



Summary

The planning system, through its pursuit of sustainable development, promotes environmental and social objectives alongside, and integrated with, economic objectives. A high quality environment is a fundamental ingredient of a successful modern economy. It contributes directly to local and regional economies, it supports regeneration opportunities, and it plays a vital role in people's quality of life, which is key to attracting a skilled workforce. Although there are still too many examples of inappropriate development which harm the environment, the planning system has generally served us well through its integration of objectives in a transparent, participatory and democratically-accountable way. However, a lack of clear Government policy on a range of development and infrastructure issues has led to inefficiencies in the system. A national spatial strategy, subject to robust sustainability appraisal and public engagement, could be a possible solution to these inefficiencies.

The RSPB's evidence will concentrate on the importance of a high quality natural environment, while acknowledging that many of these comments are equally applicable to urban areas.

Prematurity

We make our comments in the context of our concern that the review is premature. The planning system in England has recently been through one of the most significant periods of change in its history. Most of the provisions of the Planning and Compulsory Purchase Act 2004 came into force in September 2004, only 18 months ago. The new spatial planning system, as its predecessor, is a plan-led system, but the new local development documents are still in preparation; as far as we are aware not one has yet been adopted, let alone implemented. In addition, many of the review issues were recently considered by the ODPM Select Committee in its report *Planning, Competitiveness and Productivity*¹.

We understand that business interests have some concerns about the detailed operation of the planning system, such as the culture of targets, improvements to development control and the quality of service². However, these issues in themselves do not justify a far-reaching review as set out in the terms of reference. The planning system is very much in a transitional phase and it is simply too soon to say what the impact of the new system is on economic growth. Having said that, in the final section of our submission we do identify some long-standing inefficiencies with the system – a failure of national planning policy - which have not been addressed by the recent reforms.

Planning and sustainable development

The achievement of sustainable development is embedded in the new planning system through the statutory duty in section 39 of the Planning and Compulsory Purchase Act 2004. It is expressed in more detailed terms in both the UK Sustainable Development Strategy³ and in Planning Policy Statement 1 *Delivering Sustainable Development* (PPS1)⁴.

Both the UK Sustainable Development Strategy and PPS1 make clear that sustainable development is about the achievement of social, environmental and economic objectives together, over time. The language of ‘balancing’ objectives is replaced by an integrated approach which seeks to achieve ‘win-win-win’ outcomes and avoid trade-offs, which are often environmentally damaging.

Planning Policy Statement 1: Delivering Sustainable Development

Key Principles (i)

Development plans should ensure that sustainable development is pursued in an integrated manner, in line with the principles for sustainable development set out in the UK strategy. Regional planning bodies and local planning authorities should ensure that development plans promote outcomes in which environmental, economic and social objectives are achieved together over time.

Integrating sustainable development in development plans (paragraph 24)

Planning authorities should ensure that sustainable development is treated in an integrated way in their development plans. In particular, they should carefully consider the inter-relationship between social inclusion, protecting and enhancing the environment, the prudent use of natural resources and economic development – for example, by recognising that economic development, if properly planned for, can have positive social and environment benefits, rather than negative impacts, and that environmental protection and enhancement can in turn provide economic and social benefits.

ODPM, 2005

Despite this, it is our perception that the language and culture of much land use planning remains rooted in a ‘balanced’ approach rather than an ‘integrated’ approach. This is reflected in the terms of reference of the Review itself, which states: ‘Among the issues analysed will be ... getting the balance right – consider whether there is the appropriate balance between economic, social and environmental objectives in the English planning system.’

Over the last 50 years, the culture of balance in planning has generally been to weigh the system in favour of economic and social objectives, which has led to deterioration in many environmental assets, such as biodiversity resources. Although the situation has improved in more recent decades through new legislative and policy requirements (such as the Birds and Habitats Directives and PPS9⁵), it is certainly not the case that the system is now weighted in favour of environmental objectives, as the case studies in a recent RSPB report show⁶. These legislative and policy requirements are a key part of the Government’s response to biodiversity losses, as set out in the England Biodiversity Strategy⁷.

Working with the grain of Nature. A biodiversity strategy for England.

‘The aim of the Strategy is to ensure:

- A halting, and if possible a reversal, of declines in priority habitats and species, with wild species and habitats as part of healthy, functioning ecosystems
- The general acceptance of biodiversity’s essential role in enhancing the quality of life, with its conservation becoming a natural consideration in all relevant public, private and non-governmental decisions and policies’

Defra, 2002, paragraph 1.8.

Given this context, the rest of this submission will address the economic benefits provided by environmental protection and enhancement, and the value of the planning system in providing that protection and enhancement. Our submission concludes by considering some inefficiencies in the system and a potential solution, a national spatial strategy.

The environment and the economy

We recognise that economic activity is a key part of sustainable development. In taking the latter as its overall objective, the planning system should not treat economic performance as an end in itself, but as a way to support our quality of life. Therefore, economic growth should not be achieved at the expense of other factors that contribute to quality of life, such as the environment. This is why sustainable development should not be pursued by determining tradeoffs, but by concentrating on integration, such as between environmental quality and economic activity.

The environment supports substantial economic activity throughout the UK. Uses of biodiversity directly support over 35,000 full-time equivalent (FTE) jobs and contribute over £4.8 billion to GDP⁸. Environment-related activities in the UK (broadly defined as those depending directly or indirectly on the quality of the natural environment) are estimated to support around 500,000 jobs and £18.6 billion of GDP.

In England, the landscape and nature conservation sector provides 8,600 FTE jobs, and activities ‘based on a high quality natural environment’ support 299,000 FTEs and £7.6 billion gross value added⁹. Similar studies have been carried out in Scotland¹⁰ and Wales¹¹.

A recent report by the European Regional Policy Group (comprising the UK’s statutory countryside and environmental agencies) considers the key role of the environment in the European agenda to promote regional competitiveness and sustainable economic growth¹². The key findings are summarised in the box below.

The environment, economic growth and competitiveness

Achievement of the Lisbon strategy, agreed by EU leaders in March 2000, is seen as essential if Europe is to respond to the challenges of globalisation and competition from other parts of the world. 'But the Lisbon strategy also reflects Europe's commitment to embed respect for the environment in the core of the growth and jobs generation process so that it is part of Europe's competitive advantage.'

The European Regional Policy Group's report, based on a wide variety of research and case studies, shows how the environment is important to the economy, and why it is essential that we invest in the environment in the pursuit of sustainable economic growth and competitiveness. Its headline findings are:

- The environment is an economic driver
- Management of the environment creates jobs and wealth, and improves quality of life
- The environment is a vital tourism asset
- Investment in the environment improves economic competitiveness
- Efficient use of resources improves competitiveness
- The environment is a dynamic and innovative industry

The European Regional Policy Group is made up of the United Kingdom's statutory countryside and environmental agencies: the Countryside Agency, Countryside Council for Wales, English Nature, Environment Agency, Joint Nature Conservation Committee, Scottish Environment Protection Agency and Scottish Natural Heritage.

Source: ERPG, January 2006

A suite of regional reports for England and Wales, which used a broadly similar methodology, illustrates the economic benefits of the environment in more detail¹³. They considered the environmental sector (such as pollution abatement, waste management); the natural environment sector (conservation); greening primary industries (such as organic farming), environmental technologies (such as wind power), tourism, and inward investment. Each study contains a large number of case studies of good practice and environmental businesses, and considers the scale of activity that is dependent on a good quality environment and on positive environmental management.

The studies found that:

- Environmental protection is a mechanism for economic development
- Environmental damage is a threat to many jobs/sectors
- The environment is an essential part of all modern businesses and a market opportunity for all sectors

Jobs in the nature conservation sector play a significant role in rural development¹⁴. For example, the 1,000 jobs supported by RSPB reserves in their local economies are valuable as

a direct source of jobs and also for the seasonal and occupational diversity they bring to rural areas. Employment on RSPB reserves averages 7.1 FTE jobs per 1,000 hectares of productive land, and tends to bring benefits to sites that previously supported little or no economic activity¹⁵. Further employment is supported by spending from visitors to RSPB reserves.

Regeneration opportunities

A high-quality natural environment may also play a significant role in supporting social and economic regeneration opportunities. The two case studies below show where large-scale habitat restoration has made an important contribution to regeneration initiatives.

Old Moor, Barnsley

RSPB Old Moor nature reserve is part of a wider regeneration project to re-brand the Dearne Valley in South Yorkshire. Old Moor is a flagship reserve and an excellent example of a public and privately-funded project that has successfully contributed to the environmental, social and economic sustainability targets of a region.

The RSPB, working in partnership with other organizations, has transformed the Dearne Valley into a nationally important landscape for wildlife, making a significant contribution to nationally agreed strategies for enhancing nature. Ongoing investment has restored the landscape for wildlife and provided new facilities and learning opportunities for visitors and local communities. The site's award-winning energy-efficient visitor centre makes use of renewable energy technologies: a biofuel burner, photovoltaic solar panels, a wind turbine and solar water heating.

In its first year, the visitor centre, restaurant and shop more than doubled visitor numbers at the site, and the glass-fronted classroom has provided nearly 4,000 schoolchildren from 80 schools with the important opportunity to learn about conservation and the environment. In addition, local businesses and community groups have been making full use of the conference facilities. Old Moor supports the community by employing 24 members of staff and has increased the long-term potential of local business by adopting a local sourcing policy.

Source: RSPB, 2005. *Wellbeing through Wildlife*

“Centres such as Old Moor help to bring life to an area in many ways. That area suffered with the decline of the mining industry, but a new life is emerging, as demonstrated at Old Moor and replicated in other parts of the country.”

Jim Fitzpatrick MP, Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (House of Commons 16 February 2006: Hansard columns 1665-72)

Rainham Marshes, London

The development of Rainham Marshes as an RSPB nature reserve will create newly-accessible, high quality, natural green space in a densely populated area of Thames Gateway, Europe's largest regeneration project. The reserve will deliver benefits for people and wildlife:

- An environment and education centre and access improvements will meet local people's top priorities for using the site – somewhere for peaceful walks and provision for families and local schools;
- Biodiversity will be improved on 200 hectares of land supporting wintering ducks, geese, breeding wading birds, scarce invertebrates and mammals such as water voles;
- A community education initiative will engage local young people with the opportunities at the site.

The positive economic impact of the development on the local area includes over £8 million of recent and planned investment in the site. Spending by visitors is expected to support 37 FTE jobs in the Thurrock area by 2010. More importantly, the reserve will enable local communities to connect with the wildlife and green space on their doorstep. It will improve the attractiveness of the Thames Gateway, contributing to its wider regeneration.

“Creating sustainable communities is not just about housing. It is also about improving the surrounding countryside and the green spaces nearby. That's why the marshes are so important to protect the wildlife in the area and to give local people access to nature ... an important new resource for the local community.”

Yvette Cooper MP, Minister for Planning and Housing

Source: RSPB, 2005. *Wellbeing through Wildlife*.

Quality of life

A high quality environment is important not only in regeneration areas, but in areas of economic success and development. In the growth areas of the wider south east of England, the provision of 'green infrastructure' is making a significant contribution to the development of sustainable communities. The case study of Fen Drayton Lakes, Cambridgeshire, illustrates this for the Cambridge sub-region.

Fen Drayton Lakes, Cambridgeshire

The RSPB's Fen Drayton Lakes project has recently been awarded £1.19 million by the Office of the Deputy Prime Minister from the growth areas fund. It will provide 391 ha of well-run, attractive, accessible greenspace at Fen Drayton Lakes. The site, which is within the Ouse Valley, adjacent to the A14, will be purchased and managed for wildlife and public access, promotion and interpretation. At present public access and management as a nature reserve is only secured on 108ha until 2008 when a section 106 agreement linked to former gravel extraction expires. Public access will be enhanced by the proposed guided busway, which will have a dedicated request stop within the complex of lakes. This land will link to the new wetlands being developed by the RSPB and Hanson at Needingworth Quarry, together creating a new Cambridgeshire Wetland Nature Park. Overall, this will provide over 1,200 hectares with 50 km of public access including cycleways, bridleways and footpaths – between the villages of Fenstanton, Fen Drayton, Swavesey, Needingworth, Earith, Over and Willingham and close to the growing populations of Cambridge, Huntingdon and the new town of Northstowe.

Planning and nature conservation

In all of the examples quoted above, the role of the planning system in protecting the natural environment from inappropriate development has been fundamental. This is partly through its role in delivering the land use planning requirements of the European Birds and Habitats Directives, which protect internationally important biodiversity resources. Even the strict requirements of these directives, however, does not entirely preclude economic development where it can be properly justified. A recent RSPB report shows, through a number of case studies, how business and biodiversity objectives can be integrated, with successful outcomes¹⁶. It also shows, however, where the decision-making process has been flawed, resulting in unnecessary environmental damage. Two selected case studies illustrate this.

Successful outcome: Immingham Outer Harbour, North Lincolnshire, 2001-2004

The port company proposed extending the Humber International Terminal to create a new roll-on, roll-off ferry terminal, which would have caused direct loss of 22 hectares of intertidal mud within an area proposed as an extension to the Humber Flats, Marshes and Coast Special Protection Area (SPA). In discussion with the Environment Agency, English Nature and the RSPB, the port accepted that there would be an adverse effect on the integrity of the site, and entered a legal agreement with the conservation organisations to provide adequate compensation to maintain the integrity of the network. The developer also produced the necessary information to inform the Government's consideration of alternative solutions, and imperative reasons of overriding public interest. This allowed the RSPB and English Nature to withdraw their objections to the scheme.

Flawed decision-making: Lappel Bank, Medway, Kent, 1989-1993

In 1989, Medway Ports Authority sought and received planning permission for the reclamation of Lappel Bank, for a car and cargo park, but this was not immediately implemented. In 1993, the Secretary of State designated the Medway Estuary and Marshes as an SPA, but left out Lappel Bank on economic grounds, despite its value for wintering feeding ducks, geese and wading birds. The RSPB challenged this decision on the grounds that the Birds Directive did not allow economic considerations to be taken into account in SPA designations. The subsequent judicial review was referred to the European Court of Justice, which agreed the UK Government had acted illegally. As the planning application had been implemented and the site destroyed, the UK Government was obliged to compensate for the loss. This is now being brought forward.

Internationally-designated sites receive the highest level of protection under the planning system, but only represent a part of the total biodiversity resource which contributes to a high quality environment. Other designated and non-designated sites may have significant value locally and regionally, but are more vulnerable to pressures from development, whether for housing, business or other forms of development.

Increasingly, however, the planning system is also playing a proactive role in delivering environmental enhancements as part of a wider agenda of sustainable development. For example, PPS9 now asks regional and local planning bodies to identify areas for biodiversity enhancement, not just to protect existing biodiversity resources. This work is currently being taken forward through the preparation of the current round of regional spatial strategies.

Spatial planning delivers society's objectives for the use of land through a system which is participative, transparent and democratically-accountable, using a variety of appraisal tools to assess the impacts of policies and proposals. The plan-led system has been operational for 15 years (since the Planning and Compensation Act 1991) and gives the business sector a high degree of certainty about the spatial context for making investment decisions.

The recent reforms to the planning system have introduced some welcome improvements: the sustainable development duty, the enhanced status of regional planning, revised planning policy statements, additional resources for local planning authorities, requirement for sustainability appraisal and a broader concept of 'spatial' planning which is closely integrated with other plans and strategies. These should all have business benefits, although it is too soon to be precise about the exact effects.

Dealing with inefficiencies: a national spatial strategy

However, a key missing element in the planning system in England is consistent and joined-up Government policy on a range of development and infrastructure issues, such as ports, road, rail and energy. It was, for example, the lack of a coherent policy on aviation that significantly extended the length of the Heathrow Terminal 5 inquiry, often cited (although atypical) as an example of planning delay.

The lack of Government policy on ports has led to particular problems because of potential conflicts between internationally-protected biodiversity resources and port development. A string of recent public inquiries for port development in the south and east of England could have been avoided, or at least significantly shortened, if there had been a clear spatial framework for future port development which properly considered future needs and alternative solutions. The promoters of the failed proposal at Dibden Bay, Hampshire, wrote off £45 million as a result; a situation which could have been avoided if an assessment of the proposal had been carried out at a more strategic level.

Dibden Bay, Hampshire, 1996-2004

Proposal for a large container port which would have destroyed inter-tidal habitat within the Solent and Southampton Water Special Protection Area, with knock-on effects on wading birds and populations of ducks and geese. After a public inquiry, at which English Nature and the RSPB gave evidence, the Secretary of State refused permission because of the potential environmental impact of the project and the fact that potentially less damaging alternatives to the scheme existed.

London Gateway, Essex, 2001

Application for a large container port next to the Thames Estuary and Marshes Special Protection Area, which would result in damaging changes to inter-tidal habitats and knock-on effects on wintering wading birds. The RSPB objected to the scheme, although agreement has been reached with the developer regarding appropriate compensatory and mitigation measures. The Secretary of State has signalled he is minded to grant permission for the scheme, and has accepted the compensation and mitigation package.

Bathside Bay, Essex, 2001

Application for a large container port next to the Stour and Orwell Estuaries Special Protection Area, with potential loss of inter-tidal habitat within the estuaries, leading to adverse effects on wintering ducks, geese and wading birds. The RSPB objected to the proposal because of the loss of the proposed Bathside Bay extension to the SPA. However, agreement has been reached with the developer regarding appropriate compensatory and mitigation measures. The Secretary of State has signalled he is minded to grant permission for the scheme and his approval of the compensation and mitigation package.

RSPB, 2005 *The European Birds Directive*

The lack of a spatial planning policy for ports, and previously for airports, has clearly led to inefficiencies in the system, with negative impacts both for business and the environment. Business has suffered due to the lack of certainty for investment decisions; the environment has suffered because alternatives have not always been properly considered.

A national spatial strategy (NSS) could be a possible solution to these inefficiencies. It would provide a robust framework for considering the location of major infrastructure on which economic development depends. A NSS for England would necessarily be a high-level strategy, but would need a spatial (i.e. map-based) element and must be subject to robust sustainability appraisal which properly considers needs and alternative solutions. Its preparation must also give adequate opportunities for public and stakeholder engagement through such means as an examination in public.

A national spatial strategy is not a unique concept in Europe or even the UK. It is used in the Netherlands and Ireland, and in the devolved administrations of Scotland (the National Planning Framework) and Wales (the Wales Spatial Plan), although we have serious concerns about the lack of public engagement in Scotland and Wales. We understand the principle has widespread support within the planning community (for example, by the Royal Town Planning Institute and the Town and Country Planning Association). The former House of Commons Transport, Local Government and the Regions Committee also recommended that 'the Government should evaluate the desirability of establishing a National Spatial Strategy' in its report on the Planning Green Paper¹⁷.

National Planning Framework for Scotland¹⁸

The National Planning Framework for Scotland was published in 2004 by the Scottish Executive.

It is 'a framework to guide the spatial development of Scotland to 2025...highlighting the importance of place and identifying priorities for investment in strategic infrastructure to enable each part of the country to play to its strengths in building a Scotland which is competitive, fair and sustainable.'

The Planning Bill currently before the Scottish Parliament contains proposals to make the National Planning Framework a statutory document. However, the provisions for public consultation and scrutiny of the NPF fall far short of what is required for a transparent and participative process. 'National developments' will be approved in principle, but there are no statutory obligations to undertake public consultation and there is only limited parliamentary scrutiny.

The RSPB is calling for the NPF to be subject to an Examination in Public, in a similar manner to the London Spatial Strategy, the Regional Development Strategy for Northern Ireland and Regional Spatial Strategies in England.

The National Planning Framework will require strategic environmental assessment under the Environmental Assessment (Scotland) Act 2005.

The Wales Spatial Plan¹⁹

The Wales Spatial Plan was adopted by the Welsh Assembly in 2004.

An important feature of the Plan is the way in which it integrates social, environmental and economic objectives in a spatial vision, based on the key principles of social justice, equality and sustainability.

The Plan 'sets the agenda for integrating the investment necessary for the sustainable futures of our communities...we are aiming for a dynamic prosperous and inclusive Wales, where our heritage and environment are valued and where we work with our neighbours to achieve sustainable futures for communities across Wales.'

The Plan means 'making sure that decisions are taken with regard to their impact beyond the immediate sectoral or administrative boundaries; that there is co-ordination of investment and services through understanding the roles of an interactions between places; and, that we place the core values of sustainable development in everything we do.'

The next review of the Wales Spatial Plan will be subject to strategic environmental assessment.

Conclusion

Both in its advocacy and its operations, the RSPB has a thorough understanding of the planning system and its value for both the environment and business. The reformed planning system has potential to deliver society's social, environmental and economic objectives in a manner fit for the twenty-first century. We have identified a significant shortcoming and a potential solution, and we urge the Review team to give careful consideration to these issues. We would welcome the opportunity to develop them in more detail in discussion with the Review team and other respondents.

¹ ODPM: Housing, Planning, Local Government and the Regions Committee, 2003. *Planning Competitiveness and Productivity. Fourth Report of Session 2002-03.*

² CBI, 2005. *Planning reform: delivering for business?*

³ UK Government, 2005. *UK Strategy for Sustainable Development.*

⁴ Office of the Deputy Prime Minister, 2005. *Planning Policy Statement 1: Delivering Sustainable Development.*

⁵ Office of the Deputy Prime Minister, 2005. *Planning Policy Statement 9: Biodiversity and Geological Conservation.*

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- ⁶ Williams, G et al., 2005. *The European Birds Directive – safeguarding special places for people and wildlife*. The RSPB, Sandy.
- ⁷ Department for Environment, Food and Rural Affairs, 2002. *Working with the grain of nature. A biodiversity strategy for England*.
- ⁸ IUCN, 2003. *Use of wild living resources in the UK*.
- ⁹ GHK and GFA-RACE, 2004. *Revealing the value of the natural environment in England*. Report to Defra.
- ¹⁰ SNH, 2004. *The role of the natural heritage in generating and supporting employment opportunities in Scotland*. Scottish Natural Heritage.
- ¹¹ Tourism Associates with Geoff Broom Associates, July 2001. *Valuing our Environment. The Economic Impact of the Environment of Wales*.
- ¹² European Regional Policy Group, January 2006. *The environment, economic growth and competitiveness*.
- ¹³ All the reports listed here are available from www.rspb.org.uk/policy/economicdevelopment/greeneconomy. Most were prepared for a variety of regional partners such as the regional development agencies and the statutory environmental bodies.
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- ¹⁴ Rayment, M and Dickie, I, August 2001. *Conservation works for local economies in the UK*. The RSPB, Sandy.
- ¹⁵ Shiel, A, Rayment, M and Burton, G, October 2002. *RSPB reserves and local economies*. The RSPB, Sandy. Available from www.rspb.org.uk/policy/economicdevelopment/economics/local_economies.
- ¹⁶ Williams, G et al., 2005. *The European Birds Directive – safeguarding special places for people and wildlife*. The RSPB, Sandy.
- ¹⁷ House of Commons Transport, Local Government and the Regions Committee, 2002. *Planning Green Paper. Thirteenth Report of Session 2001-02*.
- ¹⁸ Scottish Executive, 2004. *National Planning Framework for Scotland*.
- ¹⁹ Welsh Assembly Government, 2004. *People, Places, Futures. The Wales Spatial Plan*.