

## South West Policy & Media Officer Update Report

### Introduction

My report this month follows several weeks during which planning has seldom been out of the national media spotlight. This has served to demonstrate both the extent to which planning affects many people's lives and the passionately held views of major interest groups about what our planning system should be for. The publication, on 25 July, of the Draft National Planning Policy Framework for England, has caused a reaction the like of which we've not seen since the mid 1980's when the then Environment Secretary, Nicholas Ridley, was cast as the ogre with the bulldozer intent on covering the countryside with houses, and again in 2003, when John Prescott published his Sustainable Communities Plan involving a massive house building programme. This time, it's been a knee jerk reaction from environmental groups, notably the National Trust and the CPRE, seeing the proposed Framework as 'disastrous' and a 'charter for developers' threatening to eat up cherished countryside, including 'concreting over' the Green Belt. The Daily Telegraph has provided a public platform for anger and some acrimonious exchanges involving Government ministers with its 'Hands off our Land!' campaign. The RTPI and others however have conducted a more measured response so far.

The main part of this report deals with the Draft NPPF, but it also goes on to review progress with the region's Core Strategies and the outcome of my call for comments on this issue; report on the 'planning myths' campaigns of both the Institute and DCLG; and report on the plans for SW rail electrification and the latest skirmishes in the high speed rail debate. There are also items on the Environment Agency consultation on hydro power; the 'Open Public Services' White Paper; the latest from South West Stakeholders; the future of the high street; and improving customer services.

### Draft National Planning Policy Framework

On 25 July [with the now familiar summer holiday timing!] DCLG published a 58 page Draft NPPF [the Framework], a 30 page Consultation document and a 98 page Impact assessment of the draft. As could have been predicted, the Framework [interesting use of a term that the Government now wishes to drop from the local development plan system] is structured in broadly the same way as the PAG draft published back in May. However, the subsequent attentions of Ministers have seen a strengthening of the emphasis on planning's economic development role and of the 'presumption in favour of sustainable development'. The mood is set by Greg Clark's Ministerial foreword, with a Brundtland-based definition of 'sustainable' and an assertion that 'development means growth'. Following a brief, context setting, introduction, the document goes on to explain the three ways in which the planning system should seek to deliver sustainable development – planning for prosperity (an economic role); planning for people (a social role); and planning for places (an environmental role). These headings are then used later to organise the actual policies which form the bulk of the text.

A set of 10 'core planning principles', underpinning both plan-making and development management, completes what could be said to be an outline of key policy principles. Most professionals will recognise these as something which planning has been seeking to do for decades and will thus be reassured on this front! The next two sections, on 'process', deal respectively with Plan-making and Development management. The former is essentially all about the 'new' Local Plans [in their role as the statutory development plan, following the abolition of the RSS's] and what they should consider in framing policy, and the actually new Neighbourhood Plans, which it is hoped will provide 'local communities' with the opportunity to do their own plan-making, as long as it involves planning for more development! The legislation for all this is contained within the Localism Bill. The Development management section does little beyond telling local planning authorities what they already do, though it does remind them of the implications of the new Neighbourhood Development and Community Right to Build Orders. Finally, the very last paragraph [which could have been drafted by the major developers' lobby] warns of 'unnecessary conditions or obligations, particularly when this would undermine the viability of development proposals'

The three sections containing the bones of national policy under the headings set out above are certainly a major feat of consolidation down from the 1000 plus pages in the existing collection of PPS's and PPG's. They are said to incorporate the key policy messages which can then be applied by local councils by means of 'innovative solutions that work for their local area'. The other message coming from DCLG is that these policies, and indeed the Framework overall, are intended to be read and interpreted as a whole [implying a consistency across the policy areas which was not always apparent

with the PPS's etc ] The extent to which these policies and their groupings are intended to carry equal weight is not stated, but certain conclusions may be drawn from the fact that 'Planning for prosperity – Business and economic development' comes first, before planning for 'People' and finally, 'Place', where the natural environment and historic environment just about make it in at the very end !

The Consultation Document serves a number of purposes. It sets out the now familiar government consultation code of practice and arrangements and goes on to explain, quite usefully, some of the principles behind the new Framework. Included here are its intended legal status [ the same as current Government policy documents - including, one must presume, the new NPS's ] ; the presumption in favour of sustainable development ; how it 'supports planning reform and decentralisation'; and the importance of the new 'duty to cooperate' .The latter is said to be ' a key element in our proposals for strategic working once Regional Strategies are abolished' The document then goes on to cover housing [ 'top-down failed targets out, five year rolling supply of deliverable sites, plus an additional 20% of sites with the five year supply in] ; the local identification of sites for renewable energy ; a mere nod to the June 2011 Natural Environment White Paper and how promoting growth and protecting and enhancing the natural environment 'go hand in hand' ; and the neutral effect of the Framework on the Birds and Habitats Directives. Among the subjects listed as not covered by the draft Framework are a policy statement on travellers ( still out for consultation) , waste management ( new National Waste Management Plan in preparation) and the Eco-towns supplement to PPS 1, which, subject to further consultation, is to be withdrawn [ eco-town principles to be 'mainstreamed' and local councils to determine locations for further schemes ]

There is an extensive list of policy documents to be cancelled when the Framework is introduced, including 21 PPS's & PPG's dating back to 1990, 8 MPS's & MPG's and 17 other circulars and assorted letters to Chief Planning Officers issued between April 2008 and January 2011.

Part 3 of the document contains 18 consultation questions relating to specific sections of the draft Framework inviting responses using a 'strongly agree/agree/neither agree or disagree/disagree/strongly disagree' plus comments ? format. These are followed by 31 questions on the Impact assessment document.

Probably the most interesting material in this document is Part 5 'Summary of suggestions' which sets out the main responses to the original consultation about what a National Planning Policy Framework should include, which took place between December 2010 and the end of February 2011. There were 3,426 responses , the majority of which are said [ somewhat dismissively ] to have been 'stock responses in support of particular campaigns'. As there were no real Government suggestions in the consultation document, the great variety in length, detail and format represented by the responses should have come as no great surprise ! Among the 'key themes' within the response were those issues raised by the RTPI nationally – the definition of 'sustainable development' ; the need for the Framework to have a spatial dimension [ which apparently received an even split between environmental and professional groups in favour of the idea and trade associations/developers who were against ; the need for a strong duty to cooperate in the absence of regional/sub-regional planning ; and the need to establish a clear relationship with the National Infrastructure Plan and the NPS's.

Perhaps surprisingly, an even more interesting read is provided in the Impact assessment document. This, essentially, assesses the likely implications, including monetary costs, over a 10 year period, of introducing the NPPF into the planning system, set against the implications of 'no change' in the way national policy is presented. Not surprisingly, the analysis suggests that the largely short-term costs incurred by central, local government and others in introducing the new framework, are very much out-weighed by a so called 'total benefit' over the assessment period. On specific subject impacts (economic, environmental and social proxy indicators) no noticeable impact is said to occur for any of them !

The text does however provide lots of interesting background information about the current performance of the planning system in England and about the reasons for making changes, with the 'do nothing' option compared to particular proposed changes as part of the draft NPPF. For example, on the brownfield target for housing development, the 'do nothing' option would see the current national target remain. This, it is argued, would inflate the cost of brownfield land, which is then sold at a premium, representing a cost to final consumers. The national target is also likely to stifle housing growth, if remedial costs are high. The option of 'removing the brownfield target' and allowing councils to determine the most suitable sites for housing would, it is argued, allow councils to allocate those sites that they consider most suitable, without being constrained by a national brown field target. [ pp 49-51] The treatment of 'rural proofing' provides a further example of the kind of assessment that has been carried out. The document suggests that the Framework's pro-growth stance for rural as well as urban areas, its recognition of the particular challenges of developing in some rural areas, its

policies to maintain a prosperous rural economy and the removal of the brownfield target for development, will prove beneficial on balance to rural areas. [ p 97]

## **Framing a response**

The Institute nationally is currently preparing a detailed response to the draft NPPF , but has already identified five 'high level' issues it wishes to raise. These are, the need for clarification about the presumption in favour of sustainable development and a definition of 'up to date' when referring to existing plans ; the need to manage change more sympathetically, in stages, rather than all at once ; the need to establish a clear relationship between the Framework and the Localism Bill ; the need for the Framework to be 'spatial plan' ; and the need to revise and 'tone down' some of the language and rhetoric which makes the document both confusing and provocative.

A response by the RTPI South West will be finalised following discussion at the Joint Committee meeting on 23 September, for forwarding on to London.

## **Core Strategies progress in the South West**

The arrival of the Draft NPPF has thrown the issue of the poor coverage of Core Strategies across England into sharp focus. One of the main problems under consideration by the Government has been the fact that so many of these documents – now the only element of the development plan system - are either not in place at all or are not up to date. According to DCLG, as at the beginning of May this year, around half of local councils had yet to publish a Core Strategy and fewer than a third had adopted ones. The map on page 21 of the Draft NPPF 'Impact assessment' document clearly demonstrates how short we still are of comprehensive coverage and the position in the South West looks particularly worrying in this respect ! Since I reported in my July Update and in the Summer 2011 edition of 'Branchout', some progress has been made. Bristol now has its Core Strategy in place and strategies have been submitted by Bath & North East Somerset, North Somerset and the Forest of Dean, whilst just three other DPD's between them have been submitted to the Government by the Forest of Dean and Poole Councils respectively. So, the South West is still not even matching the poor coverage for England overall.

Back in the summer, I suggested a number of 'general issues' causing all this delay- including reductions in local planning authority resources, delays due to the slow RSS finalisation process, the threat of legal challenges which has led to 'overkill' in the production of an up to date evidence base and a lack of political will and corporate commitment to get on with the job ! I also suggested areas where planners themselves could be held to blame – including, failure to show sufficient initiative in finding a way through the LDF procedures and failure to enthuse their councillors and get other critical stakeholders engaged in the plan-making process. I have had no feedback since to suggest that any of these assertions are incorrect and neither has it become clear why some local planning authorities in the region have managed to get on and complete the process whereas most have not !

The prominence of the presumption in favour of sustainable development within the draft NPPF now represents a major challenge to all tardy councils, not least in the South West. On the face of it, they will be required to grant permission for a development proposal where local plans are 'absent, silent or indeterminate' There is even a potential challenge here to Core Strategies already in place unless they can be shown to be in conformity with the Framework .In order to minimise the problems which this could cause, the Government has at least offered a 'light touch' checking service from PINS to enable planning authorities, if they wish, to apply for a 'certificate of conformity' The extent to which DCLG is right in its assumption that there will be few problems in this respect because the new Framework makes few changes, in practice, to existing national policies, remains to be seen.

## **Planning myths campaigns**

Both its work on lobbying on the Localism Bill, its assessment to date of the draft NPPF and the war of words which has broken out in the media, have prompted the RTPI nationally to launch a 'Planning myths campaign' 10 myths or common misconceptions about the planning system have been identified and the response to the first five of these was circulated to the national media on 6 September – 'Planning authorities' default response is generally to say no '. Not so, 8 out of 10 applications are approved. 'Planning is slow' Not so, councils as a whole meet or exceed the application

determination targets set by the Government. 'Planning is costly'. Not so, costs continue to fall in relative terms and application fees are small in comparison to the profits from development. 'Planning is a drag on economic growth'. On the contrary, it contributes because its policies provide certainty for business investment. 'Planning forces house prices up'. The current building slump is due to economic circumstances, with the slow down in residential development permissions due to a slow down in applications. Developers have current permissions for around 300,000 homes which have not been taken up. Then, just two days later, as if stung into action, DCLG published its own 'NPPF: Myth Buster'. In what was billed as a 'robust challenge', mainly to the media, but also to bodies such as the RTPI, 12 myths were 'busted'. Space here precludes a lengthy commentary on this except to note that the first myth is 'change is not needed/planning isn't the problem' and those following include 'the Green Belt will be concreted over', 'the [ NPPF] proposals were written by developers for developers' and 'the presumption in favour of sustainable development will mean that every application has to be accepted' This particular material does, if nothing else, provide a useful guide to the range of comments, made principally by environmental groups, so far received, on the Government's proposals for the planning system.

### **The new high speed rail debate and South West rail electrification**

My 20 May 2011 Update referred to the potential benefits for the region of the HS2 project through the proposed links from a new Old Oak Common 'hub' junction, from the Great Western mainline to Heathrow, HS1/mainland Europe and to HS2 itself. Of more obvious direct benefit to the region – at least the northern part of it – should be the £5 billion electrification project 'launched' at Paddington on 14 July by Transport Secretary Philip Hammond and Network Rail Chief Executive David Higgins [ with prominent support from First Great Western !]. Scheduled for completion over the next 10 years, this will see electrification from London to Bristol/Bath and Cardiff together with new trains. Though this will further stimulate the economy of the already prosperous 'M4 corridor', the potential benefits to the remainder of the South West are less clear. [ Information on this and other proposed improvements within the Greater Western area of Network Rail can be found on [www.networkrail.co.uk/thegreatwestern](http://www.networkrail.co.uk/thegreatwestern) though actual details are not much in evidence here !

Meanwhile, the HS2 debate has hotted-up further. On 19 July, a report published by the Institute of Economic Affairs claimed that the case for the project was 'economically flawed'. It challenged some of the costing assumptions, including the fact that significant environmental and social costs had not been included in the assessment of the economic case. It saw HS2 as a 'political vanity project' with questionable environmental credentials, suspect projected passenger figures and dubious claims about regenerative effects. It also expressed concern about the project's being a burden for the British taxpayer in the future, a view no doubt linked to leaked news that the Government has in mind PFI funding ! All of this has produced a robust response from the Campaign for High Speed Rail, suggesting that the IEA has completely failed to grasp the 'wider economic benefits' of the scheme. The DfT, in what might be interpreted as a fit of peak, has suggested that the 'alternative' would be for the Government to 'stop investing in the railways, close many existing lines and sit on its hands as ticket prices get higher, performance deteriorates and crowding increases' !

### **Environment Agency consultation on hydro-power**

As was demonstrated at the RTPI SW 'Green Agenda' conference in Plymouth on 15 July , there is growing interest in the region in the re-instatement of old water mills for power generation purposes. There are for example, eight such installations in South Somerset alone and the Stour Vale Hydro-power is active in Dorset. The Environment Agency has been consulting on revisions to its hydro-power good practice guidance with the intention of including 'low head' [ ie. traditional water mill ] schemes in this as well as 'high head' [ mountain or hill-based] ones. The formal deadline for comments is 23 September 2011.

### **Open Public Services White Paper**

In July the Cabinet Office published a White Paper [ Cm 8145 ] about the new 'open public services' the Government wishes to see introduced. The overall objective is to provide better access to services for disadvantaged communities and individuals and five guiding principles have been identified. These are – increasing consumer choice, by giving people more direct control over how services are delivered ; delivering services at the most local level possible ; opening services to a range of providers competing to offer the best value for money ; ensuring fair access for all ; and making

public services accountable to both users and tax payers. A consultation on ways to 'improve' things, in the context of the White Paper, has been open since July and closes on 30 September 2011. The Government has promised that 'in November' it will set out how its various Departments will take all this forward, including proposals for any required legislation. Among the big issues to be resolved are accountability and the handling of budgets at a very local level.

Of direct relevance to planning is Chapter 4 of the White Paper dealing with 'neighbourhood services'. Here, there are links to the Localism Bill, with references to local people being given the chance to take over powers previously exercised by local authorities – what is termed 'active democracy through participation'. New rights for neighbourhood councils and communities will involve 'Community Right to Buy' [ 'assets of community value' listed by authorities ], 'Community Right to Build', allowing local communities to take forward their own plans for development, without the need for conventional planning permission, ' so long as the majority of residents do not object' . There is also to be a 'Community Right to Challenge' under which pretty well anyone { including council employees !} can make a bid to run local services themselves. Finally, under the heading ' More neighbourhood control', one of the so called 'key policies' is seen to be the power to produce Neighbourhood Plans. Whatever concerns one might have about the implications of these new provisions, there is at least evidence of joined-up government across Departments here.

### **South West Stakeholders moving on**

There was a flurry of SWS activity in the latter part of last year involving the publication of the working paper 'Let's hear it for the South West' and a conference in which selected SWS members, including the RTPI South West, presented their respective hopes and concerns in the wake of the change of government, with its avowed abolition of all things 'regional'. Since then, the 30 member organisation has been seeking to fully define its role. Broadly speaking, it is the only regional voice of civil society and, as such, must, in theory have a part to play in facilitating the Government's 'Big Society' aspirations in the South West. In practice, its most useful role of late has been the dissemination and exchange of information about such opportunities This has unfortunately been somewhat hampered by the sudden disappearance of several member organisations in the wake of the winding down of the South West RDA, whose funding of elements of the voluntary civil society turned out to be extensive. There have also been seemingly endless reorganisations, most notably within the business support and economic development areas.

On a more positive note, the most recent SWS Executive Committee meeting on 8 September , heard at first hand of the work of the new Office of Civil Society [ part of the Cabinet Office ] in its role of promoting the Big Society. It has the somewhat unenviable task of 'piecing together' matters relevant to the Big Society from across all other Government Departments, and all without a significant budget of its own. Perhaps surprisingly there is a very small OCS team based in Bristol, sharing an office with a BIS team to make it possibly the nearest thing we now have to the former GOSW. A further conference is now planned for the end of this year designed to 'showcase' the work of SWS member bodies [ opportunities for the RTPI SW here ] and strengthen links between the expertise which they variously and collectively can offer and public policy decision makers within the region.

### **The future of the high street**

I reported recently on the Mary Portas inquiry into the future of the high street. A photo and letter which appeared in the 9 September edition of 'Planning' [ pp. 18-19 ] reminded me to check on how this is going. PPS 4 is about to disappear whilst in its place, the draft NPPF appears to offer little positive support to those wishing to promote traditional high streets as key retail and community destinations. In a letter from Paul Barkley of Exeter City Planning Department, we read about the closure of Dartmouth's last proper bookshop, which has been in business for 60 years, in the face of competition from Amazon and other internet book sales. He notes that nationally, high street shops are closing at the rate of 20 a day and reflects that while changes of use from A1 retail will require planning permission, what are planning authorities expected to do when a refused application is likely to lead to an empty shop or, at best, a plethora of pound and charity shops.

### **Improving customer services**

Receiving an invitation recently to a conference on 'Improving Customer Services : Delivering more for less' [ Inside Government, Central London, half a day at £185 !] and being told as part of the blurb that 'the Government wants

services to be more efficient, effective, excellent, equitable and empowering, with the citizen always being at the heart of service provision ', reminded me of work I was involved in back in 1986. Published in 'The Planner' under the title ' Sorry dear, we're closed for lunch !', this study, by Jane Galloway and myself, looked at local government planning department 'front desk' operations and how they might be improved. Sadly, since then, staff cut-backs, centralisation and computerisation, not to mention those 'efficiency studies' by consultants, have seen the friendly front desk face of planning professionals and well-informed administrative staff, slowly disappearing.

How many local planning authorities in the South West do you know where it is still possible to go to a dedicated planning department reception area and request a few minutes of a professional's time and probably, at the same time, view exhibition material ? It may appear 'more efficient' to keep planners hidden away to get on with their work and to centralise all contact or even reduce it to on-line, but is this the way to make the citizen feel valued and at the heart of service provision ?

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