

ASSOCIATION OF CONSULTANT ARCHITECTS

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BY POST AND EMAIL

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Dear Carmel Howard

BARKER REVIEW OF LAND USE PLANNING

I have outlined below brief comments of The Association of Consultant Architects following your call for evidence in respect of the above review, following a meeting of our Planning Advisory Group. As the only association specifically representing architects in private practice, with a remit that concentrates on the practicalities of running a business in the private sector but with considerable experience in the operation of the planning system and development control, we feel that our comments provide a unique perspective. We are happy for them to be made public.

We have answered some of the specific questions in Annex 1.

1 It is very difficult for us to comment on the planning system as it now exists because it has not had a chance to "bed down" following the new Act – which has still not been fully implemented. Initial reports from our members suggest that it will not be faster or more predictable than before. While it is flexible in theory we have no confidence that this responsiveness will be realised in practice. The main reason for this is that the whole system is severely under-resourced and the resources that there are, being dependent on local government machinery, do not operate efficiently.

In our view Government policy should encourage greater use of the private sector and competition to make the system work better. An example of how this can be done is the overhaul of the Building Regulations system that has taken place in recent years and has turned round a cumbersome, patchy and bureaucratic machinery into something that works much more effectively.

2 It is too early to answer this question – very few of the new plans and spatial levels are working properly yet, although the Mayor’s London Plan and its review is an example that provides encouragement.

3 We are concerned in general terms that there is an unrealistic “lust for growth”. This tends to emphasise expansion and growth at all costs, while the planning system is more concerned with renewal and consolidation in principle.

4 The “virtual society” and rapidly changing demographics make it difficult for the planning system to “learn”. One aspect that seems to be dealt with better in other countries is the verification of compliance, which is not done in our planning system at all (or effectively only by default and enforcement).

5 Managing change is important but the effectiveness and transparency of the new system cannot yet be assessed. It is however contradictory to try to increase both speed and community involvement, unless strict (and therefore inflexible) procedures are imposed.

6 The problem is not so much with “joining-up” as with “over-regulation”. We have many examples where the planning system stifles creativity and new proposals by insisting on too much detail, when many aspects are already covered by other legislation – disabled access, noise control, means of escape in case of fire, etc. We have been asked to specify the height of socket outlets when applying for planning permission for a new dwelling on a commercial site.

7 The current pilots for planning delivery agreements and the greater use of private or external consultants are both examples of how the system can be made faster and more reliable. The emphasis on speed has however led to targets that create automatic refusals, particularly for smaller schemes. The meltdown in the planning appeal system has also led to many proposals being held up / left in limbo for more than a year.

8 The evidence we have suggests that developers will pay more for planning applications if they are likely to be processed more efficiently. Again, an element of competition should be introduced to separate the good authorities from the bad.

9 The planning system certainly has an economic impact: this is often a negative effect and caused because those who administer the system do not have a proper grasp of commercial realities.

10 Sequential tests mitigate against competition and create barriers: there is a strong argument for letting the market have a greater influence on planning than it does.

11 - 13 We are not confident that planning authorities have the skills necessary to make the system work better (see 9 above).

14 The possibility of ensuring that a planning-gain supplement or tariff would be used as a local incentive (financial or otherwise) is attractive and could help

to clarify this balance, which in our experience is not sufficiently understood by local authorities or planning committees.

15 Planning is often seen as the grit in the workings of the economy, but this perception should be changed so that it becomes the oil instead. At present planning policy tends to follow rather than instigate change – there is not enough vision.

Our view overall is that there should be a more focused and rational inclusion of the impacts and objectives that the current planning system has on the economy. We endorse the idea of a better emphasis on the effect that planning has. But we would recommend that, whatever else your team does in taking this review forward, every one of its members should attend at least one (and preferably several) real planning committees. (We were amazed to discover that when John Gummer undertook a similar review of the system many years ago, none of his team appeared to have been to the coal face.)

We have been closely involved since January 2005 with the Government's Householder Development Consents Review – yet to publish its report (at the time of writing) – and this could go a long way to freeing up resources for the improvement of the planning system as well as improving its negative public image.

We would be happy to provide further hard evidence to the review of how the planning system affects our members and the difficulties experienced over the years. Please feel free to contact me or my colleagues through our Secretary General.

Yours sincerely

ANDREW ROGERS
ACA Planning Advisory Group