

**ENVIRONMENT
Planning Strategy & Projects Group
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Dear Carmel,

Barker Review of Land Use Planning

Thank you for the opportunity to contribute to this further review of Land Use Planning. Please find attached an officer response from members of the City Planning team at Brighton & Hove City Council. The response was a result of a recent workshop arranged to address the answers posed by the Review Team. We await with interest the outcome of this review.

Yours sincerely,



Martin Randall
Assistant Director
City Planner

Response to Barker Review of Land Use Planning

Question 1 - Flexibility

The system should be flexible but robust. This can be achieved by ensuring a framework of consistent and up to date policies are in place and kept under-review. For example the Council has currently commissioned consultants to undertake an employment land study to inform the LDF and this is being produced in consultation with the business community. Planning interacts to protect socially and economic necessary uses from short-term market considerations which are unlikely to be sustainable. Those local economies that have been able to weather economic downturns have been helped by a planning framework that ensures a balance of employment uses.

There is a need to improve the speed of policy making and speed of decision-making for economic development issues. Recent changes were in principle a step in the right direction and the new system is transparent but is in danger of being slowed by overly complicated processes. For example, splitting the core strategy DPD from the site allocations DPD. A single consent system would speed things up and lead to better co-ordination.

There is a need for responsive policies to allow uses to either switch to another site or allow new uses on the same site. This can be overcome either by amendments to use classes order or local planning authorities allocating sites for employment/ economic development use rather than a specific use class.

One frustration for applicants is where planning committees overturn officer recommendations. One way to mitigate this would be for the Inspectorate to prioritise appeals where the committee has over-turned an officer recommendation over appeals where the committee decision was in-line with the recommendation.

Question 3 - Sustainable Development

The new system of plan making covers the right range of subjects and currently there is no need to go any wider. However, social considerations are not always given adequate weight, for example, in the provision of new housing, the need for affordable housing is not universally considered.

What factors are given weight often depends on perceptions. Many community and amenity groups would genuinely believe that economic development is given more importance than other interests. Frequently expressed local concerns relate to town cramming and social infrastructure

Question 4 – is the planning system sufficiently joined up?

Whilst experience locally, is that the new system is more joined up, central Government advice is not always joined up, e.g. recent gypsy & traveller advice to planners is different from housing advice.

We also believe that Government planning advice is not sufficiently tailored to local circumstance, There is difference between the midlands and north of England and South East England in terms of the extent of development sites and between green-field development and brown-field. Much of government advice seems overly focussed on the large-scale release of green-field sites. In urban authorities along the south coast like Brighton and Hove the experience is of densely populated urban area with a high proportion of listed buildings and conservation areas or tightly bounded by AONB/ national park land.

Question 7 – Major Planning Applications

13 weeks is a reasonable target for many major applications but for a significant minority this target will never be achieved.

Welcome the pilot of allowing Local Planning Authorities to agree a ‘planning development agreement’ a timetable with the developer. However, this also requires the developer to “play ball”. In particular to be more open, not be reluctant to change schemes and provide full information when requested by the local planning authority.

Delay is sometimes caused by insufficient information accompanying a planning application. This could be overcome by extending the reasons for refusing to validate applications. The planning authority should agree with developer what is required. One possibility would be for major planning applications to include a two phase validation process; Phase 1 would be to agree information required before moving on to Phase 2. Validation could also be tailored to local circumstances. A brown-field site in a densely populated urban area with cultural heritage will have different information requirements from a green-field site next to a motorway.

8. Direct Costs of Making a Planning Application

Planning Application Fees are not likely to deter investment, as they are insignificant compared to total cost of development. Whilst supporting information may often be perceived as an unnecessary burden, the requirements of information to support planning applications are largely a response to meeting government’s international commitments to sustainability – such as SEA regulations – as opposed to local considerations.

9. Causes of High Occupation Costs

It is believed that high occupation costs are principally due to unrealistic expectations on behalf of owners, e.g. not tailoring rental values to local circumstances such as expecting rates higher than the local average or land banking.

10. Supporting Innovation

The existing system can easily accommodate clustering and is supportive of local innovation. However this requires development interests to engage with the planning system early enough and think long-term to devise appropriate policies. Difficulties arise through trying to accommodate short-term changes in the market. The planning

system can only promote innovation through the initial stage of development consent. Then the market takes over.

12. Do planning authorities have the skills and resources required to help promote Sustainable Economic Growth

Local authorities have the skills and resources to help promote sustainable economic development, planning departments do not work in isolation on these issues. Need to be clear as to the definition of sustainable economic growth. Economic growth does not guarantee sustainable development or enhanced quality of life.

Also need to be clear on the relationship between housing and economic development. Balancing housing growth with economic regeneration is critical in the Sussex Coast. For the first time in 10 years Brighton & Hove experiences a net out-commuting of workers.

Question 13 – Stakeholder Engagement

The changes to the planning system, in particular the terminology/ jargon have complicated engagement in planning, even from those who engage with it on a regular basis. We recognise the role planners will need to play in building awareness and interest in the plan preparation process, particular at the early stage. However economic interests need to recognise the importance and benefits of engaging with system throughout rather than towards the end of the process where the opportunity for change may be less possible. There needs to be greater recognition in this Review that there is more than one type of business interest and they will therefore have different expectations of the planning system and different needs.

We recognise that Small and Medium Enterprises who may only employ one or two people may not see how engaging with the planning system particularly in policy improves their bottom line. It is recognised also that for the majority of businesses there is no need to interact with the planning system. We would welcome recommendations for additional capacity building with economic development interests to help improve understanding and use of system. This could perhaps be through Regional Development agencies providing funding for planning champions with business interests. Could engage trade organisations but its questionable how representative these are at times, e.g. developers and land agents rather than occupiers can dominate business organisations.

14. Incentive Structure for decision-makers and local communities

We would be interested to consider allowing more influence from local communities as to how money is spent locally but need to avoid accusations that planning permission is being bought.