

South West Policy & Media Officer Update Report

Introduction

There is, yet again, much to report, not least in terms of new central government policy documents and consultations, but also in terms of updates on drafts already issued relating to energy and ports and on the IPC. Members will have noted the statements relating to planning by the various political parties (now summarised on the RTPI website), but will already have seen the RTPI South West's initial comments on the Conservative Open Source Planning Green Paper, as submitted to Botolph Lane as a contribution to the Institute's national response. (See Item 4 on this agenda). Also included in this report below are updates on the continuing work by SW Councils on the regional strategy front and on our involvement in the work of South West Stakeholders and the CIC South West. The report concludes by 'knitting together'.

New government policy documents and consultations

These relate to the marine environment , policy for the natural environment , policy for dealing with climate change & renewable energy, and further consultation in consequence of the Local Democracy, Economic Development & Construction Act.

Marine environment

On 9 March 2010, DCLG published PPS 25 Supplement : Development & Coastal Change. Refreshingly short at just nine pages, this is the follow-up to the consultation document published last July, to which the RTPI responded with broad support, though at the same time raising issues about the future role of Shoreline Management Plans(SMP's). Published with the Supplement were a Summary of the Consultation responses (20 pages) and the now obligatory Impact Assessment of it (21 pages) based on 'options for new policy intervention' This new supplement [am I alone in beginning to loose the plot with all these PPS 'Supplements' ?] replaces the policy on managing the impacts of coastal erosion on development as set out in PPG 20 Coastal Planning (1992),(40 pages), which is cancelled with the exception of three paragraphs dealing with policies for coastal development and public access. (2.9, 2.10 & 3.9). This new PPS 25 Supplement is said to 'set out a planning framework for continuing economic and social viability of coastal communities'. It is also said to strike a balance between economic prosperity and reducing the consequences of coastal change on communities, using a 'risk-based' approach towards managing this change.

The new Supplement is basically a set of four, rather generic, policies dealing with the instructions for preparing the necessary evidence base for plan making ; instructions about how 'the Regional Strategy' should address coastal matters ; more instructions for preparing more detailed local level policy involving a 'Coastal Change Management Area' (CCMA) ; and the requirements dealing with planning applications in said CCMA's. For more guidance on substance, LPA's and others involved will need to look at the related PPS 25 Supplement : Practice Guide (58 pages) which, over seven sections, draws on existing 'good practice' and case studies researched by consultants Scott Wilson (RTPI Planning Consultancy of the year 2009). A 'policy making hierarchy' in five steps, starting with appraisal of risk and ending with mitigating impact, is reprised at the start of each section. Inevitably, there is guidance on how to identify the new CCMA's and appropriate development within these. There is now reference to the role of SMP's. There is also reference to the new Marine & Coastal Access Act , but little about how the provisions within this link to the policy work under the Supplement. Neither is there any detailed reference to Estuary Management Plans, of which the South West has several notable examples, and there are no case studies from within the region.

Also in March, HM Government 'in association with' the Northern Ireland Executive, the Scottish Government and the Welsh Assembly Government, published a Pre-consultation on the Draft UK Marine Policy Statement ; A paper for discussion. This MPS will be a key part of the new system of marine spatial planning introduced under the Marine & Coastal Access Act 2009, and this paper is intended as a basis for 'informal discussions with interested parties' leading to the production of the actual draft MPS on which DEFRA plans to consult formally this coming Summer. Is this the action of central government somewhat short on ideas, adding to yet a further layer of 'consultation fatigue' ?

To be fair however, this 68 page document does fulfil a useful integrating role in setting out, for the first time, the intended relationship, at the strategic level, between the marine and terrestrial planning systems, including the new NPS / IPC system.

Planning for the natural environment

On 9 March, DCLG issued a Draft new PPS : Planning for a Natural & Healthy Environment together with a new Draft Government Circular : biodiversity & geological conservation – statutory obligations & their impact within the planning system, a joint DEFRA / DCLG publication. The draft PPS (60 pages) sets out 14 proposed policies and poses 10 very broad questions as a framework for responses. Also included is a 'Consultation Stage Impact Assessment'. Subjects covered are biodiversity, geological conservation ('geodiversity'), landscape and soil protection, heritage coastline, open space, sport, recreation, green infrastructure, and floodlighting of sports & recreational facilities. Many will no doubt see this as a somewhat eclectic mix of old favourites and new initiatives, but there is evidence here of work to collect together policy from a range of existing PPG's and PPS's which was getting rather out of hand. There are seven 'Development Plan Policies' and seven 'Development Management' ones and though the level of detail is limited, this is probably appropriate for a statement of broad national policy.

Those looking for detail need look no further than the Draft Circular ! Over 122 pages, this sets out proposed revisions to a circular originally issued jointly by ODPM and DEFRA back in 2005. It is a massive collection of material intended to supplement some, though not all of, the areas within the draft PPS. Essentially this is guidance on obligations and the application of law relating to planning and nature conservation, as it applies in England. Following a general introduction about the consultation process and the status of the circular, the five parts then go on to cover respectively, internationally designated sites, nationally designated sites, conservation of habitats and species outside designated sites, conservation of species protected by law (Habitats Regulations, Wildlife & Countryside Act 1981, Protection of Badgers Act 1992), and other duties of and use of statutory powers by planning authorities (eg. EIA, SEA, Water Framework Directives, EU Directives on Wild Birds and Natural Habitats).

Only those planning professionals whose work in addressing the kinds of policies set out in the draft PPS requires a detailed working knowledge of all this would be able to comment on the usefulness, completeness and clarity of both the PPS and the draft circular. However, as a major example of existing PPG / PPS 'streamlining', as was committed to in the Planning White Paper, May 2007, this would seem to be moving in the right direction.

NB The Government deadline for responses is 1 June 2010, but to contribute to the official RTPI response we have been asked to respond by 4 May.

Climate change and renewable energy

Another 9 March publication by DCLG is the Consultation Draft PPS:Planning for a Low Carbon Future in a changing climate. This 80 page consultation document seeks views on the proposal to combine and up-date existing national policy on climate change and that on renewable energy into one , document, producing what would be, in effect, a revised PPS 1 Supplement on Planning & Climate Change (2007) consolidated with a new PPS 22 Renewable Energy (2004). See also, the related publication 'Climate Change – Planning for the challenge' which was published as a supplement to Planning 19 March 2010.

Responses welcome. The deadlines are the same as those for the natural environment documents above.

Local Democracy, Economic Development & Construction Act – Multi-Area Agreements

Multi-Area Agreements with Duties : Consultation on draft statutory guidance

(32 pages) published by DCLG on 17 March, deals with this new form of agreement, which can operate in addition to [existing] Local Area Agreements(LAA's), provided for under Part 7 of the Act. Such MMA's can be informal or formal, by applying a 'duty' on the part of partners to co-operate. According to DCLG, MAA's , which would generally be larger in extent than LAA's, would be ' voluntary agreements between groups of local authorities, their partners and Government to deliver improvement targets, particularly in relation to economic development' and are seen as part of a shift towards ' greater devolution of powers to support better decision-making at the appropriate spatial level. These agreements are expected to cover areas that 'operate as a functional economic market area' – to be known as [new acronym warning !]

FEMA's. There would be an assumed link between FEMA's and the areas for which local authorities will be producing Local Economic Assessments (LEA's) under Part 4 of the Act. (see my previous, March 2010, Update). In a further preoccupation with procedure, as opposed to 'outcome', the document sets out at some length how a MAA with duties would be set up and approved, involving negotiation with the appropriate Government Regional Office.

National Policy Statements, NSIP's & the IPC – where are we now ?

As members will know, the RTPI SW response to the six draft Energy NPS's and the draft Ports NPS was sent to Botolph Lane immediately following the RMB/RAC meeting on 22 January this year, as input to the national response. Members will also be aware of the considerable unease which has now been voiced by a range of influential bodies, both about the draft NPS's themselves and about the superficiality of the related consultation process. Concerns have also been voiced by local groups in the South West about the haste with which the companies proposing new nuclear power stations and overhead power lines seem to showing in their local, project specific, public consultations. So, where exactly are we now with all this and what is likely to happen next ?

The answer to this is contained clearly and succinctly in 'Briefing Note 5' prepared by Planning Aid's national policy officer, Sue Manns, published on 14 April and upon which I will now draw, with thanks to her. The consultation period on the draft NPS's has now closed. The two Commons Select Committees on energy and ports (to which the Institute nationally gave evidence) have produced their reports, which are now with the DECC and DfT respectively for consideration. However, as Parliament has now been dissolved, no further discussion will take place until a new administration is in place.

The Draft National Networks NPS dealing with 'strategic roads and railways', and which many have commented should have appeared at the same time as the draft Ports NPS, continues to be delayed, with publication not now expected until new Ministers are in place. It has been agreed with DfT that Planning Aid will produce a summary leaflet on this similar to those for the earlier draft NPS's.

In the meantime, the IPC has started to deal with questions relating to proposed Nationally Significant Infrastructure Projects (NSIP's) and is said to be taking a firm line on the need for good consultation. The Commission's website www.infrastructure.independent.gov.uk/wpcontent/uploads/2010/04/Web-Log-06-04-10-.pdf contains an 'advice log' listing questions it has been asked and the responses provided. This makes interesting reading, for example about the National Grid proposals for the Seabank to Hinkley Point overhead transmission lines upgrade (see log entries 10/0037 & 10/0046).The IPC has also started to publish a regularly up-dated list of potential projects, including maps (see ProgrammeofProjects-5-Jan1.pdf). There have, to date, been no actual applications submitted to the Commission and, as might have been anticipated, there is already evidence of 'slippage'.

There appears to be cross party support for the new NSIP planning system, at least in broad terms, though a change of government might lead to a change in the NPS designation process and a move to final decisions being taken by the Secretary of State rather than the IPC.

Continuing work on the new Single Strategy for the South West

South West Councils and the Leaders' Board have been pressing ahead, in collaboration with RDA and other strategic bodies, with work towards the new Single Strategy. The fact that we still don't have the region's first RSS in place has not been allowed to hold things up, with major work now completed on the provision of infrastructure and on various aspects of strategic 'planning delivery'. The 'South West Infrastructure Planning Advice Note' published last year has received widespread professional acclaim, including an RTPI SW Planning Achievement Award, whilst a programme of eight 'planning delivery events' on a range of topics was held between February 2009 and March 2010. These whole day and half day conferences were organised by SW Councils, with the support of SWRIEP, DCLG , GOSW and other relevant government departments and agencies to assist local authorities in the region to manage the delivery of major development, fulfil their planning role generally and exchange experience of good practice. In chronological order the events have covered Infrastructure Delivery Planning; Development Economics; Making better use of Local Authority Powers & Resources; Engaging with Utility Companies; Future Proofing Development; Delivering Sustainable Communities utilising the Natural Environment; Planning for Cultural Infrastructure ; and Planning for Health & Wellbeing.

The last two of these events were attended on behalf of the RTPI SW by Geoff Walker and Matt Frost respectively, who have each reported back briefly to the Joint Committee. There is now however lots of very useful material on each of the eight events, including the various presentations and 'resource packs' on the SW Councils website – see www.swcouncils.gov.uk/nqcontent.cfm?a_id=4736&tt=swra
Or for human contact, kelly-anne.phillips@swcouncils.gov.uk

South West Stakeholders

Membership of South West Stakeholders provides the RTPI SW with important opportunities to remain involved with strategic policy development in the region. On 18 June SWS will be holding a conference and AGM at which it is planned to 'brainstorm' a 'sustainable development plan' for the region drawing on the body's economic, social, environmental and other diverse expertise. I plan to attend to represent the RTPI SW and have suggested that some kind of draft framework (set of ideas, structure etc) set out in advance, will be essential if something useful is to emerge from just a day's session.

Please let me have any ideas you have. I seem to recall that some years ago, during the early years of the Regional Assembly (or it might have been in the days of the Regional Planning Conference) such a plan / strategy was produced.

Performance of the RDA

The South West RDA has once again been obtaining feedback on its 'performance. On 22 March your Policy & Media Officer was interviewed over the 'phone (one of 400 such interviews apparently) by a researcher from '100% Cotton'. A range of questions requiring 'ranked responses' was designed primarily to establish how satisfied, or otherwise, particular RDA clients (using its services in one way or another) had been compared to the same time last year. Clearly my response had to be heavily qualified due to the nature of our own 'organisation', but I did get the opportunity to outline what I saw as the main RDA related issues facing us now – concern about the emerging role of the SWRDA in the new single strategy work ; concern about what might happen should an incoming administration seek to 'abolish' regional planning ; and a concern (national as well as regional) about the future of Planning Aid should the level of central government funding be reduced in future.

CIC South West

Our involvement in the emerging work of the newly established Construction Industry Council South West continues. A programme of regular 'Committee' meetings is now in place and Bernice Roberts will be reporting back on the most recent of these on 18 March, as another item on today's agenda.

Knitting together

With due deference to Senior Vice Chair Jean Marshall, who has pointed out that you don't have to be old to be into knitting (at which she is an expert !), I would like to draw members' attention to Knitting together a pocket-sized good practice guide published last November by the Planning Advisory Service (PAS). Its actually all about planning for our ageing population and covers the issues involved, the importance of listening to communities, delivering housing options and securing funding through 'planning tools'. Examples of local authority good practice include evidence gathering by Cornwall Council and the provision of extra care homes by Bristol City Council. There are also references to other sources of guidance and advice.

Geoff Walker

RTPI SW Policy & Media Officer
29.03.10

SWPolicy@rtpi.org.uk