



RTPI Cymru

Royal Town Planning Institute
Sefydliad Cynllunio Trefol Brenhinol

Royal Town Planning Institute
Cymru (RTPI Cymru)
PO Box 2465
Cardiff
CF23 0DS
Tel +44 (0)29 2047 3923
email walespolicy@rtpi.org.uk
Website: www.rtpi.org.uk/rtpi_cymru

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e-mail response sent to: planconsultations-f@gov.wales

Dear Sir/Madam,

Response to: Technical Advice Note (TAN) 1: Temporary dis-application of paragraph 6.2

The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 25,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of spatial planning for the benefit of the public. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

The response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

Thank you for the opportunity to contribute our views to the above consultation.

Our comments in relation to the consultation questions are as follows:

Q1

Do you agree with the proposed temporary dis-application of paragraph 6.2 of TAN 1 to remove the reference to attaching “considerable” weight to the lack of a five-year housing land supply as a material consideration in determining planning applications for housing?

The removal of ‘considerable’ weight being attached to the lack of a five year housing land supply is to be supported in its spirit. However it is important to understand the implications of this change. We understand there to be several issues of concern with the measure and therefore welcome the forthcoming review. The delivery of housing across Wales is of course of paramount importance and we would encourage the review to be undertaken as promptly as possible.

This proposal appears to reflect the current wording of TAN 1 as not effective in facilitating the meeting of land supply targets across local planning authorities (LPAs) in accordance with the spirit of a plan-led system. Ultimately, with or without an LDP in place, the TAN 1 procedure and steps are resulting in most authorities not being able to demonstrate a five year supply, in cases even immediately following adoption of a plan. The current consultation refers to a wider review to take place this summer and RTPI Cymru welcomes this; any review must tackle this issue, as it is important that the planning system gives certainty through a plan-led system and in its decision making processes.

The primary consideration in the determination of planning applications should be whether or not they are in accordance with development plan and with national planning policies. It is important to recognise the extensive consultation processes that LDPs have gone through, and the thorough examination of their soundness. Public expectations have been raised that sites allocated in LDPs will be developed as proposed, and that those not allocated will, in general, not be developed. Housing sites in LDPs have been allocated taking into account access to jobs, schools, other facilities and services, green infrastructure and transport networks. Any system which facilitates sites coming forward speculatively is likely to generate uncertainty, and reduce confidence in the planning system, discouraging community engagement in the LDP preparation process. These are all good reasons for dis-applying para 6.2.

We recognise that learning from early adopted LDPs and subsequent plans can be used to enable effective Plans to now come forward. We must not lose sight of the importance of delivering housing in the right place, which has been identified as part of a cohesive vision and strategy for an area.

At any time, it is a poor use of planning resources (for several stakeholders including LPAs, the Planning Inspectorate and developers) if they are diverted to be focusing on speculative planning applications for housing, rather than focusing on the delivery of sites allocated in the LDP, and on keeping the LDP up-to-date through monitoring and review. With LPA staff resources and budgets in particular, so profoundly reduced at present, the diversion of these resources to dealing with speculative applications heightens the possibility that elements of the planning system itself will be put at risk.

The content of para 6.2 is itself an indication that elements of the planning system are failing to deliver the outcomes that are expected of them. The wide-ranging review of the delivery of housing through the planning system which is being undertaken this summer will need to find solutions to this. Accordingly, it is to be expected that a new para 6.2 may read very differently to the current version. In these circumstances, therefore, there is a case for permanently dis-applying paragraph 6.2, and replacing it with more suitable guidance at the appropriate time once this has been agreed.

Q2

Do you consider the proposed temporary dis-application of paragraph 6.2 of TAN 1 will be effective in relieving pressure on local planning authorities when dealing with speculative planning applications for housing?

In addressing the problems of housing delivery, the issues are wider than the dis-application of this paragraph. Other changes in TAN 1 have arguably had greater impact, particularly for LPAs. For example:

- Using only the residual calculation method to calculate the five year housing land supply

- Only allowing authorities with an adopted LDP or in-time UDP to calculate their five year housing land supply, introduced to encourage LPAs to adopt LDPs
- Altering the categories of site supply

While this proposal could relieve capacity for either development management or planning policy teams, both of which are involved in the five year housing land supply process (whether in its preparation or at determination / appeal stages), we have no evidence to gauge how effective it would be in relieving pressure on authorities when dealing with speculative applications for housing. We recognise, for example, that a reduction in 'speculative' applications could reduce planning application fees, further reducing resourcing. However we do consider that such a change will provide a strong steer to those considering windfall sites / speculative proposals to provide clear evidence of their need and suitability, with a high risk that they may not be granted approval.

Ultimately the effective operation of the five year housing land supply process raises issues both about the LDP process (how the supply is calculated, on what evidence and its robustness having been tested through the plan process) and also market and economic conditions (sources of supply, land availability, economic conditions within and beyond an authority's boundaries). The delivery of permissions is a further important issue, not just the supply of housing commitments.

While the dis-application of para 6.2 will not preclude the submission of speculative applications, it will reduce the probability of them securing consent, and that should reduce their number significantly. It will, however, take time before applications already in the pipeline run their course, and therefore also before the benefits of this change are reflected in workload levels. There is therefore a need for significant urgency in progressing this matter and clarification provided on the 'temporary' nature of the measure, to give greater certainty to stakeholders involved in the planning process. This proposal will make a small but welcome contribution to relieving the pressure on the planning system. We would also stress the importance of finding additional mechanisms by which the resources available to LPAs can be strengthened.

If you require further assistance, please contact RTPI Cymru on 029 2047 3923 or e-mail Roisin Willmott at walespolicy@rtpi.org.uk
Yours sincerely,



Dr Roisin Willmott OBE FRTPi
Director
RTPI Cymru