individual buildings and uses will be able to exercise the permitted development right they were entitled to on 31 August 2020. The regulations come into force on 1 September 2020 and can be accessed [here](#).

### **Permitted Development Rights**

### Building Up

New permitted development rights are being introduced to extend buildings upwards to create new homes and living space. Regulations introduced on 24 June allow purpose-built freestanding blocks of flats of three storeys or more to extend upwards by up to 2 additional storeys to create new homes, up to a height of 30m. This right comes into force on 1 August 2020.

The Regulations also introduced time-limited measures to support businesses as coronavirus restrictions are lifted. These allow a local authority to use land to hold a market and erect moveable structures on it for an unlimited number of days until 23 March 2021, and provide an additional 28 days for the temporary use of land for any purpose (or 14 days for use as a market or for car and motorcycle racing) between 1 July 2020 and 31 December 2020. The regulations can be accessed [here](#).

A second phase of new permitted development rights to build upwards allow up to 2 additional storeys on free standing blocks, up to a height of 30 metres, and on buildings in a terrace (of 2 or more buildings) in certain commercial uses. They also allow up to 2 additional storeys on existing houses, detached or in a terrace, to create new self-contained homes or additional living space up to a height of 18 metres. Single storey homes will be able to add 1 additional storey. There are conditions and a number of prior approvals are required including on specific matters including the external appearance of the proposed development and its impact on the amenity of neighbours. The regulations come into force on 31 August 2020 and can be accessed [here](#).

### Demolition and Rebuilding as Residential

We have introduced a new permitted development right to allow vacant and redundant free-standing commercial and light industrial premises, and residential blocks of flats, to be demolished and replaced with new residential units. At the same time the right will allow up to 2 storeys to be added to the height of the original building, to help create more homes, as long as the resulting residential building is no higher than 18 metres.

There are conditions and the right is subject to prior approval by the local planning authority. The regulations come into force on 31 August 2020 and can be accessed [here](#).

### **Fees for the construction of new homes**

We are currently amending the fees regulations to provide for a prior approval fee for homes constructed under the rights to build upwards to create new homes, and to the right for demolition and rebuild. The prior approval fee is set at £334 per new dwelling up to 50 units, and a fixed fee of £16,525 plus £100 for each dwelling in excess of 50. These amendments are subject to Parliamentary approval.

### **Community Infrastructure Levy (CIL) Deferral**

We have introduced regulations to give CIL charging authorities a discretion which is applicable for a limited time (in certain prescribed circumstances and if it is considered appropriate) to defer CIL payments, to disapply late payment interest and surcharge payments; and to credit interest already charged to developers.

The regulations which came into force on 22 July 2020 can be accessed [here](#).

We have also [published guidance](#) on CIL matters in response to the spread of coronavirus (COVID-19), including an explanation of the 2020 Regulations.

## **Digitising Planning**

In line with the [Written Ministerial Statement on 25 June](#) ('Planning update') we have brought forward measures in response to Covid-19 to support the move to online inspection of documents intended to ensure the planning system continues to operate effectively.

### Plan making

We have taken on board concerns raised by local planning authorities and other stakeholders about the implications of Covid-19 on the ability to progress plan making. We have already published [guidance](#) on reviewing and updating the statement of community involvement. The following changes all apply until 31 December 2020.

New legislation has now come into force for local development documents (amending, on a temporary basis, regulations [35 and 36 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)). We have also brought forward secondary legislation in relation to spatial development strategies (amending the [Town and Country Planning \(London Spatial Development Strategy\) Regulations 2000](#) and the [Combined Authorities \(Spatial Development Strategy\) Regulations 2018](#)) which will come into force on 12 August 2020. These changes remove requirements to make certain documents available for inspection at premises and to provide hard copies on request. The documents must, instead, be made available for inspection online. This will support local planning authorities and mayoral combined authorities to continue to progress up-to-date Local Plans and spatial development strategies.

Planning practice [guidance](#) has also been updated outlining how local planning authorities and mayoral combined authorities should consider the practical measures needed to ensure fair participation is possible.

Similarly, we have also temporarily modified the inspection and notification requirements that apply to Strategic Environment Assessments (SEA), through the introduction of regulation 18 in the [Environmental Assessment of Plans and Programmes Regulations 2004](#) ("the SEA Regulations") by the [Environmental Assessment of Plans and Programmes \(Coronavirus\) \(Amendment\) Regulations 2020](#). These modifications remove requirements for physical copies of SEA-related documents to be available for inspection at an address and for hard copies to be

made available. Instead, copies of the relevant documents must be made available for inspection online. Notification requirements have also been amended to reflect these changes. Planning practice [guidance](#) has been updated to support responsible authorities to meet these requirements.

### Nationally Significant Infrastructure Projects

We have introduced temporary changes to certain publicity requirements in the Nationally Significant Infrastructure Project regime through the [Infrastructure Planning \(Publication and Notification of Applications etc.\) \(Coronavirus\) \(Amendment\) Regulations 2020](#). The Regulations came into force on 22 July 2020 and remove obligations on applicants (or the Secretary of State, as the case may be) to include in relevant notices the addresses where certain documentation is available for inspection. Instead, applicants are required to make the relevant documentation available online and provide a telephone number for general enquiries. [Guidance](#) has been published to support these temporary changes.

## **Written Ministerial Statements of 14 July 2020**

### **Support for Theatres, Concert Halls and Live Music Performance Venues**

In response to the impact of Covid-19, we have made a [Written Ministerial Statement](#) to support theatres, concert halls and live music performance venues. The Statement requires local planning authorities to take into consideration the impact of Covid-19 business disruption, in determining applications for demolition or change of use of these venues. Guidance on the Written Ministerial Statement can be accessed [here](#).

### **Extended opening of holiday parks, caravan parks and campsites**

The Government recognises that holiday parks, caravan parks and campsites may decide to extend opening beyond the summer season to support these businesses to recover from Covid-19 business disruption. In some cases, planning conditions may restrict their open season. We have made a [Written Ministerial Statement](#) to emphasise that planning enforcement is a discretionary activity, and local planning authorities should not seek to undertake enforcement action which would unnecessarily restrict the ability of holiday parks, caravan parks and campsites to extend their open season. Local planning authorities should also prioritise decision making for applications to vary relevant planning conditions, and take account of the economic benefits resulting from extended opening. Guidance on the Written Ministerial Statement can be accessed [here](#).

## **Consultations**

### **England Tree Strategy**

[A consultation on the England Tree Strategy](#) was launched by the government on 19th June to seek views on how to increase tree planting and tree and woodland

management across the country. The strategy will, subject to consultation, set out policies to expand tree cover, support woodland management and increase public engagement with trees and woodlands. This will help to ensure the government's tree planting commitment to increase tree planting to 30,000 hectares per year across the UK by 2025 is delivered.

As part of the consultation the government is asking for views, including from local authorities and developers, on the key challenges for the planting and on-going maintenance of street and urban trees in new and existing developments. This is to help ensure delivery of the Government's commitment for all new streets to be tree-lined, as well as proposals on street trees within the final report of the Building Better, Building Beautiful Commission.

The consultation runs for 12 weeks and closes on 11 September 2020.

### **Permitted Development Rights to support 5G and extend mobile coverage**

On 22 July the Government published [its response](#) to the joint MHCLG and DCMS consultation on proposed planning reforms to support the deployment of 5G and extend mobile coverage. This consultation was published in August 2019 and sought views on the principle of amending permitted development rights for operators with rights under the Electronic Communications Code and the circumstances in which it would be appropriate to do so.

The government response summarises the responses received and confirms its intention to take forward the in-principle proposals consulted on, subject to a technical consultation, to enable:

- the deployment of taller and wider masts;
- building-based masts located nearer to highways; and
- faster deployment of radio equipment housing, such as equipment cabinets.

The response sets out that in taking forward these proposals, we will work with representatives of local planning authorities as well as the mobile industry to develop a technical consultation on the detail of the proposals, including the appropriate environmental protections and other safeguards to mitigate the impact of new mobile infrastructure, prior to amending [Part 16 of Schedule 2 to the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) (as amended).

### **Wider Planning Matters**

#### **Local Digital Planning Projects**

Since December 2018, MHCLG has been funding two local government led projects:

- [reducing invalid planning applications \(RIPA\)](#), and
- [back office planning system \(BOPS\)](#).

Both projects are collaborating with a small number of councils to improve the planning process for applicants and planners alike. Initially focusing on permitted

development and householder applications, these projects are producing reusable outputs that any other council can make use of.

The project team would like more councils to get involved through user research and becoming first adopters. There are a number of ways to get involved:

- be one of the first councils to start using the systems
- take part in user research and help shape the outputs
- receive regular updates about the projects
- join 'show and tells' to hear regular project updates

To find out more or get involved, please email:

- [digitalplanning@lambeth.gov.uk](mailto:digitalplanning@lambeth.gov.uk) for RIPA, or
- [jack.ricketts@southwark.gov.uk](mailto:jack.ricketts@southwark.gov.uk) for BOPS.

### **Home loss payments under the Land Compensation Act 1973**

Home loss payments are payable to owner-occupiers and tenants of dwellings displaced by compulsory purchase or public redevelopment. They have been reviewed annually since 2003. Following the 2020 review, the Government has decided to raise the maximum and minimum payment thresholds for payments to owner-occupiers from £64,000 and £6,400 to £65,000 and £6,500 respectively. The flat rate paid to tenants has been raised from £6,400 to £6,500. The [Home Loss Payments \(Prescribed Amounts\) \(England\) Regulations 2020](#) come into force on 1 October 2020.

### **Neighbourhood Planning Support**

The Government has committed to providing communities in urban areas and deprived areas (places that are amongst the 20% most deprived areas in England, in accordance with the Index of Multiple Deprivation) with direct additional support for neighbourhood planning. The additional support, to be launched on 10 August 2020, will increase the grant available to neighbourhood planning groups in urban and deprived areas from £10,000 to £18,000 and give them access to a range of technical planning support packages, which only a limited range of groups currently qualify for.

The Government has also increased the value of Basic Grant available to neighbourhood planning groups from £9,000 to £10,000, to reflect the additional costs communities may face in preparing and consulting on neighbourhood plans during current Covid-19 restrictions.

### **Government Review of Planning Policy for Flood Risk**

In our paper '[Planning for the Future](#)', published earlier this year, the Government committed to review policy for building in areas at risk of flooding, assess whether current protections in the National Planning Policy Framework are enough and consider options for further reform.

We need the expert advice of those involved in planning and delivering new development and advising on flood risk to help us understand what works well and what could be improved. To help us achieve these aims, we would like to invite all Local Planning Authorities to complete a short survey accessible through [this link](#).

Views collected by this questionnaire will inform this review and apply to planning policy for England only. Responses to the questionnaire should be submitted online only, as it enables more efficient and effective consideration of the issues raised. The survey will close at 23:45 on 16 August 2020. We would recommend that respondents access the survey through Google Chrome; we are aware of some issues when using Explorer.

Many Planning Authorities will have responded to the TCPA's survey on [Planning for Climate Change at the Local Level](#) that closed last month. Our survey builds on their work and focusses specifically on flood risk and does not repeat any of the survey questions asked by the TCPA.

We would be very grateful if you could forward the link to the survey to appropriate officials within your organisation and encourage them to submit a response.

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