

The Old Vicarage
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28.3.06

Carmen Howard, Barker review Team,
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London. SW1A 2HQ

Dear Ms Howard, Re. Barker Review of Land Use Planning.

I am submitting some answers to the questions put in your consultation letter with respect to the above review. They are on behalf of the Saffron Walden & District group of Friends of the Earth. We are a group of about 100 local members and have been one of the stakeholders consulted by the local Planning Authority, Uttlesford District Council, during the last 10 years. We have therefore interested ourselves in the problems posed by your review.

Answers to questions.

Q1. The Planning system has been based entirely on a response basis, and the recent changes in PPS3 have yet to come into operation. The only opportunity to date for Local Authorities and local stakeholders to anticipate needs has been through the Plan system, Regional, County and Local. Policies are produced that have been considered by all stakeholders, businesses can be involved, and policies are eventually produced that have to be approved by Inspectors and Ministers. If policies are too restrictive then often the "blame" may not lie with the original Local Authority, innovations have been perhaps discouraged by the Inspectorate in some instances (e.g. in the Essex Waste Plan).

Once the policies are established then further development has to conform with them, and, we believe that this is essential for sustainable development. Any other procedure would risk a return to the excesses of the pre-world war2 period. The new LD framework will enable a rather different angle of consideration and should make individual development documents able to be more adaptable to local needs rather than an overall embracing policy. It is surely up to business to interest itself in planning policies. In our recent Eastern Regional Plan Panel hearings whilst developers were responding very few local businesses contributed, and only through County or Region wide associations, which are not necessarily fully representative.

Q2. This questions has been touched on in our answer to Q1. Local businesses are not accustomed to consider land use planning until they wish to re-locate or expand. They need to be more actively involved at the policy stages.

It remains to be seen whether the new system with a statutory Regional Plan strikes the right balance. Our own view is that it will if it allows Local Authorities to fully contribute to the Regional Strategies, which need local ,input if they are to be practicable. The role of Counties is not yet clear, but they can best provide guidance and policies on Transport and Waste disposal, though again with the provision that they must have close contact with Local Authorities.

Q3. Sustainable development in the latest definition (Securing the Future) has to, pay more attention to environmental limits of development and to the proper use of natural resources. Economic growth has to conform with these parameters. Climate change is the most important limiter of carbon emitting development and this must be considered at all levels. In our area water supplies are also a limiting factor. The present system does not fully take account of these factors, which is hardly surprising as the concepts of environmental limits is very new. There is a need for official guidance on exactly what this means in terms of practical Planning issues. Otherwise endless arguments arise as to what is meant by sustainable development. Requiring a sustainability assessment is impractical in the majority of planning applications and there is as yet no official guidance as to what issues an SA should highlight. It is being left to individual consultants to put forward their views which are then in turn criticised, ignored or adopted. What is the status of an SA? Is it material to a planning application or just another argument to be put forward? Is an SA really the right vehicle for social judgements? In our view local social considerations should be

provided by those who are expert in that field, social services should be providing advice on the social consequences of different forms of development, e.g. affordable housing, mixed development, Records of management efficiency of different Housing Associations, the need for green space and play areas in housing developments, and the effects of live/work units on family life, etc.

Q4. The social history of the UK is very different from other countries even in Europe, as is the make up of our immigrant community. We can certainly learn on the environmental issues but on social issues even differing UK districts will require different treatments.

Q5. In our experience the biggest hindrance to business development has been the higher value of residential land. This has meant that many landowners maintain high prices for land scheduled as for business in the hope that it will not sell and they will subsequently be able to successfully obtain a change of user to residential category. In addition, when renting is being considered, there is no mechanism for controlling rent, and this too deters many businesses from opening up in high priced areas. This of course applies to both residential and business property. It is possible that the new planning gain charge may remedy this problem, but it will depend on the level at which it is applied.

Q6. This remains to be seen in our Region. Our view is that Regional economic strategies tend to be over optimistic and gear themselves to wishes rather than practicalities. They are not restricted by sustainability issues as they do not require a separate SA, yet are incorporated into draft plans creating possibly a clash with environmental policies. Regional Spatial Strategies can only be as good as their knowledge and liaison with local authorities of all disciplines. We have not been impressed with studies carried out by consultants of our own Stansted/M11 corridor.

Q7. In our view the present system is about right. It may seem slow to those who wish to see major new developments being put into operation as quickly as possible, but there are too many projects that have subsequently been shown to be inadequately prepared, - it is better to err on the side of over-investigation rather than try and push big developments through with inadequate investigations.

Q8. We have suggested a way of alleviating future costs of the new requirements of having SAs for many developments. If there was a standard guidance that all consultants had to follow, or a simple form for small developments many arguments could probably be avoided and time saved.

Q9. We would put the high cost of potentially residential land at the top of the list. Hopefully a properly applied planning gain might reduce this problem.

Q10. Interfering with competition may be essential to both environmental, social and economic health of a district, town centre or small town, e.g. controls over supermarket development. Protective legislation has always been necessary to protect individuals or small businesses from oppressive competition which in the long run destroys the weaker competitors to the long term disbenefit of all. Well applied Planning law is a fair arbitrator.

Q11. The Planning Law is neutral on such developments. LAs could be required to identify employment needs in their area and to indicate in their LDF what would be acceptable development in selected areas, this might encourage business development

Q12. Probably not. But if more central funds were available they could be required to promote activity which would require the employment of expertise.

Q13. The arrangements are adequate but the climate of interest amongst businesses is very variable and mostly only large firms appear to take part. It would need a positive effort to promote interest (see Q12).

Q14. What is meant by "decision makers"? Government, big business? Is this a referral to developments that will be unpopular locally? Such as airports? We doubt if any way devised will persuade people to

welcome developments that will interfere with their quality of life! It is perhaps an ethical problem, when does the National interest over-rule a local interest?

Q15. The term “economic development” is too much of an all embracing description. Rural areas want small firms to use redundant barns. Town centres want new shops, industrial estates would welcome a big firm. Can this be organised? All that can be done is to guide the Local Authority to consider promoting local and suitable opportunities, as was done by New Towns and former Regeneration Areas. This needs staff and money.

Yours sincerely
Dr Patricia Dale.