

Planning News

Town & Country Planning is always in the News, but at the moment it seems to be more so than ever. In this Article we take a look at two of the Planning Bills currently before Parliament.

The Planning Reform Bill, which has been the subject of much consultation, discussion and criticism, is now in the House of Lords. The Bill includes proposals for: a faster and fairer planning system; delivery of more transparent decisions with improved opportunities for public engagement at every stage; and the creation of clearer national infrastructure policy and better developed infrastructure projects.

The Bill introduces the concept of an Independent Planning Commission to determine applications for major infrastructure projects. It is aimed at reducing the huge length of time which projects have taken to be approved. One obvious case in point is the new Terminal 5 at Heathrow which took five and a half years. The new process would aim to take 9 months from start to finish.

The Bill also proposes the concept of Local members Review Boards. Planning Applications would be delegated to officers of the Local Planning Authority for decisions. If they refuse an application, it is proposed that their decision would be reviewed by a panel of elected members of the same authority rather than the Planning Inspectorate.

A further proposal is that the Planning Inspectorate will decide whether an appeal to it will be conducted by written representations, a Hearing or a Public Inquiry, rather than the appellant or the Local Authority.

All of these proposals raise serious Human Rights questions and it will be interesting to see how far the Government is prepared to amend the proposals in the light of criticisms and also the extent to which the bill takes on board other planning reforms.

The Heritage Protection Bill introduces an entirely new concept of Heritage Assets. In future all listed buildings, registered parks, gardens, battlefields, scheduled monuments and marine heritage assets will be known as heritage assets. The main changes to the existing law will be that there will be a consultation before the asset is registered and a right of appeal against subsequent registration. There will also be a greater level of detail in the description of the Heritage Asset with a map showing the extent of the curtilage of the asset. This Bill is in the early stages and again may well be amended as it progresses through Parliament.

In the meantime, our planning team will be pleased to advise in relation to either Bill.

For further advice and information, please contact Bernadette Hillman on 01727 735658 or via email on bh@turnerdebs.co.uk

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