

Barker Review of Land Use Planning
Questionnaire Response

Officer Level Response of the Peak District National Park Authority
Sent 31st march 2006

1. Is the planning system sufficiently flexible and/or responsive to the right signals to deliver the right development in the right place, given the changing economic circumstances due to globalisation, demographic change, natural resource pressures and environmental change? If not, what policy measures might help deliver this flexibility?

With a plan-led system it is important that before policies for delivery are established a proper understanding and analysis of the environmental and socio-economic conditions of the Plan area are established by both the Regional Planning Body and the Local Planning Authority. It is within this context that the most appropriate plan response can be constructed. Signs are that this is entirely possible through the new system of RSS and LDF (but see response to question 6 below). Its regular and public review of policy incorporates many opportunities to respond to changing circumstances. However, it has to be accepted that the certainty and clarity sought through the plan-led system may be seen by some as limiting the flexibility of response that *they* think would best suit their own needs.

The National Park Authority has been able to construct a flexible policy framework that nevertheless directs the most appropriate development to the most appropriate place, be it for the diversified rural economy or the town/village setting. A combination of use specific and generic policies allow for both the provision of development that has been specifically identified and for a response to unforeseen economic needs. .

In areas of constraint a thorough assessment of short, medium and longer term needs will be required before confidence can be given to release sites previously safeguarded for B1, B2 type uses as these are typically on larger urban sites which are difficult if not impossible to replace when lost to other uses. This could lead to a narrowing of uses throughout a settlement or group of settlements as a whole and would disadvantage market town vitality.

2. Do you have any views on the scope of plans at the different spatial levels in England, which are now emerging following the introduction of the new system in 2004? Are there further improvements to the plan-making process at the different spatial levels in England, particularly regarding the need to encourage a positive/proactive approach to planning, which was a key theme of the new plan-making system? Does the current system strike the right balance between central direction and regional and local discretion?

The scope of RSS has allowed for greater clarity at the strategic level of Development Planning. It provides opportunity for the different priorities and approach needed in the National Park to be set out within the contextual role and contribution that the area makes to the Region as a whole. This clear differentiation is helpful.

The ability to be positive within this context is a laudable aim provided that existing legislation, values and objectives for conservation and enhancement are not compromised.

There is some concern at the level of “central direction”, as the level of clarity in PPS’s has diminished. It is understandable why the adopted policies themselves should be clear and add certainty, but it is less understandable why the government has taken the opposite approach and left areas of its own guidance open to wide interpretation and questioning. Clear statements that supported the National Parks’ twin statutory purposes have been watered down and in some areas deleted completely, such as in PPG21 for Tourism, which has since been cancelled and not replaced.

3. Sustainable development is the core principle under pinning planning. Does the current system achieve the right balance between economic and other goals, such as the regeneration of areas and the promotion of social cohesion, improving the quality of design of buildings and urban environments, and the protection and enhancement of our natural and historic environment? Are some environmental, natural resource, or social considerations given too much or too little weight?

The scope for good sustainable planning is given a much better grounding through the strength of guidance on sustainable development now built into the planning system. The only qualification to this is that the quality aspects now imprinted through guidance (including protection and enhancement aims) must be properly understood in the planning of an area. It is not sustainable to simply assume that social, economic and environmental balance should be sought in every part of a plan area. The overall sustainability of a plan in its wider sub-regional and regional context should be the key consideration.

The relationship here is well illustrated by the role of the RSS, which establishes that the Peak District National Park and Peak sub-region provide a large o input to the environmental sustainability of the Region as a whole. This usefully sets the scene for the contribution that the area can expect to make towards sustainability based on high levels of conservation and enhancement and a focus on the delivery of locally significant development.

4. What, if anything, could the English planning system learn from the planning and consent systems operated in other countries in order to respond to this new economic environment?

Insufficient knowledge available to make the comparison.

5. What is the impact of planning on encouraging or impeding business investment? In this context, how would you assess the potential of recent reforms to

the English planning system, which are now being implemented? Are they increasing the transparency of the system and providing greater certainty for businesses? What further reforms, if any, are desirable in order to improve the transparency and effectiveness of the system still further?

As a principle, transparency and certainty are improved by a clear statement of policy. “You can develop here but not there”, “Uses are restricted to B1 and B2 but not B8”. This of course was always possible under the existing system, so to improve the ease of development suggests that a more specific evaluation can ensure that robust evidence is available to judge the needs of an area, what is valued, and what can be changed. Plans should lead to delivery on the ground of agreed priorities for the area. Particularly in the context of Area Action Plans this can be seen as a strength of the new system.

Such an approach is less likely to be used in the National Park, as the demand for business investment is far higher outside the National Park boundary in urban areas where regeneration priorities are higher.

Our survey of businesses in the National Park in 2004 indicated that whilst Planning was mentioned as a factor affecting business development, of greater significance was “red tape” and government and European legislation and general business factors.

6. Is the planning system sufficiently “joined up” with other related aspects of government policy? In particular, are Regional Economic Strategies delivering a clear economic framework to help inform Regional Spatial Strategies? Is there sufficient interaction between RDA’s and RSS’s when preparing their respective regional strategies and if not how might greater interaction be encouraged?

From the National Park perspective the sub regional policies are appropriate and consider the needs of the rural economy. As such the level of policy interaction appears satisfactory, but there is scope for more action by those with an economic development remit to promote the development of already allocated sites. There are also real issues in producing an evidence base that is fit for purpose, which the government could usefully address more actively (repeated requests over the past decade have produced little response). The National Park boundary, in common with the other National Parks, does not conform to standard Districts nor other standard geographies and many key datasets available to local authorities are unavailable to fit the area. As a result, the data that is available can be misleading. For this Planning Authority, which covers 4 government regions a network of partnerships has proved essential.

7. Planning applications for major projects will typically take a considerable time to work through all the necessary stages. Do you consider the system puts too much emphasis on speed or do you feel that it is too slow? If there is an undue emphasis on speed, what are the negative consequences of this and how could they best be avoided? If the process is too slow, what could be done to overcome delays? In particular, what improvements might be made to the planning appeal system to improve its speed and efficiency?

Overall there is considered to be too much emphasis on speed which can lead to insufficient consideration of the proper planning matters, poorer quality development

being driven through, or perhaps more likely, quicker refusals leading to more appeals and more delay. Furthermore it can reduce the potential for effective negotiation on improved design or matters of planning gain.

This process starts from the need for clear policies, and needs support for adequate pre-application discussion and proper registration processes to ensure that when the proposal is submitted it can be given full and proper consideration of its planning merits.

Rewarding speed at the expense of quality through the Planning Delivery Grant system is likely to be detrimental in the long run

8. Is there evidence to suggest that the direct costs of making a planning application are deterring investment? Are there any unnecessary burdens/how might information requirements be streamlined to reduce the regulatory burden from the process of making an application?

From the scale of development usually associated with the National Park it is unlikely that the cost of planning applications would have deterred potential applicants.

9. To what extent are high occupation costs in England likely to be due to planning constraints, or due to other factors such as imperfect competition or lack of transparency in the land market? What is the economic impact of these costs in terms of the main drivers of productivity?

No comment

10. How does the planning system impact on competition, through influencing barriers to entry and exit and economies of scale? If there are areas where there is a negative impact, how can these be addressed, while protecting other goals of the planning system?

Some barriers to entry are implicit in other valid planning goals. Clearly some creativity is needed to ensure that potential for mixed use schemes are not lost but these judgements can only be made on a full understanding of the valued characteristics of the area and the balance to be made with socio-economic demands.

Barriers can be an effective tool in establishing the overall sustainability of an area e.g. by dictating the capacity and character of different places and their potential for change. Therefore, planning by its very nature has to establish such barriers to steer investment towards the most appropriate places.

Some barriers to exit (perhaps better described as “brakes”) are essential to achieving other aims for sustainable communities in a sparsely settled rural area. For example: preventing the only remaining shop in a village from changing use to residential until it has been agreed that its sale (and therefore continuance) as a shop is not possible.

11. To what extent does the planning system effectively support innovation through fostering the formation of business clusters and wider agglomeration of economic activity?

No comment

12. Do planning authorities have the skills and resources required to help promote sustainable economic development? If not, what is the best way to ensure that resources match the challenges the system faces? Are there ways to increase further efficiency of process?

In a balance between resources and efficiency, the effective planning of the area should always be the primary aim. This supports a flexible approach to plan review but which does not attempt to periodically question or undermine the basic strategy and generate uncertainty. Instead, more regular review should focus the resource that exists onto agreed priority areas for the plan. Resources can then be used most effectively for evidence gathering, stakeholder engagement, buying in additional staff or consultancy support, and ensuring high quality, focussed, plan processes with high levels of agreement. At the same time, general conformity with the higher level strategies and an increase in the stability of strategic policies would be provided by maintaining them over their intended timescales.

13. Are the new arrangements for stakeholder engagement in the plan-making process succeeding in engaging those representing economic interests, including SME's? If not, what are the barriers to that engagement and how might they be addressed?

Economic bodies including RDA, farming sector, tourism bodies and minerals companies have all been involved in the early stages of plan review via consultation on documentation and attendance at stakeholder consultation events and will continue to be engaged throughout the process.

14. Are there ways that the incentive structure for decision-makers and local communities can be improved so that a balance is achieved between local interests and the interests of the wider community regarding proposals for economic development?

No comment

15. Economic development can help achieve the regeneration and renaissance of urban and rural areas. Are there ways which planning could strengthen economic performance in regions, sub-regions (including city regions) and at the local level?

No further comment beyond those given above