

National Assembly for Wales:

Sustainability Committee Inquiry on land use planning policies

Evidence submitted by RTPI Cymru

Background

The Royal Town Planning Institute (RTPI) is a membership organisation representing over 22,000 spatial planners; RTPI Cymru represents the interests of almost 1,100 members in Wales. It exists to advance the science and art of town planning for the benefit of the public.

RTPI Cymru welcomes the Inquiry by the Committee. This evidence has been developed by RTPI Cymru's Policy and Research Forum, which has representatives from across the planning community in Wales.

General

The RTPI has recently produced a statement of its purpose that includes 7 Commitments related to Climate Change and the role of planning in the UK. These form the background to the comments herein.

The review is timely in view of the current consideration of the future of the planning system in England by the new Westminster Government and its possible impact in Wales.

In particular, the Assembly is required to be consulted by the UK Government when appropriate England and Wales or UK policy documents such as the Airports White Paper are prepared. The UK Government had begun preparation of a series of National Policy Statements on these broad areas, as input to process of Infrastructure Planning Commission (IPC) and of wider relevance. Both the Assembly Government and other stakeholders in Wales have been consulted. Current indications are that both the Statements and the IPC are likely to be abolished. It is therefore unclear what policy context will then exist beyond those of the Assembly for presently non-devolved topics. **RTPI Cymru will welcome clarification of how England and Wales wide policy aims for topics such as energy, harbours and airports will be prepared in future and suggest the Committee and the Assembly in general need to be vigilant with regard to such changes.**

Since devolution, the Welsh Assembly Government has developed distinctive planning policies for Wales, both in content and format, and a unique local development plan system. Legislation (quote) gives the National Assembly power to pass Measures on land use plans. **RTPI Cymru supports the**

established tradition of developing Welsh policies and plans specific to Welsh needs, and the future use by the National Assembly for Wales of Measure making powers in relation to development plans.

We note that there are other efforts being made to consider the effectiveness of the planning system in Wales, including:

- Research on the development control system including how it takes account of policies. (Copy of RTPI input to that attached); and
- National Assembly Petitions Committee has been holding an ongoing inquiry with written and verbal input on the development plan system in North East Wales and its relationship to the Wales Spatial Plan and planning policies, especially in regard to housing allocations,

RTPI Cymru suggests the Sustainability Committee establish the timescales of these other inquiries and include consideration of their findings if timely.

RTPI Cymru also notes the coming restraint on public spending at both national and local levels. Given the importance in Wales of independent policy making and the role of planning in implementation of national and local strategic policy, **it is crucial to the sustainability of Welsh development and conservation that the planning system in Wales is adequately resourced at all levels.**

The remainder of this paper addresses the specific questions posed by the Committee.

QUESTION 1: How are key Welsh government policy objectives reflected in national and local planning policies/guidance and local planning decisions?

As noted above, non-devolved policy topics are prepared at England and Wales level, such as energy, harbours or airports, which are not presently devolved topics. Policy on these topics is however also addressed, and applied to local circumstances, in Welsh planning policy documents.

Broadly therefore, the Assembly Government adopts and issues the national planning policy, which is crucial for creation of Local Development Plans (LDPs) in Wales and guides planning decisions at local and national levels. The other national document that local planning authorities must consider in plan preparation is the Wales Spatial Plan.

LDPs (and the former development plan format, Unitary Development Plans (UDPs)) contain most of the policies that guide implementation of national planning policy at local level.

Planning Division prepares planning policy guidance in a suite of documents:

- Planning Policy Wales (PPW) and Technical Advice Notes (TANS) setting out policy and guidance for most land use topics;
- PPW Companion Guide, which indicates which national policies are absolute and do not need repetition at local level, and which must be considered in light of local circumstances;
- Minerals Planning Policy;
- Development Plans Guidance, including how to prepare and assess the Sustainability Appraisal of LDPs; and
- MIPPS - Ministerial statements giving updated policy advice in advance of full revision of PPW.

(Both the MIPPS and Companion guide have now been incorporated into the recently reissued consolidated PPW.)

The preparation of these policy documents is very inclusive, often guided by a steering group with non Assembly members, and involves formal consultation with key groups, including RTPI Cymru, as well as the normal Assembly consultation processes. It is often informed by research or pilot studies and is usually complemented by implementation seminars in advance of statutory requirements. RTPI Cymru has been involved with the Planning Division and Design Commission for Wales in participating in the consultation process described above and in the dissemination of knowledge and information such as training on new and existing planning policy. This system is well understood by local planning authorities.

The plan preparation process at local level involves local authorities in deciding how most national planning policies apply to local circumstances; for example how a potential development may affect the Welsh Language. They also have to reconcile local differences in view, such as those supporting certain forms of development and those for conservation.

The plan preparation process involves two periods of statutory consultation, including with the Planning Division and UK policy divisions for non-devolved matters. The Planning Division ensures that relevant parts of LDP or UDP policy are circulated to other Assembly divisions for comment. Thus any potential local policy conflict with national or UK policy can be resolved either before or during the plan Examination by an independent Inspector from the Planning

Inspectorate. There is also provision for the call in of plans by the Assembly Government.

RTPI Cymru considers that the present pattern of producing Welsh Planning Policy is effective and has the right checks and balances to create the flexibility required for responsive planning. While any updating should be timely and aim always to reduce complexity we support the retention of the present system.

There are some issues raised by problems of horizontal and vertical policy integration at both regional and local level.

The Assembly Government has a statutory duty to prepare a Wales Spatial Plan, which integrates national policy. Jointly with Local Authorities, it also oversees the preparation of regional strategies covering different parts of Wales. The Spatial Plan and the regional strategies cover a wide range of topics extending beyond land use planning. In Wales local planning authorities work together on key issues such as housing allocations at levels above that of individual authorities. LDP Guidance recommends working together but there is no statutory requirement on the form and output of that work.

If the LDP Examination process and the Planning Inspectorate do not clarify these relationships, RTPI Cymru considers that further guidance may be needed on the role and status of the Wales Spatial Plan and how other regional strategies such as Regional Transport Plans relate to LDPs. This might include guidance on how local planning authorities can work together to jointly agree on key matters such as housing allocations or business site locations, where there are clear issues above the level of individual authorities.

At local level, the Community Strategy should provide the basis for integrating local policies but often it is poorly related to land use and national policy. The role of planning in the structure and priorities of each local authority will affect the integration of local and national policies like transport and planning in LDPs.

QUESTION 2: How successful are current planning policies/guidance in helping planners to reconcile competing demands?

As noted above, PPW is the main policy guidance for plan policies and decision taking at local level. RTPI Cymru consider the document provides some of the answers around competing priorities in its opening chapters.

However, RTPI Cymru considers that Planning Guidance cannot foresee every circumstance or give advice on how to resolve every conflict. There must be discretion retained for qualified professionals, working alongside elected local members, to balance conflicting policies having regard to local circumstances. An up to date local development plan has been subject to local and national consultation processes, a Sustainability Appraisal and through an Examination and will contain some policy that is locally more relevant and effective than national guidance.

A transparent development control / development management system is also the means to achieve decisions that clarify how policies are balanced. Local guidance to supplement the LDP or UDP, known as SPG, is also an effective tool for highlighting what considerations will be taken into account in making local decisions, such as design guidance. SPG is non statutory but must be subject to local consultation processes and in conformity with local plan policy.

Planners who provide local elected members with advice on policy development and in decision making have had professional training on assessing conflicts between competing demands. Therefore the role and relationships of the Chief Planner in each local authority to members and other officers will have an impact on how competing demands are reconciled. RTPI has always advocated ensuring that Chief Planners play an effective part in an authority's corporate decision making team. **RTPI Cymru would recommend that Chief Planning Officers maintain this position, or be reinstated, where the planner's role has been downgraded, in Welsh local government structures.**

QUESTION 3: Other Best Practice

Currently the Assembly Government's Planning Division spend much time and resources on ensuring that policy and guidance is understood and implemented correctly through meetings with individual authorities and groups, additional guidance and training. They have been assisted by voluntary or government organisations like RTPI Cymru, CCW, DCfW, the EA and Planning Aid Wales.

In England, a separate body was set up funded by DCLG and working with the LGA to help implement new **processes** introduced by recent English planning legislation. The Planning Advisory Service (PAS) has been very effective in publishing case studies, enabling at local level and promoting good practice. The English Planning Officers Society has also produced examples of spatial plan policy writing.

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