

## BARKER REVIEW OF LAND USE PLANNING

This response is made on behalf of the Planning Officers Society (POS).

The Planning Officers Society represents the most senior professionals and managers of planning functions in the English Local Authorities. We set out to:

- Act as an advocate and promoter of Local Government planning
- Assist and advise the Government and the Local Government Association on planning matters and related issues
- Act as a centre of excellence, undertake research and promote best practice in planning matters
- Promote all aspects of the built and green environment by working closely with other organisations and professions.

The Society's aim is to ensure that planning makes a major contribution to achieving sustainable developments, from national to local level, in ways which are fair and equitable and achieve the social, economic and environmental aspirations of all sectors of the community.

The questions addressed below are a summarised version of those asked by the Barker review.

- 1. Is the planning system sufficiently flexible and responsive?** Speed of decision-making on major infrastructure projects will be a significant factor in the nation's future global competitiveness. At present, decision-making takes longer than in the emerging economic powers and in some of our more established competitors – in some cases because their standards of environmental protection would be considered unacceptable by most people in a sophisticated society inhabiting a crowded island, but also because our current processes are extremely time-consuming and complicated. The 2004 review of the planning system started out with admirable objectives – simplicity, speed and predictability, community engagement, customer focus (see *Planning: delivering a fundamental change (HMSO 2001)*) but the new system has been hamstrung with over-elaborate procedures that fatally undermine the achievement of those objectives. This is discussed in more detail later.
- 2. What are your views on the different levels of plans in the new system?**  
**Regional Spatial strategies:** Most members of the public – including the business community - find it harder to relate to the more abstract strategic levels of planning, and the recent move from structure plans to higher level Regional Spatial Strategies was therefore a retrograde step, in terms of public engagement. Within large regions like the South East, it was recognised that the gulf between a region of 8 million people and planning at the local level was too wide – leading to the introduction of a large sub-regional element to the regional strategies. Whilst these new areas may relate better to key issues or shared characteristics, they are not always well understood by the general public, and can present other problems, such as difficulty of data collection.

In addition, the absence of any directly-elected body to be accountable for the Regional Plan has also led to accusations of a democratic deficit, undermining its credibility with the public. Both of the above factors mean that disaffected interests are more likely to look for means (ranging from litigation to direct action) outside the planning process to challenge its outcomes. Given the public's rejection of elected

regional government, this democratic deficit is a shortcoming that will not be readily resolved. We will return to the point later, about the need for congruence between the tiers of the planning system and the democratic processes within which it works.

**Local Development Frameworks:** Some features of the new system are an improvement on the local plans that preceded them, and are to be welcomed – for example, the more explicit facility to update parts of the LDF separately, and providing the public with clear expectations of process and timetable from the outset (provided these expectations are subsequently met – and subject also to our doubts, set out later, about the value of consulting the public on the Statement of Community Involvement). However, the good features have been overwhelmed by complexity of format, and by detailed procedures that seem designed to delay and obfuscate the process. These deter those stakeholders the Government wishes to see engaged in the process – including the business community. To give a few examples of the problem:

**Use of jargon and technical terms:** The system has become so laden with unnecessary jargon and acronyms that even the practitioners sometimes find it difficult to follow. One recent example of a Plan (not atypical) had to provide a glossary of these technical terms running to four pages. This makes it much more difficult for members of the public trying to participate in the process;

**Ill-considered centralised control:** A specific example we were given of this was the recent new requirement for Core Strategies to contain policies on gypsies and travellers. This was issued at a time when many authorities were about to submit their Core Strategies. What were they to do? Should they withdraw their Core Strategies, revise and re-consult on them? This was likely to mean them missing their LDS milestones and losing Planning Development Grant. Or should they submit their Strategies and run the risk of them being found to be unsound in the light of this new requirement? The Government Office was unable to give advice. We fear that this could be more than just a transitional problem as the new system beds in, and may be symptomatic of a wider attempt to micro-manage the system without a complete understanding of the ramifications of doing so.

**Complexity of structure:** Under the previous system, there was a single document – a local plan - to which the public could refer for all of that local authority's statutory planning policies. The new system provides for: a local development scheme, a statement of community involvement, a core strategy, site-specific allocations, area action plans, a proposals map, sustainability assessments, an annual monitoring report and supplementary planning documents, most or all of which have a separate statutory process to follow. This will be much more difficult for the public to use, or to participate in, and the piecemeal nature of the process makes it much more difficult to judge the overall soundness of the plan, or the relationships between its parts. This test of soundness of a plan, rather than simply considering objections to it, is in some respects a positive aspect of the new system, if only the public are able to understand it and can cast any alternative proposals in an equally "sound" manner. But, illustrative of the wider problem, this again seems fated to drown in a mass of over-detailed regulation – the Planning Inspectorate has recently thought it necessary to issue a 53-page document (including, again, a 3-page glossary of abbreviations and jargon) (*Development Plans Examination – A guide to the process of assessing the soundness of Development Plan Documents*), setting out the procedures for testing soundness. A much more realistic view needs to be taken of the public's ability and willingness to digest such a quantity of paperwork, as the price of its participation in the planning process. Even with the best of intentions, it is extremely difficult for local authorities to explain the intricacies of the new system to the public.

**Complexity and volume of guidance:** If it is difficult for the public to comprehend its role in the process, it is equally difficult for the profession to keep up with the volume of policy, guidance and best practice that has been issued by the Government and its various agencies in the last few years. You may find it instructive to ask ODPM for a

full set. We understood that one of the objectives of the new system was to slim down and sharpen up Government guidance on policy and practice, but the reverse seems to have been true. Much emphasis has been put on increasing the speed of the process, but the volume of detailed regulation and penalties now in place tends to encourage a mindset of caution (and hence slowness) in local planning authorities. More positive incentives are needed for local authorities to produce plans within a relatively much shorter timescale, but which are (by some measure rather less unwieldy than the current tests of soundness) fit for purpose.

You may also find it instructive to refer to the report of the Transport, Local Government and the Regions Select Committee of July 2002. This was very critical of many of the proposals in the then Planning Green Paper that foreshadowed the 2004 Act, and their concerns have subsequently been shown to be well founded. Their findings also reflect what we understood at the time to be the predominant view of industry – that they were looking for some relatively minor changes to the detail of how the planning system operated, not the wholesale redesign of the system, with all its attendant disruption. Some relevant sections of their report are set out in Appendix 1.

3. **Does the current system strike the right balance between economic and environmental goals?** We would first draw your attention to the ODPM Select Committee report of February 2003: *Planning Competitiveness and Productivity*, which concluded very categorically that planning did not have an adverse effect on the economy. Their key conclusions are reproduced at Appendix 2. We would therefore hope that any subsequent criticism of planning on this basis would have a sound evidence base, one that went beyond anecdote and assertion. We also ask you to bear in mind that the central purpose of the planning system is to intervene in the working of the free market, in the wider interests of the community at large. We hope and believe that nothing in your terms of reference questions **whether** planning should have this function. Rather, we hope that they seek to define more clearly **how much**, and **what kinds** of intervention there should be. To borrow a phrase from the Town and Country Planning Association, we believe that our planning system should be **informed** by the market, but not **driven** by it.

Moving on to the relative weight given to economic goals as against other considerations, it may be the case that, in a more rigorous and target-driven environment, non-economic criteria find it difficult to hold their own against economic considerations, rather than the other way round. Sustainability, valuable concept though it potentially is, tends to be very difficult to pin down and has become the cloak for a good deal of woolly thinking. In a public inquiry, you are liable to hear the most diverse range of participants all arguing, with some claim to plausibility, that theirs is the genuinely sustainable approach. Unless greater rigour can be bought to the definition and measurement of concepts like *sustainability*, *quality of life* and *social cohesion*, they will have difficulty in making a case where they come into conflict with much harder-edged and quantifiable economic indicators.

Whilst on this subject, current methods of evaluating sustainability appear to be at once crude and mechanistic, on the one hand, and lengthy and information-hungry, on the other. As currently incorporated into the plan-making process, they seem likely both to delay delivery and to increase the prospect of challenges to it. One small example of the unnecessary complexity is that policies in the plan require both a sustainability appraisal and a strategic environmental assessment. If the authority then wants to elaborate on that policy through a supplementary planning document, that too has to be appraised separately. If you are looking for ways to simplify and speed up the current system, the role of sustainability in the plan-making process should certainly be an area for investigation.

More generally, one of the reasons for the over-engineering that is endemic in the new system appears to be concern at the possibility of legal challenge. In our view, the additional complexity only increases the opportunities for challenges, based on

alleged failures to follow proper process. Part of the solution may be that society as a whole needs to be clearer about what its expectations are of the planning system, and how it wishes these expectations to be prioritised. We will return to this point later.

- 4. What could we learn from overseas systems of planning?** There are currently few incentives for local authorities in, for example, the most pressurised parts of the South East to promote additional growth (which is unpopular with the most vocal parts of the public they serve and also raises serious concerns about the adequacy of the infrastructure to support it). Equally, there are few sanctions against them, should they choose not to do so. Greater confidence in the prospect of infrastructure being provided, with appropriate Government funding being available where necessary, would at least reduce the level of public opposition to new development. This may raise issues that extend beyond the planning system *per se*, into wider matters of local government finance, and comparative work has been done to show, for example, how they approach such matters in Germany and Switzerland. (See Evans, Alan W. and Hartwich, Oliver Marc – *Bigger Better Faster More*).

Whilst on the subject of overseas planning systems, it may also be worth investigating the unwritten assumption that other planning systems are quicker than ours because they are less regulated. We understand there is academic research to show that, on the contrary, the British planning regime is one of the least regulated in Europe. There could well be a case for arguing that faster delivery requires tighter – albeit much more focussed – regulation, rather than deregulation.

Another factor that may merit investigation is the UK approach towards compensation, where compulsory purchase is involved in bringing forward larger development proposals. It has been suggested that, in some European countries, much more generous rules may apply in the awarding of compensation. If this is true, whilst it may on the surface seem expensive, the legal and other costs saved by not having schemes contested, and their more rapid implementation (which itself is likely to produce benefits to the economy sooner) may well make this approach more cost-effective overall.

One final point concerning the effects of overseas legislation relates to the impact European Union legislation has on the working of our planning system. One striking example of this is the declaration of the Thames Basin Heaths Special Protection Area, under European legislation, which is currently raising serious questions about the meeting of housing need to the south and west of London. The delivery of up to 64,000 proposed dwellings within eleven authorities is now uncertain, as a result of this piece of legislation. The Government needs to be clear about what the impact of European legislation will be, for the British planning system and for other government policy objectives, before signing up to it.

- 5. What is the impact of planning on business investment and how do you assess the recent reforms to the planning system?** We are better placed to comment on the second part of the question. For reasons set out in various parts of this submission, we believe the recent revision of the plan-making system to have been deeply flawed. Considering that they were initiated in large part in response to concerns raised by the business community, we believe they have actually made matters significantly worse for those interests, and this is borne out by a recent CBI publication (*Planning reform: delivering for business?* December 2005).

The most charitable interpretation of this would be that the implementation of the new system (in particular, the transitional arrangements and the detail of the regulations) has been botched, and that experience of using it and a cleaning up of the regulations will produce a system that is fit for purpose. Of greater concern is the possibility that the system is more fundamentally flawed and that, rather than suggest further tinkering with it, it may be better to reassess from first principles what it is

society wants from the planning system and what methods are necessary to achieve it.

Whichever conclusion you come to, we would welcome the opportunity to participate in the detailed debate about possible solutions. As the people who would have the prime responsibility for making any new system work on the ground, we believe our input would be invaluable in providing a workable solution.

**6. Is the planning system sufficiently “joined up” with other Government policy?**

The relationships between the different threads of Government policy are not generally well understood – for example, the relative weight to be given to the Regional Economic Strategy and the Regional Spatial Strategy when the two diverge, and the mechanisms for resolving such differences. In the South East, for example, there are clear tensions between the two emerging documents, and the different pace at which the two are prepared (reflecting different statutory processes, consultation requirements, and so on) makes it impossible to advance the two in parallel and reconcile them. There is also now a bewildering variety of government strategies, as well as other documents, which are prepared locally but as a result of requirements by central government, to which land use plans are expected to have regard. Some of these, we suspect, will have conflicting objectives.

To relate this point more specifically to your own terms of reference, it would be valuable to have a clear statement of what you refer to as “the Government’s sustainable economic development objectives”, and to know that all Government departments and agencies subscribed to them. These could be used as a benchmark against which to assess the performance of the planning system. More generally, we would draw your attention to the view from the House of Commons Transport, Local Government and the Regions Committee of July 2002, that the Government should at least consider establishing a National Spatial Strategy (Appendix 1, paragraph c of this submission).

Two further points about “joined up” policy. First, integration between land use and transport is particularly vital to the achievement of economic goals. It is therefore regrettable that the links between them, and the impact they can have on economic performance, have not been more explicitly recognised by Government in setting your terms of reference. Sir Rod Eddington has been set a very similar remit to your own in his separate study of transport and its impact on the economy. We very much hope that you will, as far as possible, remedy this oversight, by liaising closely with his team in drawing up your findings.

Second, discussion of planning structures should not take place in isolation from a consideration of political structures. As we have indicated elsewhere in our evidence, one of the problems currently facing regional planning is its “democratic deficit” – the absence of a directly-elected body to oversee the preparation of regional policy, following the rejection of an elected regional tier of government in a referendum. The appropriateness of the current tiers of planning, and the consideration of possible changes to them, should be set firmly in the context of the debate about new local government arrangements. Whatever new structures emerge should tie planning processes firmly to the instruments of democratic accountability.

**7. Does the planning system give too much, or too little emphasis, on speed in dealing with major projects?** We would hope that the time spent on public consultation would not simply be regarded as unnecessary delay to the process. As well as giving the public the right to know about and comment on developments affecting them, it is also an opportunity for unforeseen consequences of the development to be identified, and can result in a planning consent that is more acceptable to the community at large, as well as to the applicant.

Whilst in no way condoning unnecessary delay in the system, our experience is that applicants value certainty – a clear timetable and process - far more than just speed.

They also value a positive outcome above speed – a consent, following negotiation over time, is much preferred by the applicant to a refusal within whatever statutory period is laid down for the application. The current system has the tendency to encourage the latter. Provision should be made for more of a project management approach to major schemes. This would allow negotiation to continue beyond the statutory period without penalising the local authority's performance record, where both parties feel this is desirable in the interests of securing consent by agreement, once a satisfactory scheme has been arrived at.

There are, however, limits. With regard to the processes and timetables associated with really major projects – Heathrow Terminal 5 being a good example, having taken longer to resolve than the Second World War – the expense and delays involved benefit nobody but those directly employed by the various parties at the inquiry. In this particular case, a clearer statement of national airports policy might at least have moderated the length of the inquiry needed.

- 8. Do the direct costs of planning applications deter investment? Can the regulatory burden be eased?** We have no evidence to suggest that the direct costs of planning are deterring development at present, although: (a) we suspect that some of the authorities that are most efficient in the use of Section 106 already get relatively close to what the development can bear, in economic terms, and (b) the plethora of assessments (Environmental Impact Assessment, etc.) which are now required to accompany larger applications have added considerably to their cost. One recent (very) major planning application of which we are aware cost the developer £5 millions simply to get it ready for submission, even before any question of a Section 106 agreement was considered. (Incidentally, these assessments also add to the costs incurred by the local authority in evaluating them, particularly when lack of skills or capacity makes it necessary to use consultants for the purpose). Whilst we do not doubt that most of these assessments ask questions that need to be addressed, consideration might be given to whether they, too, are gold-plated and whether there is scope for simplification and removal of overlap between them.

More critical in the longer term will be to see whether a Planning Gain Supplement (if introduced) has the effect of deterring development, given that one of its objectives is to raise significantly more investment in infrastructure. We also believe that there is considerable scope for easing the regulatory burden through a simplification of the development plan process, as discussed at various points in this evidence.

- 9. Are high occupation costs due to planning constraints?** High occupation costs in those parts of the South East where demand is strongest reflect the limited supply of land, in what are relatively small and crowded parts of the region. This supply, in turn, is affected by environmental and other planning constraints. Returning to an earlier theme, society needs a clearer consensus on the value it attaches to environmental protection policies, as against economic and social considerations, where these conflict. These need to go some way beyond the conventional motherhood statements sometimes found in government policy, to the effect that society wants both its cake (environmental benefits) and its halfpenny (strong economic growth). Finally, we also need to bear in mind that the quality of the environment is part of the nation's competitive advantage, in the eyes of the business community (see, for example, the most recent draft Regional Economic Strategy for the South East).

To weigh these considerations against each other, we need an informed view about how significant an impact a given increase in the supply of land would have upon the cost of that land (and thus on the cost of occupation). How much environmental sacrifice would be needed to make a difference, and how great would the economic benefits be? In the case of housing land, recent work commissioned by ODPM (*Affordability targets: Implications for housing supply* – ODPM October 2005) suggests that a very substantial increase in supply over a wide area would be needed to achieve a significant reduction in house prices. The environmental and

other consequences of such a level of increase might well be widely considered to be unacceptable.

- 10. Does the planning system impact on competition?** Others are better placed than ourselves to comment on the effects on competition within our own economy. We are concerned about the effect the current system could have on international competitiveness, as pointed out at the very start of this submission.
- 11. Does the planning system support innovation by fostering the formation of clusters?** We have some doubts about the usefulness of clusters as a concept, something that is shared by a body of opinion in the academic world (see, for example *Martin, Ron and Sunley, Peter – Deconstructing clusters: Chaotic concept or policy panacea? – Regional Studies Association, December 2001*). The experience of some of our members (based on discussions with the industries concerned) is that the main purpose of clustering is to facilitate the poaching of competitors' staff.
- 12. Do planning authorities have the skills and resources needed to promote sustainable economic development?** There is continuing concern about the difficulty of recruiting and retaining suitably qualified planning staff, particularly within the South East. With regard to the recent proposals by the Audit Commission to get local authorities to make greater use of consultants, it needs to be borne in mind that the private sector does not have large amounts of spare capacity awaiting the call. If we increase the workload for the consultancy sector, their main source for the additional staff required to deliver it will be the local authorities. In net terms, this does not improve the staff shortages for the local authorities, as well as costing us more.

However, the main issue may be less to do with the skills and resources of the planning staff and more to do with the agendas set by their employing local authorities in many areas, where economic development considerations feature well below environmental concerns in their list of priorities. This brings us back to the point about society having clearer and more widely-shared expectations of what it wants from its planning system. Even within the Government and its various Agencies there are often mixed messages about this.

The question can also be turned on its head, to ask whether the business community has the skills and resources needed to be effective players within the planning system? It generally proves particularly difficult to elicit the views of the business community in any plan-making process, and this in turn makes it harder to ensure that their views are adequately represented in the final plan or policy. This difficulty is also reported by some of those responsible for things like Local Strategic Partnerships. Too many planning applications from them are ill-prepared and fail to pay adequate regard to that policy context. Whilst we understand the difficulty for small- and medium-sized businesses in particular to engage more fully in the planning process, (particularly given its current complexity) we need to look for best practice on both sides, to ensure better engagement between planning and the business community at all stages in the process.

One final, related point is that sustainable business solutions are not just the remit of planning authorities. Things like travel planning and smart business solutions are something that larger businesses could and should be doing for themselves, and that smaller enterprises could do, given appropriate help. Public money spent, for example, in helping an area's smaller businesses develop green travel plans might prove more cost-effective in addressing congestion than the equivalent conventional investment in transport infrastructure.

- 13. Are the new stakeholder engagement arrangements working for those representing economic interests?** For the reasons set out in various parts of this evidence, we do not believe that they are working well. The Government's desire for greater stakeholder involvement is admirable, and in particular measures to give stakeholders a clearer expectation of the process and timetable for consultation are

to be commended – in principle. However, the detail of how they have gone about it is positively counter-productive to their objectives.

In short, the new system involves far too many stages of consultation and too few of any substance. As one illustration, is it really necessary to have separate consultation processes on the Statement of Community Involvement (consulting on how we are going to consult)? These cost a great deal of money and time, and do not appear to add any value to either the process or the outcome.

Individual parts of the Plan are consulted on separately, increasing the effort required by stakeholders, whilst at the same making it more difficult for them to develop an overview of the plan and put its policies into their proper context. This also needs to be seen in the context of the many other central and local government strategies on which stakeholders (very often the same ones) now have to be consulted. The net result is confusion, consultation fatigue and a dropping off of interest on the part of many stakeholders. Colleagues report receiving complaints from consultees along the lines of “Why are you consulting us on this?” and “How much public money is being wasted on this consultation?” Even some statutory consultees are failing to respond to consultations, or are being forced to use consultants to deal with the volume of work involved.

One illustration given to us of this “death by consultation” (albeit not one directly linked to economic stakeholders) relates to Village Design Statements. These are produced by Parish councils, using volunteer labour, and involving very detailed local consultations. However, if the planning authority wishes to treat them as Supplementary Planning Documents, in order that they can carry some weight, it has to commit to a fixed timetable for them (on which the local authority may face financial penalties, if the volunteers in the parishes fail to deliver on time). Despite having gone through a detailed local consultation, the planning authority is then required to consult on them again, to a wider audience, and to do a sustainability appraisal of the statement. Colleagues report that parish councils are also becoming severely disenchanted with the bureaucracy of the new system.

At the same time, conventional methods of consultation are failing to engage many of those groups who will be most affected by the outcomes of the planning process. The business community is one example, and young people are another. In one recent consultation within the South East, which we believe is not at all un-typical, 55% of the respondents were aged over 50 and only 4% were under 30. It is perhaps not surprising that a respondent population that is skewed in this way puts greater emphasis on immediate environmental concerns, than on possibly longer-term housing or economic priorities. No less important, voting patterns at elections are similarly skewed towards the older electorate, and this must have some impact on planning decisions made at a local level. Some creative thinking is needed, as to how planning can engage with a more representative cross-section of the community.

Stepping outside the context of specific consultations for a moment, there is also a need to find a way of engaging in a more ongoing dialogue with the public about some of the big issues for planning. The house-building debate is one example of this. In the 1950s house-building was a vote-winner, and political parties would compete with each other to see who would promise to build the most housing. The complete reversal of public opinion since then reflects a number of things, but one of them is the failure of successive governments to engage properly in any public debate about the continued need for house-building. This is important in a wider sense for the well-being of the system as a whole. If the majority of the participating public are looking for planning to deliver one set of benefits, and the Government wants it to deliver something substantially different and uses its influence to bring its preferred solution about, it will very quickly lead to disillusionment with the consultation functions of the planning process, and eventually with the instruments of government associated with them.

- 14. Could incentives for decision-makers be improved, to better balance local interests and those of the wider community?** See our earlier comments in relation to question 4.

A key part of the quite widespread public opposition to development is that, in many areas, the provision of essential infrastructure is felt to have fallen badly behind the rate of growth. There seems to be a belated recognition of this on the part of the Government (as evidenced, for example, in the recent Planning Gain Supplement proposals) and if deeds can match words in providing a better balance between the two, we believe public opposition to further growth might at least be moderated. However, the Society also has some serious concerns about P.G.S., which we have set out in a separate consultation response, that we could supply to you separately, should you so require.

- 15. How could planning strengthen economic performance at strategic and local levels?** Our response to this question draws together a number of the points made in response to earlier questions. A comprehensive review is needed of the planning system, and not least of the recent changes to it. The outcomes from this need to be:

- a. a clearer consensus about the expectations the Government, on behalf of wider society, has of its planning system, including a better understanding of the trade-offs they are asking it to make between environmental, social and economic benefits;
- b. retention of those positive changes introduced by the new system (for example, the enhanced ability to carry out partial reviews of a plan; a clear statement at the outset of the process and timetable for the production of a plan, and of the arrangements for consultation within that process; the principle (if not all of the practice) of the test of soundness of the plan, rather than an inquiry consisting of a series of what are effectively mini-appeals by individual objectors);
- c. a radical de-cluttering of the system, doing away with much of the unnecessary jargon and the gold-plated procedures that serve to mystify and delay the process;
- d. a process with fewer but more meaningful consultations, with creative thought being given to how these can engage with a more representative cross-section of the community, including the business community;
- e. a reassessment of the balance the current system strikes between speed and due process, particularly in relation to major infrastructure projects;
- f. a review of the way sustainability is both defined and tested as part of the planning process;
- g. a more detailed assessment of how greater certainty could be bought to the adequate and timely provision of the infrastructure needed to support development, as one means of defusing some of the public hostility towards accepting further growth (the current debate about Planning Gain Supplement is just one part of this process);
- h. greater clarity in the relationship between planning documents and other strands of government strategy;
- i. more sophisticated methods of monitoring local authority development control performance, which allow the local authority and the applicant to agree to continue negotiations beyond the statutory period for determining the application, in the expectation of achieving an agreed scheme, without penalising the local authority's performance figures;
- j. related to this, we hope more generally that methods of evaluation within the planning system could move beyond a system of ticking boxes and meeting simplistic targets, towards a more mature recognition that the sometimes difficult choices it has to make involve elements of professional and, indeed, political judgement;
- k. in the event that any further changes to the planning system are to be introduced, much greater attention needs to be paid to the transitional arrangements. Parts of the current problem may stem from this transition

process, many parts of which seem to emerge on an ad-hoc basis, as reactions to whatever problem has emerged most recently.

The Planning Officers' Society would be happy to contribute to further work on any or all of the above.

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**Appendix 1: From the conclusions of the House of Commons Transport, Local Government and the Regions Committee in relation to the *Planning Green Paper* (published 3 July 2002)**

- (a) The current planning system requires significantly more staff and resources than are currently available. The new system proposed by the Government will require even more staff, and any radical changes will not be possible until they are in post.
- (b) The inclusion of a statutory objective for the planning system would be helpful if one could be agreed. This will not be easy. Any objective would need to command wide acceptance and should not be a potential source of dispute at each stage of the planning system.
- (c) The Government should evaluate the desirability of establishing a National Spatial Strategy.
- (e) Decisions about regional planning should be taken by groups of democratically-elected members of local authorities. Wider interests should be consulted but not make the decisions.
- (f) The Regional Spatial Strategies should take precedence over and guide the land-use aspect of all other regional strategies including the Regional Development Agencies' regional economic strategies.
- (g) There is a need for an effective sub-regional planning system between the regional planning level and local plans.
- (h) The proposals for Local Development Frameworks have many failings and lack many of the advantages of Unitary Development Plans and Local Plans. The new LDFs may be quicker to draw up but they are unlikely to be as clear.
  - They would be more complex than the simplicity offered by the UDPs and local plans and would provide less certainty;
  - A complex array of plans at a local level would be created which would be fragmented and difficult to understand and coordinate;
  - The frequent review of frameworks is also unlikely to provide the clarity and certainty sought by the Government and all parties;
  - The LDFs could cause considerable confusion because of the reliance on vague criteria;
  - The proposed LDFs may not gain the confidence of local people. The new forms of community consultation for LDFs are welcome, as is the linking of the Frameworks to Community Strategies, but they will not be an adequate replacement for the rights to appear at a public inquiry which are required for UDPs and Local Plans.
- (i) Retaining and improving UDPs and Local Plans would be a better option than introducing LDFs, since there would be certainty and continuity, as well as the retention of public confidence in the system.
- (m) Targets for reaching decisions are useful to provide guidance for local authorities on operating an efficient development control system, but considerable flexibility is required to allow for complex applications which cannot be considered within the timescales. It should be remembered that delays can be due to the developer as well as the local authority.
- (u) The proposal for Business Planning Zones appears to be based on the misconceived idea that the planning system is stopping desirable development rather than helping to enable it. There is no evidence of this.
- (v) There is a "business" agenda running through much of the Green Paper. It largely ignores the environment while supporting business development. The planning system is the key bulwark in preventing urban sprawl and restraining unsustainable development and should not be subservient to the requirements of business. The reforms should stress the need for the planning system:
  - to protect the countryside and improve the quality of the built environment;
  - to minimise the use of natural resources; and
  - to reduce the need to travel.
- (bb) We strongly support the proposal to introduce National Policy Statements. They should be the subject of public consultation after which they should be debated by Parliament on an amendable, substantive motion.... The policy statements should relate to the National Spatial Strategy.

- (jj) We welcome the Government's proposals for making public inquiries more efficient, and emphasise the need to keep the Major Infrastructure Projects rules under review and update them when necessary.
- (nn) The Government's theory that the planning system inhibits economic growth appears to be based on anecdote and prejudice. Well-planned land uses create a favourable climate for investment as many successful local authorities have shown. Attractive and well-planned cities are often the most prosperous. With improvement, the existing forward planning system will continue to achieve this.
- (oo) It could well take more than five years before the changes proposed in the Green Paper are fully operational and even longer. The development plan system introduced in 1991 has taken up to ten years to bring full benefits for its users, notably local authorities, developers and local communities. This should not be lost by adopting the Planning Green Paper proposals. With modification to existing UDPs and Local Plans, the same objectives could be achieved without the delay which would be caused by the Government's proposals. Many of the other incremental reforms, which have been proposed in this report, could start immediately and not cause the hiatus which the fundamental proposals will inevitably cause.

**Appendix 2: From the conclusions of the ODPM Housing, Planning, Local Government and the Regions Committee – *Planning Competitiveness and Productivity* – (Published 5 February 2003)**

- 13. Rather than blaming planning for the UK's poor productivity, our evidence shows that businesses consider the planning system to be an essential part of doing business in the UK. We are pleased that in its response to our report on the Planning Green Paper and in its evidence to this inquiry, the Government has begun to recognise the positive role of planning in the British economy.
- 32. Claims that planning damages the nation's competitiveness seem to have been made without evidence. The evidence that we have received suggests that businesses generally support the planning system and seek a number of changes in implementation, which do not necessarily require legislation. The best local authorities already run their planning departments in proactive, responsive ways and if the resources are put in place, such approaches can be adopted by others.