

28 July 2006

Kate Barker
Barker Review Team
Room 4/E1
HM Treasury
1 Horseguard's Road
London SW1A 2HQ

Dear Kate

Barker Review of Land Use Planning – Interim Report

We were pleased to see your interim report, which includes many sensible ideas for further improving the planning system.

We would like to highlight a few issues from our original submission to you, which we hope will help your future work.

English Partnerships is working to improve the land use planning system in the areas in which we operate. We are involved in a number of initiatives which address some of the issues raised in the interim report.

ATLAS (Advisory Team for Large Applications). You rightly point out that more needs to be done to improve the capacity within local planning authorities. ATLAS is part of DCLG's Planning Advisory Service (PAS) and is hosted within English Partnerships. This was set up to provide an independent advisory service to Local Authorities experiencing the pressures of increased development activity. ATLAS has therefore been working to help unblock the issues holding up large applications, increase the knowledge and expertise within Local Authorities and disseminate best practice and act as a partner to Local Authorities and independent reviewer of large applications and issues. Established eighteen months ago, the ATLAS team has so far worked on eighteen projects with potential to unlock consents for more than 30,000 homes across London and the South East. The team has recently expanded to cover the East and South West of England.

Given their extensive experience of working to overcome barriers in delivering large applications, we would like ATLAS to be involved in future meetings of the planning professionals group of your group.

Planning Delivery Agreements. Earlier this year EP's ATLAS team published research on the potential role that Planning Delivery Agreements (PDAs) could play in providing a more structured method of local authorities and developers working together to achieve high quality results. As noted in your interim report, PDAs are now being incorporated into a series of national pilot projects being run by the Planning Advisory Service and ATLAS that are intended to improve and speed up the planning process on large applications. The expanded team will produce a range of

topic papers based on project experience and research covering specific aspects of the delivery of large-scale housing led sustainable development, to provide a comprehensive tool-kit for major applications.

Milton Keynes Prospectus. The Milton Keynes Partnership Committee (MKPC), a committee of English Partnerships and the Local Authority, has effectively developed a planning tariff to support the growth of Milton Keynes. The MK Prospectus for Growth establishes a partnership with delivery agencies such as MK Council, MK General Hospital NHS Trust, MK PCT and the voluntary and higher/further education sectors. This sets out proposals for the levels of local and strategic infrastructure investment that are required to promote growth and also determines the level of developer contribution achieved through Section 106 process. We suggest that such public sector planning, with or without a tariff arrangement, provide a good basis for local authorities to develop growth strategies.

Design Codes. We believe that the planning system could make better use of design codes to speed up the process of approvals. We are working closely with DCLG on a pilot programme, including our sites, early evidence from which shows that codes can produce results that benefit communities, local authorities and the development sector. When codes are flexible and deal with principles rather than detail they work well. There is wide and growing support for integration of design codes into the mainstream of the planning process which we would like to have recognised in your final report.

A National Infrastructure Strategy. Your interim report states that there may be a role for a national strategy on major infrastructure. Our view is that public funding and private finance should play a part in such a strategy if it is to have any impact on delivery. If this is an area you will be looking at in more detail we would be happy to share with you our experiences in establishing and operating different approaches to infrastructure provision. One example is our forward funding of the West Bedford Bypass, the cost of which we will re-coup through land value capture agreements with land owners, releasing around 2,500 homes in this growth area.

Utilities. In discussing infrastructure, your interim report did not address in any detail the issues relating to the role of utilities in supporting the delivery of sustainable communities. A new, strategic approach to ensuring appropriate access to utility services is required, which takes account of competitive utility markets and of the objectives of the new players. There is an added complication of the Telecoms providers which carry out certain activities outside the planning framework, creating difficulties for land assembly exercises and Compulsory Purchase Agreement strategies. As stated in our initial response, we would be happy to share with you work carried out by English Partnerships as well as some work we are currently doing with the Housing Corporation which proposes improvements to the way utilities are provided as part of the regeneration/development process.

Land Use Data. There is a need to make land use data more transparent and access to it faster. Major improvements have been made in the use of land data but more can be done to pool resources between local government and national bodies. English Partnerships would be happy to contribute further to this discussion drawing on our experience working with DCLG on the National Land Use Database (NLUD), the register of surplus public sector land and the national brownfield guide (due to be published in the autumn).

Section 106. As a public sector landowner, we find that it is often a major challenge to maintain receipts to the public sector for sites valued prior to Section 106 agreements being finalised. The affordability of Section 106 is often looked at far too late in the process. As Section 106 becomes a key tool for providing affordable housing, as well as local infrastructure, tensions may begin to rise. We believe that more clarity should be given by the Government over the use of Section 106 to standardise its use across the country.

Incentives. Other than Section 106, there are too few incentives for local planning authorities to encourage growth. We suggest that further reform of Section 106 is needed, given that few local authorities are using it strategically to support growth-related infrastructure. New development brings the potential for net gains in Council tax revenues and business rates yet this often goes unrecognised in the way that local authorities view the benefits of growth. Greater use of incentives to encourage change and growth, whilst maintaining proper due process and adherence to planning law, would make the planning system fit better with wider regional and national policy.

We would be happy to help your team with information and data from our systems and also give more examples from our experience to help your review. We will be in touch to identify a date for such a discussion.

Yours sincerely



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