



Barker Review of Land Use Planning

Consultation Response

By the BURA Steering and Development Forum



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About BURA

This submission is made by the British Urban Regeneration Association (BURA) through its Steering and Development Forum.

BURA was formed in 1990 to provide a forum for the exchange of ideas, experience and information for the emerging regeneration sector. BURA has now become the leading independent organisation in the field of regeneration. Our strong and influential membership reflects the growing knowledge and expertise that BURA has at its disposal. We are seen by the private sector, the public sector, the not-for-profit sector and government departments alike as a key organisation within the whole area of regeneration.

About the Steering and Development Forum

The Steering and Development Forum (SDF) is BURA's cross-sectoral think-tank consisting of business, public sector and not-for-profit/community organisations, drawn together by a common interest in, and experience of, urban regeneration. The Forum was established in 2001 with the specific aim of articulating the views of the regeneration sector to policymakers through constructive dialogue. The Forum achieves this by informing and responding to government policy, as well as undertaking a topical research programme. Focused primarily on delivery and implementation, the SDF is positioned at the leading edge of regeneration debate in the UK and, consequently, plays a key strategic role in breaking down the barriers to regeneration. All partner organisations have extensive involvement in regeneration and are key players within their specific disciplines.

This document represents the shared views of members of the Forum, without representing the formal policy of any individual partner organisation. Its value lies in the breadth of contribution available to BURA from its partners in the private, public and not-for-profit sectors.

The SDF's partner organisations are:

1. Argent Group Plc
2. Berkeley Partnership Homes
3. Berwin Leighton Paisner
4. Bevan Brittan
5. The Chief Executives' Forum of England's Regional Development Agencies
6. EC Harris
7. English Heritage
8. English Partnerships
9. Groundwork UK
10. Halifax Bank of Scotland
11. Lend Lease
12. London and Continental Stations and Property
13. National Association of Councils for Voluntary Service
14. National House Building Council
15. National Housing Federation
16. Prime Focus
17. Taylor Woodrow
18. Tesco

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The SDF is content for its response to be reproduced and quoted as appropriate.

Responses to Consultation Questions

- 1. Is the planning system sufficiently flexible and/or responsive to the right signals to deliver the right development in the right place, given the changing economic circumstances due to globalisation, demographic change, natural resource pressures and environmental change? If not, what policy measures might help deliver this flexibility?**

Although the planning system does meet many of the demands of modern society, it cannot currently be considered flexible enough to deliver sustainable communities. Increased importance needs to be allocated to development that delivers tangible benefits to local communities. Planning policy must ensure that provision is made for increased levels of affordable housing. With rising house prices this shortage could have a serious effect upon Britain's economy, as recognised in the Barker Review. Increased focus on providing extra homes in a sustainable manner is essential.

- 2. Do you have any views on the scope of plans at the different spatial levels in England which are emerging following the introduction of the new system in 2004? Are there further improvements to the plan making process at the different spatial levels in England, particularly regarding the need to encourage a positive/proactive approach to planning, which was a key theme of the new plan making system? Does the current system strike the right balance between central direction and regional and local discretion?**

It is imperative that Regional Spatial Strategies are confined to genuinely regional and sub-regional matters. To this end, RSSs must not degenerate into providing a checklist of everything that should be covered in a local development document or local transport plan. Questions exist with regard to the means of delivery. This is of particular relevance to key transport and community infrastructure issues. There is a danger that the Regional Spatial Strategy (RSS) will be left with well-defined visions, but no means to deliver on the ground. Consequently, regional planning bodies (RPB), supported by government and other appropriate partners, must ensure requisite mechanisms are in place. The RPBs should not be reluctant to innovate new delivery vehicles to support the visions of the RSS. At a local level Local Development Frameworks will help ensure a fuller community engagement in spatial development. It should also mean that the various local strategies for the area with land use planning implications or consequences are drawn together to form a coherent set of policies and vision for the locality and that mutually conflicting or incompatible objectives are resolved as part of the development planning process. It will be important in drawing up the 'core strategy' to ensure that all stakeholders and the full range of community and other local interests are involved in this process through rigorous consultation at all stages.

- 3. Sustainable development is a core principle underpinning planning. Does the current system achieve the right balance between economic and other goals, such as the regeneration of areas and the promotion of social cohesion, improving the quality of design of buildings and urban environment, and the protection and enhancement of our natural and historic environment? Are some environmental, natural resource or social considerations given too much or too little weight?**

Sustainable Development is extremely important when considering planning applications. The impact of developments should still be considered with this in mind, if the mistakes of the past are not to be repeated. Economic goals are important and should remain a major consideration in the granting of planning permission, however this should not be achieved to the detriment of the regeneration of deprived areas and the communities within which they are developed. There is a need to give greater emphasis to the principles of achieving social, environmental and economic objectives

together rather than suggesting it is a trade-off between them. It is also important to recognise the contribution an appreciation of the historic and natural environments can make to other social, cultural and economic objectives, such as social inclusion, citizenship, education, community health and sustainable regeneration.

- 4 What, if anything, could the English planning system learn from the planning and consent systems operated in other countries in order to respond to this new economic environment?**
- 5 What is the impact of planning on encouraging or impeding business investment? In this context, how would you assess the potential of recent reforms to the English planning system, which are now being implemented? Are they increasing the transparency of the system and providing greater certainty for businesses? What further reforms, if any are desirable in order to improve the transparency and effectiveness of the system still further?**

Planning remains a major problem for many businesses. Since the reforms it has been suggested that the process for securing planning permission has become more complex, time-consuming and expensive. A local authority drive to meet time-based targets in order to secure government funding has become a source of frustration for business.

- 6 Is the planning system sufficiently “joined up” with other related aspects of government policy? In particular are the Regional Economic Strategies delivering a clear economic framework to help inform Regional Spatial Strategies? Is there sufficient interaction between RDAs and RSSs when preparing their respective regional strategies and if not how might greater interaction be encouraged?**

It can be said that currently the planning system is not as “joined up” with other related aspects of government policy as it could be. Certainly housing policy and delivery could be interlinked to a greater extent across the regions. In addition as planning has an impact upon the delivery of regeneration, planners should be provided with further guidance on the government regeneration initiatives and their importance. There should be a reciprocal relationship between the RSS and other regional strategies such as the Regional Economic Strategy. Whilst planning policy emphasises the need for co-operation across such different strategies as they evolve, it is imperative that this in fact becomes the case and the potential problems associated with a plethora of competing strategies do not occur. In addition, other factors aside from economic considerations such as the regeneration of deprived areas and the creation of conditions to allow sustainable development should be taken into consideration when RSS are developed.

- 7 Planning applications for major projects will typically take a considerable time to work through all the necessary stages. Do you consider the system puts too much emphasis on speed or do you feel that it is too slow? If there is an undue emphasis on speed, what are the negative consequences of this and how could they best be avoided? If the process is too slow, what can be done to overcome delays? In particular, what improvements might be made to the planning appeal system to improve its speed and efficiency?**

The most frequent complaint of those involved in regeneration is the time taken to deliver planning decisions, especially within large complex regeneration schemes. Planning decisions often lead to interminable delays, adding significant costs for developers and the public sector. Delays caused by negotiation over Section 106 agreements in particular often add significant costs and can reduce the viability of some sites for development. The introduction of best practice guidelines and targets have led to improvements, however there are concerns that the emphasis on hitting targets has led to the refusal of some applications. One potential solution to reduce delays, especially on complex schemes are the current pilots for Planning Delivery Agreements, which could provide greater certainty of delivery and lead to agreed timeframes for the delivery of planning decisions. In addition greater use could be made

of English Partnership's ATLAS Team, which assists local authorities on complex large-scale planning applications.

- 8 Is there evidence to suggest that the direct costs of making a planning application are deterring investment? Are there any unnecessary burdens / how might information requirements be streamlined to reduce the regulatory burden from the process of making an application?**

Businesses see land use planning as an accepted part of their environment, and are looking for improvements but not radical change. The costs most visible to business - fees, planning agreements, planning conditions and delay - are not broadly seen as a problem, although delays to large infrastructure projects are an admitted exception.

- 9 To what extent are high occupation costs in England likely to be due to planning, or due to other factors such as imperfect competition or lack of transparency in the land market? What is the economic impact of these costs in terms of the main drivers of productivity?**

Establishing firm evidence for these factors is difficult. First, differentials in costs, e.g. office rents, can be due to a multitude of factors other than planning. Second, tracing the impact of planning is itself tortuous, as the impacts, felt initially through the property market, ripple through the economic system into labour, transport and other markets in a variety of ways. Third, and not least, data relevant to the study of these phenomena is deficient.

- 10 How does the planning system impact on competition, through influencing barriers to entry and exit and economies of scale? If there are areas where there is a negative impact, how can these be addressed, while protecting other goals of the planning system?**

- 11 To what extent does the planning system effectively support innovation through fostering the formation of business clusters and wider agglomeration of economic activity?**

Planning is believed to affect the costs and benefits accruing to firms according to the part it plays in promoting or inhibiting 'agglomeration economies.' These are related positively to the size and attributes of an urban area, by economies of scale. Planning intervention to restrict the expansion of an area may impair the future growth of the local economy. Conversely, efficient management of congestion can assist the agglomerative process.

- 12 Do planning authorities have the skills and resources required to help promote sustainable economic development? If not, what is the best way is the best way to ensure resources match the challenges the new system faces? Are there ways to increase further efficiency of process?**

There is a perception currently that planning authorities do not currently have the resources and skills available to them in order to meet the challenges of the new system. Despite the increased funding available from government there has not been a similar increase in skilled planners. In addition those departments that do have planners often experience high levels of turnover, or rely upon agency staff, which results in a lack of experience, leading to delays.

- 13 Are the new arrangements for stakeholder engagement in the plan making process succeeding in engaging those representing economic interests, including SMEs? If not, what are the barriers to that engagement and how might they be addressed?**

- 14 Are there ways that the incentive structure for decision makers and local communities can be improved so that a balance is achieved between local interests and the interests of the wider community regarding proposals for economic development?**

Any new development must provide real and tangible benefits to a local community, these should not just be economic but should also be social. One of the main complaints of local people is that they do not see any tangible benefits from developments, which may have an impact upon their own quality of life. Initiatives such as the planning gain supplement do have the potential to deliver these benefits, however it must be ensured that the majority of capital raised in this method is spent in the locality.

- 15 Economic development can help achieve the regeneration and renaissance of urban and rural areas. Are there ways in which planning could strengthen economic performance in regions, sub regions (including city regions) and at the local level?**