



# RTPI

mediation of space · making of place

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10<sup>th</sup> February 2010

Email response sent to: [penfoldreview@bis.gsi.gov.uk](mailto:penfoldreview@bis.gsi.gov.uk)

Dear Sir/Madam,

## **RESPONSE TO CALL FOR EVIDENCE: THE PENFOLD REVIEW OF NON-PLANNING CONSENTS**

Thank you for the opportunity to respond to the above call for evidence. The Royal Town Planning Institute (RTPI) is a membership organisation representing over 22,000 spatial planners. It exists to advance the science and art of town planning for the benefit of the public.

The RTPI is concerned that the review claims to be aimed at all those with an interest "in improving the operation of non-planning consents", however the questions posed in the review are almost entirely directed at the development sector. We recommend that the review widens its scope to include public sectors and the community to ensure that is not narrow in its focus and that opportunities are not missed.

The UK Government's commitments to mitigate and adapt to climate change provides a sound platform for changes to building control which can offer significant scope for improvement. These aspirations in relation to climate change are strongly supported by the RTPI. Building control needs to complement planning by focussing on, and keeping pace with, building technology. The proposals in the CLG Future of Building Control - Implementation Plan are a positive first step in achieving this.

The importance of non-planning consents in ensuring quality outcomes is vital. Improved processes can lead to better decisions and more sustainable outcomes provided all elements of the processes involved and their inter-relationships are understood. Lessons need to be learned from past attempts to improve processes - for example it would be instructive to monitor and assess the effects of extension to householder permitted development rights before making any major changes to non-planning consents to see if pitfalls can be avoided. Particular care is needed in relation to any changes proposed for dealing with hazardous substances consents (in view of potential adverse impacts on public health and resultant compensation issues), Compulsory Purchase Orders (because of legal complexities including Human Rights), and heritage and transport consents (both of which have the potential to reduce land and amenity values and damage economic growth).

The value and effectiveness of existing consent regimes provide the opportunity for appropriate experts to address the issues and impacts relating to the environment as required by European and national legislation. They also provide opportunities for consultation with interested parties so adding value by contributing to the quality of the environment and to good governance. Any proposed changes need to bear both in mind.

There are opportunities for improving the processes from the perspective of consultees in that most systems benefit from regular review to ensure "fitness for purpose". Reviews can lead to vastly improved efficiency (for example in terms of

timeliness, LPA targets for processing planning applications).

The potential adverse implications of changing existing procedures mean some changes introduced with the intention of speeding up the planning process with the support of business (3 year planning permissions) have resulted in increased time and cost for the private sector. There is also evidence that for example, the introduction of targets can lead to unintended consequences such as an increase in refusals, and may not result in improved quality or sustainability. Better process management is worth exploring as it is generally cost effective, less disruptive, and less likely to result in unintended adverse consequences than legislative or organisational change.

If you require any further assistance, please contact Rebecca Coates, Planning Policy Officer on 0207 929 9466 or email [rebecca.coates@rtpi.org.uk](mailto:rebecca.coates@rtpi.org.uk).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matt Thomson', with a long horizontal flourish extending to the right.

Matt Thomson  
**Acting Director Policy and Partnerships**