

What are the Government's proposals for Zoning?



Giles Pink
Bryan Cave Leighton Paisner

What are the Government's proposals for Zoning?

- White Paper promised this month
- What are the objectives?
- Are there straws in the wind?

Objectives

- Developer perspective:
 - confidence as to cost for process and planning gain;
 - confidence as to outcome for cost committed; and
 - confidence as to timescale to reach outcome.
- Political perspective:
 - Pre CV-19
 - Since CV-19

So where does zoning come in?

- Policy Exchange report “Rethinking the Planning System for the 21st Century”
- <https://policyexchange.org.uk/news/policy-exchange-sets-out-major-planning-reforms/>
- Co-author’s link to the 10 Downing Street team of special advisors + a reported view that Dominic Cummings shares a view of the need for planning reform

- FT – 10 June 2020
 - Central to the proposals are the introduction of a **zonal planning system** and the creation of special development zones.
 - One proposal is to change England’s design codes so that “**attractive**” buildings can be sped through the planning process. The model for that could be the “**as-of-rights**” system [...] whereby a proposed development that complies with all applicable **zoning codes** does not require any special consideration from the authorities.
 - Ministers are also considering the creation of **new development zones** — in which the **government invests in public infrastructure** to stimulate private development.

A two-speed approach

- A class of revisions that are easier to implement with more immediate effects e.g. expansion of permitted development rights, funding programmes
- A deeper more substantial change to the system that will take longer to implement and bear fruit – this is where the discussion of zoning comes in

Limitations on deep-rooted reform?

- Given the headwinds of Brexit and CV19 it might be politically unrealistic to expect the sort of purist reform that the Policy Exchange recommends
- This Government has three and a half years to make a difference to those who voted Conservative for the first time
- But the eagerness for reform appears to remain strong

So what might Zoning look like?

- A simplified local plan that designates zones with principal land uses and development rules, compliance with which would fast track applications, and special provision for e.g. heritage assets, infrastructure (including social infra) and ecological designations – all set by elected members but with compliance being judged by professional officers
- Less reliance on needs assessment – the intention being that the zones are not sized to fit assessed need, but rather there is a presumption that land can be zoned
- A more focussed approach to environmental assessment?
- A simplified approach to planning gain and CIL – with the emphasis on delivery on infrastructure to mitigate the effects of development rather than diluting the funds across many minor projects