



Taking forward the Government's response to the  
Killian Pretty Review  
**Second Progress Report**



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Communities and Local Government  
Eland House  
Bressenden Place  
London  
SW1E 5DU  
Telephone: 020 7944 4400  
Website: [www.communities.gov.uk](http://www.communities.gov.uk)

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# Section 1

## Introduction

This package of proposals takes forward the next key stage of implementation of the Killian Pretty recommendations to improve the planning application process. It comprises four main elements: a second progress report and three separate consultation papers.

### Second progress report

The purpose of this report is to explain what we have done since the first progress report in July, identify specific proposals for immediate and formal consultation and to map out how we will move towards completion of our programme of implementation. Our package of measures will help all users of the system, including small businesses, the development industry, local communities and local planning authorities and will contribute to building for economic recovery.

In addition to the overall summary, this report has two substantive annexes:

Annex A: Improving the quality of information available to users of the planning application system – the work of the Planning Portal

Annex B: Update on action to take forward the Government's response to the Killian Pretty recommendations

### Separate consultation papers

There are three separate consultation papers, published alongside this document, which comprise the following:

*Development Management: Proactive Planning from pre-application to delivery.*  
Consultation on a draft new planning policy statement on development management, and on the pre-application and determination stages.

*Improving engagement by statutory and non statutory consultees*

*Improving the use and discharge of planning conditions*

# Section 2

## Overall summary

We continue to remain on track in terms of the delivery of the programme of actions we outlined in the Government's response<sup>1</sup>. Since July we have:

- engaged with a range of stakeholders to discuss the detailed proposals we published for consultation in July – *Improving permitted development, Streamlining information requirements and Publicity for planning applications*
- finalised our proposals and introduced the necessary legislative framework to allow greater flexibility in the implementation of permissions (October 2009), with associated guidance published in November 2009
- taken forward a range of measures to improve the quality of information available to all users of the planning system (see Annex A)
- worked with our sounding board and expert panel to develop a range of additional proposals for consultation, which are published alongside this report
- continued to work with a range of stakeholders in taking forward other Killian Pretty recommendations, such as:
  - encouraging the development of local development orders (Planning Advisory Service)
  - providing more guidance to developers on planning performance agreements (British Property Federation)<sup>2</sup>
  - investigating the opportunities for the use of mediation (National Planning Forum)

Alongside this second progress report we are publishing detailed proposals for consultation on:

- development management
- achieving better engagement by statutory and non statutory consultees
- improving the use and discharging of planning conditions

<sup>1</sup> CLG, BERR *Government Response to the Killian Pretty Review* – March 2009

<sup>2</sup> <http://www.bpf.org.uk/topic/subtopic/384/planning-performance-agreements>

## Update of progress on the key workstreams

In the Government's response to the Killian Pretty Review, published in March 2009, we outlined an ambitious programme of measures, divided into five key workstreams:

- a) reducing the number of small scale developments that require a full planning application
- b) making the planning application process more efficient and effective for all involved
- c) improving the quality of information available to users of the planning application system
- d) improving local authority capacity and performance in the process
- e) streamlining the national policy framework

### a) Reducing the need for full planning applications

In July 2009 we published draft proposals for consultation to reduce the number of **small scale non-domestic developments** that require a full planning application.

The consultation period ended on 23 October 2009. Subject to the outcome of the consideration of the consultation responses, we aim to finalise the proposals and bring into force any changes to legislation in April 2010.

Since July, the Government, through the Planning Advisory Service (PAS), has been providing financial support to five local authorities who are developing **local development orders**. These LDOs will, if adopted, cover a range of minor development in a variety of locations including a major hospital complex, town centre and film studios. More details of these proposals are set out in Annex B of this report and on the PAS website. PAS will be seeking expressions of interest on further LDO pilots early in 2010.

In the first progress report, we noted that we had also been investigating further opportunities for allowing more renewables installations without the need for a full planning application. In November we published a separate consultation paper: *Permitted development rights for small scale renewable and low carbon energy technologies, and electric vehicle charging infrastructure: Consultation*<sup>3</sup> setting out detailed proposals for extending permitted development rights to promote additional **renewable energy installations** at both domestic and non-domestic premises.

<sup>3</sup> <http://www.communities.gov.uk/publications/planningandbuilding/microgenelectriccars>

## b) Making the planning application system more efficient and effective

In July we outlined<sup>4</sup> how we proposed to promote a significant culture change in the way proposals for development are handled from pre application to implementation. Through the adoption of a development management approach, we want to encourage a move from a largely reactive and controlling approach to proposals, to one which is more aligned to the positive and proactive delivery of sustainable development.

Killian Pretty recommended that a key step towards delivering a new, more positive approach would be for Government to issue a clear statement setting out the key principles that should underpin a move from development control to a development management approach<sup>5</sup>.

Alongside this report we have published a consultation paper *Planning from pre-application to delivery* which sets out a **draft policy statement on development management**. This document is available at:

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

This is a formal consultation document on which the Government invites comment by 19 March 2010. This includes draft annexes on pre application and determination stages.

This draft policy statement:

- provides the overarching policy framework for the development management process from start to finish
- forms a key part of the new streamlined national policy framework being developed as part of our planning white paper commitments and in response to Killian Pretty
- is supported by a number of annexes dealing with specific aspects of the development management process
- will, when finalised, replace the *Statement of General Principles*<sup>6</sup>

The move to a development management approach will not be successfully delivered without improvements to all key stages in the process.

<sup>4</sup> *Implementing the Killian Pretty Review recommendations – Progress Report Annex A – Towards a Development Management Framework* – July 2009

<sup>5</sup> Killian Pretty Recommendation 17(c)

<sup>6</sup> *The Planning System: General Principles*; ODPM; January 2005

In July, we published draft proposals for consultation to **streamline information requirements**. Having regard to the consultation responses, the Government has decided to take forward these proposals, subject to some changes in response to the consultation replies. Further information on the finalised proposals will be announced early in 2010. The finalised proposals will be formally introduced in April 2010.

In July 2009, we also sought views on whether to make any changes to the statutory arrangements for **publicity for planning applications**. Having regard to the consultation responses, the Government has decided not to end the statutory requirement for certain types of planning applications to be advertised in local newspapers. There will, however, be a new requirement to publish information on planning applications on Council websites. CLG will discuss with the LGA how this can best be achieved in an efficient and effective way, in the light of the consultation responses. We will also extend the statutory period for display of site notices on certain applications for listed building and conservation area consent to 21 days, to bring these in line with arrangements for site notices for planning applications. Alongside this Progress Report we are also publishing a summary of responses to the consultation which provides further information on this matter.

In this latest package of measures, in addition to an overarching policy statement on development management and an annex on the determination stage, we propose improvements in relation to three other important elements of the process, namely: the pre application stage, engagement by statutory and non statutory consultees and the use and discharge of conditions.

**Effective pre-application engagement** is a critically important element of the development management approach. Killian Pretty Review identified a number of shortcomings in the way this stage worked in many locations and recommended that the Government should identify more clearly its key expectations about this stage in the process.

A draft policy on pre-application engagement, which will be an annex to the overarching development management policy statement, is set out in Part 3 of *Development management: proactive planning from pre-application to delivery*<sup>7</sup> This draft policy forms part a formal consultation document on which the Government invites comments by 19 March 2010.

**Consultation paper: Better engagement by statutory and non statutory consultees**. As the Killian Pretty Review acknowledged, a good planning system has, at its heart, the need to take account of a range of relevant considerations in evaluating and determining planning applications. These considerations include not only impacts on neighbours and those directly affected by the development, but also the possible positive and negative impacts on other sectors of the local and wider community.

<sup>7</sup> <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

The main focus of the proposals in this consultation paper (and in Killian Pretty Recommendation 9) is on improving engagement with the nationally defined consultees, although the new policy statement addresses all statutory and non statutory consultation.

We propose a range of measures to improve engagement by consultees, including:

- an updated and strengthened policy statement
- a voluntary code of practice
- revisions to existing statutory consultation arrangements
- improved information on consultation arrangements and
- more readily accessible information on the performance of statutory consultees

The consultation paper on statutory and non statutory consultees is published alongside this document and is available at:

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

This is a formal consultation document on which the Government invites comments by 19 March 2010

### **Consultation paper: *Improving the use and discharging of planning conditions***

The Killian Pretty Review identified the post decision stage of the planning application process as being a major source of problems, with inconsistencies in the use and scope of conditions, and no clear system for discharging conditions or recording outcomes.

To address these issues we propose:

- updated policy on the use of planning conditions and
- a range of measures to help the efficient discharging of conditions

The consultation paper on improving the use and discharge of planning conditions is published alongside this document and is available at:

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

This is a formal consultation document on which the Government invites comment by 19 March 2010.

## **c) Improving the quality of information available to users of the planning application system**

The work in response to these recommendations is being led by the Planning Portal. Annex A of this report sets out a detailed report on the progress the Planning Portal have made to improve the quality of information available.

In summary, the Planning Portal have:

- worked with a range of local authorities to develop two pilot schemes for identifying 'accredited agents' who will submit high quality applications
- substantially expanded and developed the range of interactive information available for householders on the Planning Portal website
- issued a practical guide to all local planning authorities on how to keep their planning web pages linked to up-to-date and accurate information, for example, by including links to the Portal developed interactive house
- identified good practice on planning web pages operated by local authorities and guidance about how improvements can be made without significant additional cost and
- undertaken detailed research on the opportunities and constraints in developing an online service for those seeking to find out if they need planning permission

## d) Improving local authority capacity and performance in the process

In our response to the Killian Pretty Review, we accepted the need to revise the current approach to performance targets, to move away from a narrow focus on the time taken to decide an application once submitted, to an approach which measures performance in a more holistic way.

In July we published a discussion paper on alternative ways of measuring development management performance. Comments on the discussion paper will feed into further research and a series of pilot studies with local planning authorities which are planned to commence in early 2010. Any revised national indicator set would come into force in April 2011.

## e) Streamlining the national policy framework

Our work in relation to Development Management (see (b)) above is an important part of this work. In addition, we have published streamlined planning draft policy statements: *Planning for Prosperous Economies* (PPS4) and *Planning and the Historic Environment* (PPS15), a new draft policy on coastal change (replacing PPG20) and a new draft policy statement on regional strategies (replacing PPS11). We intend to publish the final version of PPS4 shortly. We also expect to publish two further draft planning policy statements shortly: the first replacing the climate change supplement to PPS1 and incorporating PPS22 on renewable energy, and the second on the natural environment/green infrastructure.

Further information on the programme for reviewing planning policy guidance notes and planning policy statements is available on the CLG website which is regularly updated.

# Section 3

## Next steps

### The opportunity to comment

The three separate consultation papers are each subject to a formal consultation process. The consultation period for each document ends on 19 March 2010 . Full details of the consultation questions and how to respond are set out in the individual consultation papers.

We will continue our active engagement with stakeholders, both through the Killian Pretty sounding board and with other meetings and events, on elements of this programme during the course of the winter.

### Later stages in the programme

In spring 2010, we will:

- subject to the outcome of consultation finalise those measures that were subject to consultation in summer 2009 which the Government decides to take forward – see Annex B for further details
- identify a programme to complete the implementation of all remaining Killian Pretty recommendations

# Annex A

## Improving the quality of information available to users of the planning application system – the work of the Planning Portal

### Introduction

In the Government's response to the Killian Pretty report, the Government identified a number of projects where the work in responding to the recommendations would be taken forward by the Planning Portal.

The three recommendations on which the Planning Portal are leading are:

- **Recommendation 3** – Government, local planning authorities and others should take steps to improve the quality of advice available for all users of the planning system
- **Recommendation 5(a)** – Government should continue to invest in facilitating and encouraging improvements in the processing of applications – specifically greater consultation electronically
- **Recommendation 13(b)** – Local planning authorities and other bodies should provide greater encouragement and recognition to those agents who prepare good quality applications on behalf their clients... by encouraging the introduction of 'accredited agent schemes'

This annex sets out in detail the progress made by the Planning Portal since March 2009 in taking forward these recommendations.

In summary, since March 2009 the Planning Portal has:

- worked with a range of local authorities to develop two pilot schemes for identifying 'accredited agents' who will submit high quality applications
- substantially expanded and developed the range of interactive information available for householders on the Planning Portal website
- issued a practical guide to all local planning authorities on how to keep their planning web pages linked to up-to-date and accurate information, for example, by including links to the Portal-developed interactive house

- identified good practice on planning web pages operated by local authorities and guidance about how improvements can be made without significant additional cost and
- undertaken detailed research on the opportunities and constraints in developing an online service for those seeking to find out if they need planning permission

## Background

The work of the Planning Portal in response to Killian Pretty forms part of a wider programme of measures the Portal is taking forward to provide improved information and services to all engaged in planning.

Since 2002 the Planning Portal has been working closely with local planning authorities, planning professionals and all participants to help modernise the planning system and in particular to drive up the efficiency and effectiveness of the process use of electronic working.

At the outset very few local authorities offered electronic services, fewer still offered electronic planning applications and little best practice was shared.

Today every local planning authority has a web site, all offer electronic planning applications and standards and best practice exists across the system.

Chief amongst the achievements has been the adoption across the industry of the standard national planning application form. This single project has revolutionised the core of the process and is enabling greater efficiencies throughout including laying the platform for the development of the e-consultation hub, a system to improve and potentially speed up the process of consultation on applications.

Today almost 40 per cent of all planning applications pass through the Planning Portal, delivering savings of at least £100m annually to business and Government.

Driving further growth in electronic working represents the Planning Portal's primary performance indicator, whilst continuing to improve and clarify the information and advice available to all remains central to the Portal's vision.

## Detailed project update

### Improving the quality of information – Recommendation 3

#### *Improved links to online information*

The local planning authority (LPA) links guide was launched in July 2009. The guide provides LPAs with means of ensuring their online advice is always up-to-date and accurate by linking to content on the Planning Portal, including the interactive house.

The guide suggests key links to relevant content and provides case studies of LPAs who already successfully apply this method. By linking to consistent national guidance in this way, LPAs can focus on improving the quality of advice about specific local constraints.

All LPAs were made aware of the guide and to date more than 55% have downloaded it.

The Portal is currently monitoring how many LPAs implement the suggestions within the guide. The guide has now also been adapted and made available to town and parish councils.

#### *LPA best practice website guidelines*

Research amongst members of the public, planning professionals and the LPAs was undertaken by the Planning Portal during the summer of 2009 to ascertain what constitutes a good local planning website from a user's perspective.

This led to the production of a guidance note which will be released to LPAs in January 2010. At a time of significant budget constraints and multiple demands on LPAs, the aim of the guidance is to help LPAs improve the quality of their planning website content in manageable stages, without significant expense.

The guidance identifies the essential building blocks of a good LPA website and complements the LPA links guide by providing LPAs with a document setting out a tiered approach to improving the planning section of a LPA website. The guide explains what the minimum requirements are, how they might be delivered at a basic, but useful level, and goes on to suggest options for enhancement dependent upon the available budget or technical capability.

The guide supplements the advice with examples of existing good practice.

#### *Further work to improve LPA websites*

The Planning Portal recognises that local authority websites are often the starting point for members of the public to find out about planning issues. It has therefore taken a number of initiatives to help LPAs present their information more effectively.

The Portal is investigating the demand from local authorities for a version of the Planning Portal website that can be locally branded and will present frequently accessed content, such as the interactive houses and mini-guides.

The Portal proposes to enable the LPA to add their own branding and contact information to specifically produced guidance pages to present information on the Portal as if it were part of the LPA website.

In this way the Portal will offer local authorities a free resource of high-quality planning content, enabling them to deliver accurate and innovative content simply by maintaining a single link.

### ***Developing an on line system to answer the question: Do I need planning permission?***

Killian Pretty recommended that the Planning Portal and Planning Advisory Service work together to support and encourage local planning authorities to develop a high quality internet-based information system which allows members of the public to establish accurately and quickly whether or not planning permission was required.

In October 2009, Cragg Ross Dawson completed research commissioned by the Planning Portal and the Planning Advisory Service.<sup>8</sup>

The research involved consulting local planning authorities, planning professionals and members of the public who had recently applied for planning permission, or were likely to shortly, to explore whether an online solution may be viable.

The research concluded that householders expect a simple and definitive answer. However, the process for providing a clear and definitive answer is rarely a straightforward one and often involves drawing together a number of pieces of detailed technical information and reaching an informed judgment on the site specific evidence available.

Therefore, the research concluded that delivering a definitive automated response service (which is available nationally) to informal queries on the need for planning permission would be very difficult, if not impossible, in the short term.

The chief constraint was the very significant cost and resource implications of ensuring that all relevant information, such as planning history and relevant planning conditions, was available on line. There would also be considerable technological difficulties to be overcome to achieve this on a national scale.

Those questioned did, however, cite a number of solutions for building awareness of the different regulations, including the Portal's interactive house and guidance, which would help those seeking relevant information about the need for planning permission. Provided

<sup>8</sup> Assessment of the information available to answer the question: Do I need planning permission? Report. CLG December 2009.

it was clearly flagged as providing only indicative advice, the research concluded that there was merit in further developing current online information sources.

Having regard to the conclusions of the research, the Planning Portal will continue to develop and enhance its online services, such as the interactive house, mini guide, and the Planning 360 service outlined on page 19.

In addition, CLG working closely with the Planning Advisory Service, will explore whether it is possible to provide a online service providing a definitive, site specific, automated response to some straight forward queries about the need for planning permission. In testing ideas, we will also involve those local planning authorities who have developed and operate such a system now, often derived from the 'expert system' developed in the 1990s.

### *The interactive guides*

These tools provide visitors with clear and integrated information on planning permission and building regulations for common projects. Users click to reveal, internally and externally, the constraints affecting each part of the property. This gives users a very quick way of understanding what needs to be taken into consideration for their project and explaining often complex policy in a way that is easier to grasp than the traditional policy documents.

#### **Interactive house:**



The current houses have been very successful and help around 45,000 users every month gain a better understanding of what legislation they need to take into consideration.

Research conducted as part of the Killian Pretty programme has identified several areas where the guidance can be improved further to provide greater support and clarity for users on the options available to them.

These recommendations will be built into further iterations of the houses and included suggestions such as: clearer advice on 'next steps' for users, i.e. identifying the range options for the householder and including web links to the professional directories of trusted third parties, such as the RTPI and the Federation of Master Builders for example.

Also some minor changes to the content were suggested to make guidance clearer, including small amendments to the interactive houses and the development of further mini-guides to support the permitted development regulations.

**Interactive terrace:**

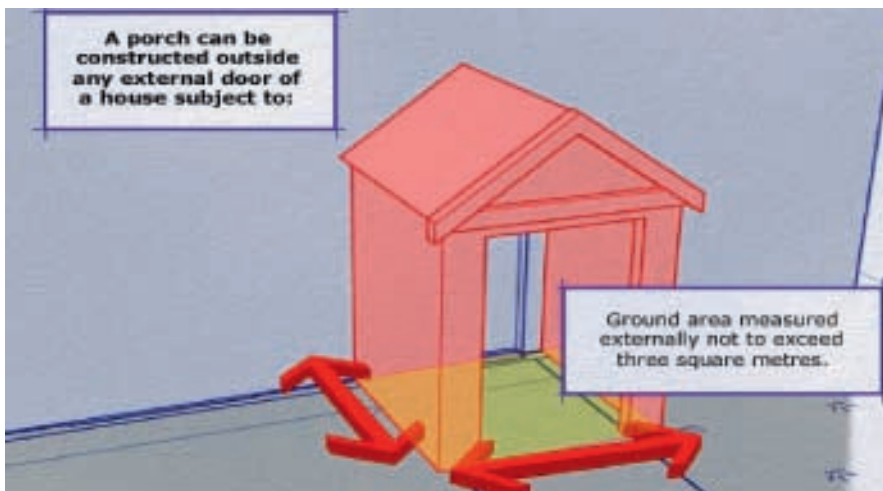


**Mini guides**

To help users with the most common projects the Planning Portal has also developed a series of interactive 'mini guides'. These complement existing guidance on the Planning Portal and can be linked to directly by local planning authorities.

By providing more specific visual guidance to common householder projects, specifically the areas that were amended by new permitted development rules in October 2008, the Planning Portal is helping to cut down the number of enquiries at LPA front desks, freeing them up to focus on more complex matters.

The first one of these, outlining the rules and regulations surrounding porches, was launched during summer 2009.



The animated guide takes users through the regulations in stages with a print-friendly summary at the end for future reference.

Additional guides covering extensions and loft conversions were launched in November 2009 with further common projects (outbuildings) anticipated in early January 2010.

The interactive houses and mini-guides can be viewed on the Planning Portal website

### **Planning 360**

The Planning 360 project will deliver an upgrade to the Portal's mapping technology.

The project will bring mapping in line with the remainder of the Portal's technology infrastructure and provide the platform for further product development. This includes:

- enhancing the existing Portal service to create site location plans to accompany planning applications
- creating a single national interface for the presentation of national and local planning constraints

We aim to make this service available in the summer 2010.

### **Encouraging agent accreditation schemes – Recommendation 13**

Killian Pretty commended the introduction of 'accredited agent schemes' by local planning authorities for householder and minor development schemes on the basis that such schemes can encourage higher quality applications, which in turn lead to faster decision times and more efficient use of local authority resources.

Existing schemes have their roots in The Planning and Regulatory Services Online Project (PARSOL) "Fast Track" Agent Accreditation Scheme which was rolled out in 2007 to a small number of pilot LPAs before wider circulation.

Limited information was available on the success of the pilot schemes so in 2008 the Killian Pretty Review recommended that the scheme be re-visited.

Subsequently the Planning Portal was asked to conduct an in-depth study of those LPAs involved in schemes and their experiences of it.

During summer 2009 the Portal carried out research with LPAs and planning professionals into the demand and effect of an accredited agent scheme.

The research found that LPAs participating in an agent accreditation scheme saw:

- a dramatic improvement in the quality of applications
- more efficient processing of applications
- better quality applications often resulted in fewer applications going to appeal saving time, effort and money

It was therefore decided that the Portal would facilitate a number of short pilot schemes in order to validate the findings.

The Portal held initiation meetings in August 2009 which led to the formation of two pilot groups.

**Pilot groups of local planning authorities:**

South West group	Yorkshire group
Bristol City South Gloucestershire North Somerset Bath and North-East Somerset	Barnsley East Ridings Kirklees Leeds Selby Bradford

The Planning Portal has facilitated pilot group meetings and documentation, but the rules governing each pilot have been decided by the participating LPAs, working in partnership.

The two pilot groups (one in the South West and one in Yorkshire) decided upon differing accreditation standards and processes. Each group separately agreed the variables/processes/standards to be followed by that particular group, reflecting the different opportunities and constraints operating within their area.

In brief:

- the scheme will apply to online and offline applications for both areas
- participants will be expected to adhere to PARSOL-based standards
- agents will be required to submit three qualifying applications for Yorkshire and one in the South West
- householder applications and other minor applications only
- both pilots measure the change in standard of application measured against benchmark data collected at the start of the pilot period

Early indications from the pilot studies appear to confirm the Killian Pretty conclusion that such schemes can encourage higher quality applications, faster decision times and more efficient use of local authority resources.

Participating LPAs and professionals have been very positive about the accredited agent scheme pilots which commenced on 1 September 2009.

The results of the pilots will be reported in the spring of 2010.

In addition to the core objectives some interesting secondary benefits have already been identified. Simply facilitating the opportunity for LPAs to interact with one another in a positive way on a commonly beneficial project has moved the agenda forward.

For example, LPAs that have worked together to agree the standards that are central to the schemes, are already pushing this further by investigating collaborative approaches to their local information requirements list, as well as other ways of streamlining and standardising their processes.

### **Improving the processing of applications – Recommendation 5 – Greater use of e-consultation**

Recommendation 5a of Killian Pretty stated that the *“Government should continue to invest in facilitating and encouraging improvements in the processing of applications by local planning authorities through the Planning Portal taking forward its programme of work to allow greater consultation electronically on planning applications rather than by paper.”*

The final part of the e-planning process, critical to the delivery of an improved planning system, is a national e-Consultation Hub. The system has the potential to save LPAs more than £65m annually,<sup>9</sup> whilst also saving the equivalent emissions of 2,619 average cars in one year.

Key achievements to date are: English Heritage and the Environment Agency, two of the most important statutory consultees in terms of the number of consultations handled, have announced that the e-consultation service is their preferred method of consultation. Natural England, the Coal Authority and the Victorian Society have also started to use the Hub.

Forty-five LPAs are currently using the Hub to consult with statutory consultees, local consultees (including parish councils) and/or internally between departments.

The first connector has been developed by Ocella and implemented at South Oxford which is the first LPA to receive the full benefits of an integrated national e-consultation solution.

<sup>9</sup> (assuming 75 per cent of applications pass through the system)

### **E-Consultation Hub background**

Every year over a million consultations are carried out by local planning authorities (LPAs) following planning application submissions. A third of these are with statutory consultees, many of whom are national, and a standardised process for dealing with those consultations, using a national tool based on quality standards would bring significant efficiencies.

The Planning Portal began rolling out the national e-Consultation Hub in the autumn of 2008. The Hub is an internet-based service which manages the exchange of documents and messages about planning consultations between participants in the planning process i.e. local planning authorities, statutory and non-statutory consultees and town and parish councils.

Currently LPA staff expend considerable time, effort and money printing and circulating paper application files to consultees. The e-Consultation Hub standardises the way local authorities and consultees interact, providing a more effective service and significant efficiencies for all participants.

LPAs are able to use the Hub easily, at no costs and receive significant benefits. However, to maximise the benefits, the LPA must fully integrate, via a software connector, to their back-office systems. The connector enables automatic transition of application data to consultees from the LPAs back-office systems, negating the need for uploading or downloading of documents.

Some LPAs, such as Kingston-upon-Thames, saw significant benefits in using the Hub without a connector by using it for their internal consultations.

David Grasty is the Systems Improvement Manager in the Directorate of Environmental Services at the council. His team have all been trained to use the Hub to manage consultations with English Heritage as well as their internal design and conservation team.

*“As a mechanism for managing the internal consultation process, it’s fantastic,” he said. “We used to receive a lot of our communications via email and we had to develop our own ways of managing them – and everyone had a different way of doing it. The Hub now manages it all for us. If LPAs currently have no effective way of managing internal consultation, then I would definitely recommend that they try it – if only for the improvements it can make to this process. The system itself is very easy to use and would take very minimal training time. We’re even going to expand our use of it to include all internal consultations on applications and pre-applications. We’re very happy with the system.”*

South Oxfordshire District Council worked in partnership with their back-office system supplier Ocella to become the first LPA in England and Wales to have a software connector in place and therefore become fully integrated with the Hub.

Angie Paterson, Cabinet Member for Planning at South Oxfordshire District Council has said: *“We were really happy with the results of the pilot and are looking forward to reaping the benefits the e-Consultation Hub offers. We are proud to be leading the way as the first fully connected LPA using the Hub.”*

## **Other Planning Portal projects which will help achieve the Killian Pretty objective of developing a faster more responsive planning applications process**

### ***Increasing online planning applications***

It is well proven that electronic planning saves time and money both for local authorities and applicants. Therefore it will be no surprise that a major focus of the Portal's business remains its partnership with LPAs in delivering and increasing online application services.

Every LPA in England and Wales currently uses the Planning Portal to receive their online planning applications, a relationship cemented in April 2008, when the national standard planning application form was rolled out. This was seen as a significant step forward in service improvement and achievement of one of the Government's priority services.

The Planning Portal has a team of nine regional account managers whose role is to facilitate and support the online application service. Online submission of applications is currently around 35 per cent, and through close stakeholder engagement and working in partnership with LPAs and planning professionals we aim to meet our target of 60 per cent in April 2011.

Driving the take up of the online applications is not a simple process – it involves implementing new business processes and changes as well as streamlining services. The Planning Portal Regional Account Management team help both LPAs and planning professionals tackle many obstacles including; technical, procedural, cultural and operational issues.

Using a consultative approach, the team is encouraging the industry to embrace e-planning, to make services more open, transparent and accessible to everyone and to reap the full benefits it can deliver.

Over the past year alone, over 500 events have been held promoting the benefits and efficiencies of using the Planning Portal's online services to professionals, as well as educating them about how to embed new processes within their organisation.

Through consultation, guidance and understanding of its customers' needs, the Portal will continue to add value to the industry by helping to e-enable the sector and ease the roll out of new policies, legislation and ways of working.

### *Improving ease of use*

The Planning Portal was initially conceived to drive efficiency in the planning application process. This has led to many award winning innovations over the past seven years.

The next phase in the evolution of the Planning Portal will be delivered in Spring 2010 and will be characterised by the implementation of Portal 2.0. This is the project name for a significant redesign of the Planning Portal that will enable more intelligent presentation of content to our users; utilising the latest technologies to tailor the information they receive from the Portal to their particular requirements.

In common with all that the Portal does this project is designed to deliver maximum benefit across the planning system.

Portal 2.0 has the potential to revolutionise the way the planning process is managed on the desktop. For example; for the first-time business users will be able to co-locate relevant content from several sources in one place, placing tools from preferred private sources alongside application forms on the Portal or from their internal organisation.

### *Portal 2.0*

This redesign has several key aims:

- **to improve the presentation of content to the Portal's wide user-base through personalisation and customisation**

Enabling customisation will primarily help planning and building professionals by presenting the content of most use to them or that they use on a regular basis. Whilst this functionality is of less interest to members of the public, it does enable introductory content to be surfaced to first time visitors to the Planning Portal ensuring they are guided through the process with clearer direction.

- **to improve usability and accessibility to reflect the Department's inclusion and community engagement agenda**

The Planning Portal has worked closely with usability specialists throughout the project and has involved end users of the site on an ongoing basis. In addition the project will ensure that the Planning Portal meets Government-wide W3C AA standards as well as following recommendations set out by the guidance document produced by the Office for Disability Issues for the Civil Service on the importance of accessible information.

- **to improve take-up of e-planning by making electronic transacting even easier**

Currently around 35 per cent of the planning applications submitted in England and Wales are submitted through the Planning Portal; the target for March 2011 is 60 per cent. Achieving this target requires a site that is intuitive to use and supports users through the often complex planning process.

Throughout the design process the Planning Portal has engaged with its customers, including people with disabilities, for regular testing of navigation techniques and service design. This has ensured that all relevant accessibility considerations have been included from the offset as well as general ease of navigation. The planning system is built around the principle of inclusion and community engagement and the redesign project has acknowledged this responsibility.

Providing content, information and services in the best way possible is an ever-evolving task and the Planning Portal seeks to keep pace with the demands of customers whilst ensuring good value for money is delivered.

### ***Improving understanding***

A key element of The Planning Portal vision is to help de-mystify the planning process for users, to make it more transparent and easier to use for both citizens and business. To this end the Portal invests heavily in developing guidance and advice on a wide variety of planning and building topics.

Through its significant user base and regular newsletter to more than 50,000 subscribers the Portal is able to quickly disseminate new policy or legislation in ways that are clear and understandable.

Wherever possible content is made available to any who wish to link to it, and LPAs in particular are encouraged to do so, saving the time and effort of re-interpreting central content for local audiences.

# Annex B

## Killian Pretty progress update report

### December progress update on taking forward the Government's response to the Killian Pretty recommendations

This annex provides a summary of the Killian Pretty recommendations, the Government's response published in March 2009 and a progress update for each recommendation since the July progress update.

**Recommendations 1(a & d):** Government should take steps to reduce the number of minor applications that require full planning permission by extending permitted development further (Recommendation 1a) and revising and expanding the prior approval process further (Recommendation 1d).

**March 2009 – Government response:** The Government will consult on proposals drawing on the White Young Green report, in summer 2009, with a view to introducing new regulations in April 2010.

**Progress update:** The Government published consultation proposals on 23 July 2009. The consultation period ended on 23 October. Subject to the outcome of the consideration of the consultation responses, we aim to finalise the proposals and bring into force any changes to legislation in April 2010.

**Recommendation 1(b):** Ensure that permitted development rights for new development are not restricted by condition at the time of the grant of planning permission, other than in exceptional circumstances.

**March 2009 – Government response:** This recommendation accords with existing Government guidance set in Circular 11/95 *Planning Conditions*. We will review this issue further in the context of our actions to take forward Killian Pretty Recommendation 6 on improving the process of identifying and discharging planning conditions.

**Progress update:** The issues raised in this recommendation are addressed in a consultation paper on proposals to improve the use and discharge of planning conditions. Further detail on this consultation can be found at:

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

The Consultation period ends on 19 March 2010.

**Recommendation 1(c):** Provide additional support for local authorities to increase permitted development opportunities locally, through the use of pilot local development orders for areas, such as large hospital or university sites, where greater flexibility regarding small scale development may be appropriate.

**March 2009 – Government response:** We agree the use of local development orders should be encouraged. The Planning Advisory Service (PAS) has launched a project which will improve understanding of how local development orders (LDO) can be formulated and implemented and seek to identify a small number of pilot local authorities who will develop LDOs with assistance from PAS.

**Progress update:** In April 2009 PAS reported on current use of LDOs, and potential ways of improving related policy. In June 2009, taking forward one of these recommendations, the Government removed the requirement that LDOs must implement development plan policies.

Through the Planning Advisory Service, the Government is currently providing support to five authorities developing pilot LDO proposals:

### Current pilot projects

#### **Cornwall Unitary Authority: community engagement**

Cornwall are using an LDO in conjunction with a parish or town council based design guide to encourage greater engagement by the local councils in planning.

#### **London Development Agency partnership: energy**

This partnership between the Thames Gateway Development Corporation, London boroughs of Barking and Dagenham and Havering are looking to use their LDO to support a district heating network. The network will use waste heat that currently goes into the River Thames.

#### **Hertsmere Borough Council: town centre regeneration**

Hertsmere Borough Council aim to help regenerate Borehamwood town centre and assist in the success of the television and film industry.

#### **Southampton City Council: campus/health**

Southampton, in partnership with the Southampton University Hospital Trust, is to base their LDO on a masterplan for the major refurbishment of the General Hospital.

#### **Wycombe District Council: retail**

High Wycombe is suffering from a high rate of empty shop units and Wycombe District Council is currently consulting on a policy to allow changes of use through an LDO. This will help regenerate a key historic quarter of the town centre.

For more information see the following link:

<http://www.pas.gov.uk/pas/core/page.do?pageId=114302>

PAS will be seeking expressions of interest on further LDO pilots early in 2010.

**Recommendation 2:** Government should make the information requirements for all planning applications clearer, simpler and more proportionate, removing unnecessary requirements, particularly for small scale householder and minor development. Further details on Recommendation 2 can be found at the Government response – see link **above**.

**March 2009 – Government response:** We will consult on proposals, drawing on the work published in the Arup/Addison Associates Report, in summer 2009. Subject to the consideration of public consultation responses, this will then lead to formal introduction of new regulations in April 2010.

**Autumn progress update:** The Government published consultation proposals on 23 July 2009. The consultation closed on 23 October 2009. Having regard to the consultation responses the Government has decided to implement these proposals, subject to some changes in response to the consultation replies. Further information on the finalised proposals and the summary of consultation responses will be announced in early 2010. The finalised proposals will be formally introduced in April 2010.

**Recommendation 3(a), (b) & (c):** Government, local planning authorities and others should take steps to improve the quality of advice available for all users of the planning system.

**March 2009 – Government response:** The Planning Portal has completed a survey of electronic planning capability at local authorities. The findings will be used to share and encourage best practice using the Portal's existing marketing and communication channels. In addition, Communities and Local Government and the Planning Portal will consider whether links between websites can be improved.

**Progress update:** Annex A provides a detailed report on the work which the Planning Portal is doing to improve information about the planning application process. In brief summary the Planning Portal has:

- substantially expanded and developed the range of interactive information available for householders on the Planning Portal website
- issued a practical guide to all local planning authorities on how to keep their planning web pages linked to up-to-date and accurate information, for example, by including links to the Portal developed interactive house
- identified good practice on planning web pages operated by local authorities and guidance about how improvements can be made without significant additional cost and
- undertaken detailed research on the opportunities and constraints in developing an online service for those seeking to find out if they need planning permission

**Recommendations 4(a) & 11(a):** Government, local planning authorities and others should take steps to substantially improve the critically important pre-application stage of the application process, in order to improve the quality of the application and to avoid problems and delays at later stages.

**March 2009 – Government response:** The Government agrees that pre-application discussions are critically important. It will set out its key expectations for pre-application engagement in new planning policy and take further steps to encourage the use of planning performance agreements.

**Progress update:** The Government is currently consulting on a new pre application policy as an annex to the development management planning policy statement – a draft policy annex is included in the consultation paper on development management. Further detail on this consultation can be found at:

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

**Recommendation 4(b):** Appropriate professional bodies and stakeholders should jointly develop guidance for those councils which charge for pre-application advice, so as to introduce a more measured and consistent approach to charging across the country.

**March 2009 – Government response:** This is for others to address. However, in the consultation paper on pre-application engagement (see development management consultation paper), we seek views on whether the amount charged for pre applications discussions should be set out nationally and determined according to the size and complexity of the scheme. Further details:

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

**Recommendation 4(c):** Government should introduce a new performance framework, replacing the existing time targets, in which the availability and quality of pre-application advice is measured, and good performance by local planning authorities rewarded (see also Recommendation 15).

**March 2009 – Government response:** Government agrees in principle that local authority performance in providing pre-application advice should taken into account in a new performance framework and will consider how best to address this point in taking forward Recommendation 15 – Revised approach to targets.

**Autumn progress update:** See commentary on Recommendation 15.

**Recommendation 5(a):** Government should continue to invest in facilitating and encouraging improvements in the processing of applications by local planning authorities through the Planning Portal by taking forward its programme of work to allow greater consultation electronically on planning applications rather than by paper.

**March 2009 – Government response:** The Planning Portal will, as a priority, drive take-up of the e-Consultation Hub in support of ministerial commitments. Take up is slow at the moment and the Portal is looking at ways to improve this. The Portal is aiming to achieve 100 LPAs live on the Hub by the end of August 2009.

**Progress update:** Annex A of this report contains a detailed report on the work of the Planning Portal in taking forward a number of recommendations, including this one. In summary, English Heritage and the Environment Agency, two of the largest statutory consultees, have announced that the e-consultation service is their preferred method of consultation. Natural England, the Coal Authority and the Victorian Society have also started to use the Hub. At present forty-four LPAs are currently using the hub to consult with statutory consultees, local consultees (including parish councils) and/or internally between departments.

**Recommendation 5(b):** Ensure wide dissemination of the findings of the National Process Improvement Project (NPIP) on the application process, which identifies the opportunities for financial savings and the improved customer experience and satisfaction that are possible with a business process improvement approach.

**March 2009 – Government response:** An initial programme of dissemination was held in December 2008 and Communities and Local Government is discussing with PAS how best to take the findings forward more widely by encouraging all LPAs to adopt business process improvement reviews and establishing local mentoring and benchmarking networks.

**Progress update:** PAS has updated and extended the scope of the NPIP work. Now branded 'managing an excellent planning service', it also covers the plan-making and post planning application decision stages of a planning service. It follows the pattern of investigation, benchmarking, analysis and BPR identified by NPIP. The model is designed to be largely self-sufficient and free to access and use. Further detail can be found at the following links at the PAS website:

<http://www.pas.gov.uk/pas/core/page.do?pagelid=11654>)

Additional information can also be found at the Communities of practice for local government website: <http://www.communities.idea.gov.uk/login.do>

Pilot work at three authorities began in August. PAS has successfully launched the work to an audience of 40 local authorities in two events held in October. The formation of the first benchmarking networks is now beginning, with case studies planned in the new year to identify any successes. The project has been well received, but is at an early stage and PAS efforts are focused on refining the materials and getting benchmarking groups operational.

**Recommendation 6:** Government should comprehensively improve the approach to planning conditions to ensure that conditions are only imposed if justified, and that the processes for discharging conditions are made clearer and faster.

**March 2009 – Government response:** The Government agrees that improvement of the planning condition stage in the process is required. It will undertake a comprehensive review of this issue, building on the work and recommendations made by Killian Pretty, and will publish proposals for consultation on an updated planning circular in autumn 2009.

**Progress update:** The Government is currently consulting on an updated planning policy on planning conditions, updated guidance on model conditions and identification of options to improve the discharge of conditions.

Further details can be found at:

<http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

**Recommendation 7:** Government should produce proposals for scaling back the use of planning obligations in the context of the introduction of the new community infrastructure levy (CIL) and for further improving the planning application process.

**March 2009 – Government response:** The Government aims to produce proposals to restrict the use of planning obligations following the introduction of CIL and consider any necessary changes that might be required to guidance or policy concerning planning obligations following the introduction of CIL. In addition, the Government is undertaking a new work programme to maximise the effectiveness of planning obligations negotiations.

**Progress update:** The Government consulted from 30 July 2009 – 23 October 2009 on proposals for the introduction of a Community Infrastructure Levy, including draft regulations. The Government is currently considering the consultation responses and final regulations will come into effect in April 2010.

**Recommendation 8:** Government should take steps to allow a more proportionate approach to minor material changes in development proposals after permission has been granted. Further details on Recommendation 6 can be found at the Government response – see link above.

**March 2009 – Government response:** The Government accepts the thrust of this recommendation. It will aim to reach conclusions on the options available and the next steps to address this matter by summer 2009.

**Progress update: Extensions to the time limits for implementing existing planning permissions**

As part of a wider package of measures to increase the flexibility of implementation of planning permissions, the Government amended the General Development Procedure Order on 1 October 2009 and it is now possible to make an application to extend the time limits for commencement of development or for submission of reserved matters imposed by conditions in an existing permission. The extension will take the form of a new permission. An application for extension will only be allowed on one occasion for each permission and, importantly, this procedure will only apply in respect of permissions extant at the date when this measure comes into force.

**Minor material amendments**

Reduced consultation requirements for applications under s.73 of the Town and Country Planning Act 1990 were brought into force on 1 October 2009, via the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

**Non-material amendments**

This measure came into effect on 1 October 2009 and provides a statutory procedure for an application to be made to change an existing permission and for the LPA to make the change if it is satisfied that the change is not material. Currently LPAs are usually willing to agree minor amendments but there is no statutory backing for this.

Further information on these changes can be found in *Greater Flexibility for planning permission: Guidance* published on 23 November 2009:

<http://www.communities.gov.uk/publications/planningandbuilding/greaterflexibilityguidance>

**Recommendation 9(a):** Government should clarify and improve the process for consulting on applications so that it is clearer which organisations need to be consulted, when they must be consulted and why, what response is required, and how the response should be taken into account in the decision by the local planning authority. Further details on Recommendation 9 (a) can be found at the Government response – see link above.

**March 2009 – Government response:** We agree that it should be made clearer which organisations need to be consulted, why and what response is required. We would expect to bring forward draft proposals for public consultation in Autumn 2009.

**Progress update:** The Government is currently consulting on an updated policy on statutory and non statutory consultation. Proposals include a new updated policy statement, a code of practice on statutory consultation and other proposals to improve engagement on and between consultees to deliver a more effective and efficient consultation process.

Further details can be found at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

**Recommendation 9(b):** In the forthcoming review of the award of costs circular, clarifying the situation over the award of costs against statutory consultees to penalise unreasonable behaviour on the part of a statutory consultee.

**March 2009 – Government response:** A revised circular on the award of costs in planning appeals (April 2009) clarifies the circumstances in which an award of costs might be made against statutory consultees. In the context of the wider review of engagement by statutory consultees proposed in response to Recommendation 9a, we will consider whether further strengthening of the cost regime is appropriate.

**Progress update:** The Government is currently consulting on a range of proposals to improve engagement by statutory and non statutory consultees (see commentary on Recommendation 9(a)). The consultation papers seek views on whether further changes in respect of the award of costs are necessary following the introduction of the revised circular in April 2009.

**Recommendation 10(a):** That the input of elected council members into the planning application process needs to be better targeted on those developments which will make the greatest contribution to the future development of this area.

**March 2009 – Government response:** This recommendation is directed at local government, however we would welcome and support steps taken by local government to strengthen the relevance and take up of councillor training, ensure consistency between planning policy and planning application decisions and maximise delegation rates of decisions to officers.

**Recommendation 10(b):** Local government stakeholders in ethical conduct and planning, such as the Local Government Association, the Standards Board for England, ACSeS and the IDeA should produce clear and authoritative guidance and support to elected members to encourage them to be more actively involved in the pre-application stage of the more significant developments, without prejudicing their decisions or compromising the council. Such guidance and a model members planning code should be supported by a single point of contact for case-specific advice.

**March 2009 – Government response:** This recommendation is directed at others. We agree that Councillors should involve themselves in discussions with local authority officers, developers, constituents and others about planning cases, provided they follow published advice.

**Progress update:** we note and welcome publication by the Local Government Association of an updated note on probity in planning, which includes updated guidance on the role of councillors.

**Recommendation 11(a):** See commentary on Recommendation 4a – improving the pre-application stage above.

**Recommendation 11(b):** Government should ensure recently identified additional resources for community engagement are used, in part, to help improve community engagement in the planning application process.

**March 2009 – Government response:** Empowerment funding was announced in the community empowerment white paper and will be allocated through the housing and planning delivery grant. Qualifying authorities and subsequent demonstration areas will be encouraged to consider using the additional funding to aid and improve community engagement in the planning application process, particularly at the pre-application stage.

**Progress update:** The Government will make an announcement on this matter at the earliest opportunity.

**Recommendation 11(c):** Local authorities should be given greater autonomy and flexibility to determine the best approaches to use in order to notify the public about planning applications, thus allowing them to decide whether to use local newspapers.

**March 2009 – Government response:** The Government will consult on this issue in March 2009.

**Progress update:** The Government published consultation proposals on 23 July 2009, seeking views on whether to revise arrangements for local planning authorities in how they publicise planning applications. The consultation closed on 23 October 2009.

Further information on the Government's response having regard to the consultation replies is set out in the Summary of Consultation Responses which has been published separately and in Section 2b of this Report.

**Recommendation 12:** That greater use of alternative dispute resolution approaches should be encouraged at all stages of the planning application process where this can deliver the right decisions in a less adversarial and more cost efficient way.

**March 2009 – Government response:** Part of this recommendation is directed at others. On the issue of mediation during appeals, and following the introduction of a range of improvements to the appeals system in spring 2009, the Planning Inspectorate will work with Communities and Local Government and others on investigating the role of mediation in reducing the need for planning and enforcement appeals and/or reducing the time and effort involved in determining such appeals.

**Progress update:** The Planning Inspectorate and National Planning Forum Executive Board (NPF EB) are funding pilots over the autumn/winter 2009 into the uses of mediation. The findings will be reported in early 2010.

**Recommendation 13(a):** Local planning authorities and other bodies should provide greater encouragement and recognition to those agents who prepare good quality applications on behalf of their clients, in order to drive up the standard of applications submitted. This could be encouraged by: RTPI, RICS and RIBA identifying opportunities to encourage good practice for large scale applications.

**March 2009 – Government response:** This recommendation is for others to address.

**Recommendation 13(b):** Encourage the introduction of an ‘accredited agents’ scheme by local planning authorities for householder and other minor development schemes. Early indications from a pilot study suggest such schemes can encourage higher quality applications, which in turn lead to faster decision times and more efficient use of local authority resources.

**March 2009 – Government response:** Implementation of this recommendation rests with local planning authorities. For its part, the Government, through the Planning Portal, will identify opportunities to support local authorities to take forward an accredited agents scheme.

**Progress update:** Annex A of this report contains a detailed report on the work of the Planning Portal in taking forward a number of recommendations, including this one. In summary, the Planning Portal has worked with a range of local authorities to develop two pilot schemes for identifying ‘accredited agents’ who will submit high quality applications. Early indications from the pilot studies suggest that such schemes encourage higher quality applications and faster decision times. Findings from the pilot studies will be available in early 2010.

**Recommendation 14(a) (b) & (c):** Government should continue to seek ways, alongside and working with local planning authorities and the professional bodies, to address the shortage of resources and skills in council planning departments.

**March 2009 – Government response:** As the Government made clear in its response to the Select Committee, which was published on 3 November 2008, it will work closely with local government, the professions, other organisations, the private sector and academia to take forward the programme of actions outlined in its response to address labour shortages and skills in planning.

**Progress update:** There is an on going programme of activity delivered by PAS, ATLAS, CABE and HCAA to address the shortage of resources and skills in council planning departments, as well as other initiatives, including:

- the work of ATLAS is in the process of being expanded to cover all areas of England. ATLAS provides advice to local authorities on large scale applications
- a series of 'pragmatic planning' workshops aimed at junior planners are being delivered in every region. (PAS October – December 2009)
- in the academic year 2009-10 CLG have allocated 153 bursaries to full time post graduate planning students. These students will need to sign a public service contract committing them to working for the public sector for two years in the first five years after they graduate. Fees only bursaries are being offered to second year part time post graduate students (whose fees would normally be paid by their employers) who have been made redundant by their employers or whose employers are no longer able to pay their fees
- the initial findings of the 'mind the skills gap' update will be available in December 2009 which will provide data to enable us to have a better picture of the skills and shortages issues facing the planning sector. The full report, commissioned by HCAA, will report early in the new year
- the work of the Skills Action Plan task groups continue. These groups seek to create a learning environment that helps to improve the skills of existing practitioners and encourage new entrants into the sector
- the planning skills and capacity building co-ordination board continues. The board was set up to co-ordinate and guide the work of the main organisations funded by the Department
- to help respond to the current challenging circumstances CLG is working with the profession and employers to provide training to help planners work effectively in the downturn and to be ready to respond effectively in the upturn
- CLG has agreed to fund the development of a planning competency framework. A competency framework is a structured way of thinking about jobs and careers for planners at all grades. It sets out the skills they need to do their job well regardless of grade or location. The tool is designed to provide staff with structured career development opportunities and has been shown to improve staff retention when piloted elsewhere

- CLG are in discussion with RTPi regarding a proposal to make continuing professional development more relevant and rigorous by providing directed, structured, practical training on key topics which planners are expected to partake in
- work has commenced on establishing a planning apprenticeship programme

**Recommendation 15(a):** Government should replace the current approach to targets with a new, broader and more flexible approach to measuring the whole application process.

**March 2009 – Government response:** The Government accepts the need to revise the current approach to targets. We will work closely with key stakeholders in identifying and testing options for measuring performance in a more holistic way. Our aim is to have a new approach in place in time for the next revision of the LA performance framework, which will take effect from April 2011.

**Progress update:** In July's *Killian Pretty Review Progress Report*, we published a discussion paper on options for a revised performance indicator. The Department is in the process of commissioning research into a new indicator, which will be piloted between January and March 2010. This work will be informed by the responses to the discussion paper.

**Recommendation 15(b):** Alongside the introduction of a new indicator, the Government explores the opportunities to provide financial incentives to the authorities that perform well and deliver high levels of satisfaction (either by allowing them to charge higher planning application fees or through changes to the housing and planning delivery grant (HPDG)).

**March 2009 – Government response:** We will review HPDG in the interim and consult on changes.

**Progress update:** HPDG provisional allocations were announced by written statement to the House of Commons on 1 December 2009. The allocations amount to £135m shared between 375 LPAs, the average award being £350,000.

The provisional allocations for year 2 are based on the changes to the proposed mechanism which were set out in the consultation document *Housing and Planning Delivery Grant: Consultation on allocation mechanism for Year 2 and Year 3* which was published on 12 May 2009. The Government's formal response to this consultation will be made with the announcement on the payment of the final HPDG allocations by the end of February 2010.

The issue of whether financial incentives can be identified to reward high levels of performance will need to be considered when the work on developing a revised indicator is more advanced

**Recommendation 16(a & b):** Government should avoid further expansion of national objectives to be delivered through the planning system and remove duplication with other regulatory regimes, by using the planning policy review announced in the planning white paper to remove objectives which duplicate other controls. It should also ensure that no additional policy objectives are delivered through the planning system, unless there is a strong and compelling case to do so.

**March 2009 – Government response:** The findings of the Killian Pretty Review reinforce the need to review national policy which is now underway.

**Progress update:** We have published streamlined draft planning policy statements *Planning for Prosperous Economies* (PPS4) and *Planning and the Historic Environment* (PPS15), a new draft policy on coastal change (replacing PPG20) and a new draft policy statement on regional strategies (replacing PPS11). We intend to publish the final version of PPS4 shortly. Alongside this Progress Report we have published a draft planning policy statement on development management. We also expect to publish a further two new draft planning policy statements shortly: the first replacing the climate change supplement to PPS1 and incorporating PPS22 on renewable energy, and the second on the natural environment/green infrastructure.

Further information on the programme for reviewing planning policy guidance notes and planning policy statements is available on the CLG website which is regularly updated.

**Recommendation 16(c):** A similarly challenging approach should be taken in regard to the addition of new objectives and information requirements in development plans.

**March 2009 – Government response:** Agreed: Planning Policy Statement 1 states clearly that in preparing plans, planning authorities should not impose disproportionate costs, in terms of environmental and social impacts, or by unnecessarily constraining otherwise beneficial economic and social development.

**Progress update:** no further action is required.

**Recommendation 17(a) (b) & (c):** Government should substantially overhaul and simplify both the national planning policy framework and the secondary legislation for the processing of planning applications to provide a clearer framework for a more positive approach to development management and to reduce unnecessary complexity and burdens for all parties engaged in the process. There should be a clear statement by Communities and Local Government about the key principles underpinning a move from development control to a development management approach.

**March 2009 – Government response:** We accept that simplification of the legislation and policy framework for the planning application procedure would be helpful.

A fundamental review would however take considerable time and financial resources and therefore we would propose to take a staged approach, with the first step (in summer 2009) to set out a programme for taking this work forward.

**Progress update:** The consultation paper on development management published alongside this report <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/> sets out our proposals to develop a more effective and streamlined development management framework. In addition, we propose to issue a consolidated General Development Procedure Order in 2010.

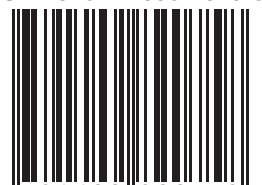
**Recommendation 17(d):** A recognition by Communities and Local Government, that as a second priority, after completion of the key development plan documents required by Government to be in place by March 2011, local planning authorities should ensure that there is effective, helpful and clear plan-based guidance for those proposing householder and minor development.

**March 2009 – Government response:** Our current priorities for local plans are getting core strategies in place which set out the long term vision for places and the key strategic planning policies and development plan documents with significant housing land allocations. Beyond that, local authorities need to consider what further development plan documents are required to deliver the core strategy.

**Progress update:** Issue addressed in the Government's response.

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