

Barker Review of land Use Planning – Call for Evidence

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I am a Chartered Town Planner with 30 years experience in local government planning, regeneration and economic development, ranging from large city and metropolitan councils in the north of England to a rural County in the west Midlands. I am a former Chair of the North West Branch of the RTPI. These are my personal comments, not those of my employer.

Defining problem areas.

The first problem area is whether the planning system exists to facilitate economic development in the first place or whether it is seeking to balance economic, social and environmental factors?

Whilst acknowledging that our planning system is not perfect, it is important to reflect that it seeks to achieve a balance between often competing interests in the wider public interest. Although there are clear technical aspects to planning, it ultimately operates in a political system wherein there are no fundamentally “right” or “wrong” answers and the weight applied to various factors can change over time.

Thus, balance between economic, social and environmental objectives can vary from time to time and the weight given to various interests varies according to the decision taker. It is possible for a planning decision to achieve a reasonable balance between these interests and yet not to have satisfied anyone entirely.

If the review emphasises whether the planning system always delivers the economic development that business wants, then the answer is bound to be no. But that does not mean that the decisions were wrong.

The second problem area is whether the system achieves the right balance between speed of decision making and quality, transparency and fairness?

The government clearly wants to achieve both and this imposes a tension on the system that it struggles to cope with. The political culture in Britain has tended to be one of cautious consensus-building and this feeds through to planning. The rights of property holders are also traditionally afforded considerable weight. This is not conducive to radical, grand planning or rapid progress towards an overall decision. Nevertheless, the planning system has made enormous strides towards taking faster decisions so that this is not really a major problem for all but the largest of national / regional –scale developments.

The third problem is whether the review is defining the town and country planning system properly?

There is a tendency to see the planning system as purely the statutory elements of development plan (now including RSS as well as LDF's) and deciding planning applications. Yet, certainly in local authorities, overall planning activity has usually encompassed a much wider range of functions. Planners spend a lot of time - and have a lot of skills in (whatever Egan may say) – promoting and creating the conditions for economic development. This ranges from giving clear guidance and creating certainty about where development should take place, through planning and providing infrastructure and making sure that there are homes, schools, shops etc for the workforce, to creating a high quality environment that will attract and retain investors, businesses and their workers. This last issue is particularly important in today's knowledge economy.

Establishing causes

Why might the system not give the appropriate weight to economic development in decision-making?

The planning system today is more heavily influenced by national government policy than ever before, through PPS's, Ministerial statements, policy initiatives, influence over inspection regimes and control over financial resources. If the government wishes to shift the balance then it can change policy but it would have to bear the electoral consequences. Although the system seeks win –win solutions, these are rarely wholly achievable.

The second point to bear in mind is that the market, if left to itself, does not always produce an optimum solution. Governments regulate and influence free market economies to reduce inefficiencies and moderate external costs. Investment decisions of individuals and businesses are not required to take these wider costs into account. One person's money-making factory might be the communities' pollution, congestion or health cost. A perfect real example is that of the large out of town shopping centre that strains local infrastructure whilst reducing the viability of a whole town centre, with all the economic, social and environmental costs that follow.

Regional Development Agencies and the process of preparing RES are too divorced from the planning system. The RDA's do not engage sufficiently in RSS or LDF processes.

Why does planning often seem not to get the balance right between speed and quality of decision making?

Globalisation brings our domestic decision-making into direct competition with that of other states where less careful or more ruthless, or corrupt, systems exist. Whilst we, on our crowded island, with lots of historic buildings, landscapes etc take out time to reach a carefully argued decision, other countries may ignore individual's opinions or long term, external costs.

In one sense, our planning system is a victim of a lack of planning – that of national investment planning. Regional and local strategies and major planning inquiries often struggle to make progress because they operate in a national strategic vacuum, either of policy or of financial investment framework, or both.

Moreover, compared to many of our developed nation competitors, we do not invest very heavily in infrastructure or the environment. Many proposed strategies or individual developments would be more acceptable and could overcome environmental or infrastructure problems (and hence receive approval more quickly) if the resources were available to mitigate effects or provide compensation (in the form of new facilities or improved environments as well as to individuals / businesses).

The new system introduced under the Planning and Compulsory Purchase Act 2004 is too complicated and still too tightly prescribed. The types of Local Development Documents are too numerous, fragmented and rigid. There needs to be more flexibility.

Recommending solutions

- This review must take a broad view of the planning system, recognising that a lot of valuable work is done through non-statutory channels, promoting development and creating the conditions whereby high quality development takes place.
- Planning's statutory role and the government's Sustainable Communities agenda now recognises this wider role and positions planning at the heart of local strategic partnership and local government decision-making. This should be reinforced through guidance and all local authorities should have a statutory post of "chief planning advisor" at a senior level.
- The planning system must be adequately resourced at all levels, including local authorities and the Planning Inspectorate. Recent improvements in funding for planning education, lifetime learning, e-government, recruitment and salaries must be sustained and with greater certainty than the Planning Delivery Grant has afforded.

- The country should invest more heavily in the environment and transport and other infrastructure. This is the only way for an advanced, knowledge – based economy to prosper.
- The planning system should link more directly to and have more control over these resources for investment. This would enable high quality development to be positively planned for, would reduce opposition to development and speed up decision making. A workable Planning gain supplement or similar system could help.
- There should be Unitary local authorities throughout England, with the necessary skills and capability to take strategic decisions and direct investment.
- There should be clear, national policy frameworks to guide decision-making and investment choices at the regional and local levels; but decisions should then be largely devolved to those levels and not imposed from above.
- The LDF system should be simplified and less rigid, to encourage local planning authorities to prepare quicker, more decisive strategies and local plans.
- However, the link between LSP's Community Strategies and the planning system must be reinforced and links established with Local Area Agreements.
- All strategies, whether overall community strategies, health, community safety, economic development etc, should have to have a spatial dimension compatible with the LDF. Conversely, the Sustainability Appraisal process for the LDF should contain a proper economic appraisal.
- Consideration could be given to some careful extension of permitted development rights for certain economic activities, providing that environment and health regulatory safeguards are in place. These relaxations could apply particularly to office / IT based business activities, including greater flexibility to work from home.