

Perspectives on planning in the UK

A paper based on a presentation given by Ann Skippers at the New Zealand Planning Institute's Annual Conference, Hamilton, 1st May 2013.

Introduction

Over the last two or three years there has been considerable changes to the planning system in the UK. This has created turmoil within the planning sector with many accusations from senior government figures claiming, without justification, that planning, and planners, obstruct economic growth and that we are the "enemies of enterprise".

Planning is an inherently political process and has been subject to reform by successive governments. Given that change is our main business as planners there is nothing wrong with seeking improvements to the system. However, this often comes at a price of diverting attention from the real issues and challenges of the day as we spend time on the process of planning rather than focusing on the outcomes.

The UK's four nations

There are four different planning systems in the four nations of the UK; Wales, Scotland, Northern Ireland and England. Practice in each of the four nations is diverging. That divergence is accelerating because of devolution and because each nation seeks to use planning to promote growth and development.

Wales

Wales is one of the few countries in the world to have a statutory duty with regard to sustainable development. Ten or so years ago the Government produced Planning Policy Wales, a strategic document that sets out the context for planning in Wales and is the principal source of national policy. The Wales Spatial Plan was then produced in 2004, providing a statutory framework guiding spatial policy throughout Wales integrating the spatial aspects of other policies such as health, transport, social inclusion and on and environmental policy. A draft planning reform bill is currently being prepared and is expected to be published later this year.



Scotland

The majority of planning powers are held by the Scottish Government. A number of Scotland specific initiatives are being developed including some ambitious targets, for example on carbon emissions and renewables development. Scotland also has a spatial framework which is currently under review and has published a draft planning policy document. Together these will set out how Scotland will develop over the next 20 to 30 years. The spatial plan sets out the 'where' and the policy document the 'how'.

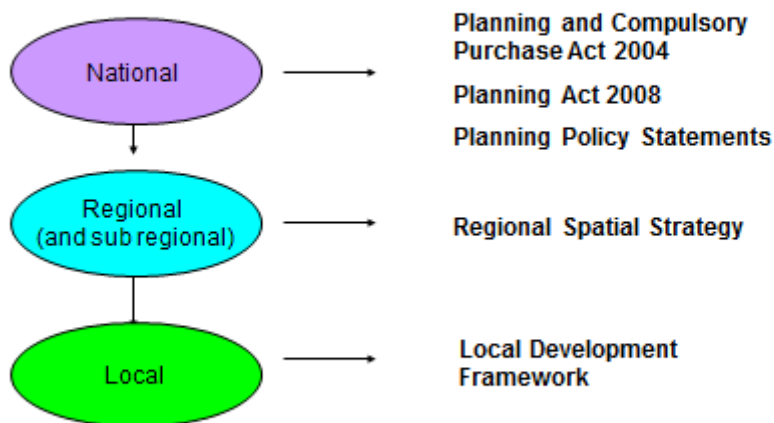
Northern Ireland

Northern Ireland is also experiencing considerable changes to the way planning operates in the province. In 2015 planning powers will transfer from the Government to local authorities who presently have no statutory planning powers. In the meantime there is also a new planning bill aimed at modernising the system. On the policy front there is a regional development strategy which sets out the broad aims for development up to 2025.

England

Before the reforms planning in England was organised at three levels.

The (old) plan-led system in England



The plan-led system

In England there is a plan-led system. For practical purposes this means that if a development proposal accords with the plan for an area, an application for planning permission will be granted. If the proposal does not accord with the policies in the plan it will be refused. Only the applicant has a right of appeal to the Secretary of State via the Planning Inspectorate; there are no third party rights of appeal.

This has not changed as a result of the reforms. However only about half of local authorities in England have an adopted plan in place.

Overview of reforms

The reforms made sweeping changes. Government policy and guidance at national level has been replaced by a new national planning policy framework. The regional level has been abolished. At local level the suite of local development framework documents has been slimmed down. And a new level of planning, neighbourhood planning, has been introduced.

The National Planning Policy Framework and the presumption in favour of sustainable development

For many years the Government has resisted calls for an England or UK-wide spatial strategy. Instead a new national planning policy framework (the Framework) was published in March 2012. This important document does much more than consolidate some 1300 pages of guidance to around 60; it introduces twelve core planning principles and a presumption in favour of sustainable development.

In practice this means for plan making that local authorities should be positively seeking opportunities to meet the development needs of their area. Objectively assessed needs together with enough flexibility to respond to market conditions is urged.

For decision taking it means approving proposals which accord with the plan quickly. However if there is no plan, the plan is silent on the issues raised or out of date, permission should be granted unless the “adverse impacts of doing so would significantly and demonstrably outweigh the benefits... or [where there are] specific policies that indicate development should be restricted”ⁱⁱⁱ such as in the Green Belt.

The presumption in favour of sustainable development caused a great deal of concern amongst various groups who worried that this would result in a free for all. One of the main concerns relates to housing development. Local authorities now have to provide a five year supply of housing land and, as a result of the Framework an additional 5% or 20% if they have a history of undersupply. There is some evidence of larger housing schemes being granted on appeal in those areas where a five year plus 5% supply of land cannot be satisfactorily demonstratedⁱⁱⁱ.

Core planning principles

The Framework introduces twelve core planning principles:

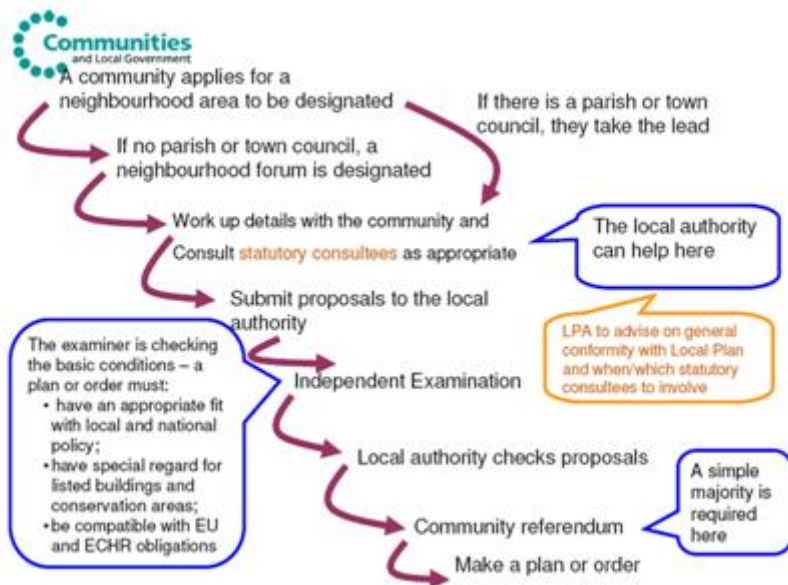
- Genuinely plan-led, empowering local people to shape their surroundings with plans setting out a vision for the future
- Creative exercise, not just about scrutiny
- Proactively drive and support sustainable economic development
- High quality design and good standard of amenity
- Supporting the transition to a low carbon future
- Encouraging the effective use of land
- Take account of the different roles and character of different areas
- Conserving and enhancing the natural environment and reducing pollution
- Promoting mixed-use developments
- Conserving heritage assets in a manner appropriate to their significance
- Actively manage patterns of growth
- Support local strategies to improve health, social and cultural wellbeing for all

Localism and Neighbourhood Planning

Given the Government's drive towards 'big society not big government'^{iv}, localism has also represented an important shift for planning. A suite of neighbourhood planning powers has been introduced. As well as a number of community rights, town and parish councils and neighbourhood forums in those areas without an existing town or parish council, can produce a neighbourhood plan.

A neighbourhood plan becomes part of the statutory 'development plan'. This is important as under section 38(6) of the Planning and Compulsory Purchase Act 2004 in making a determination, regard must be had to the development plan and the determination be made in accordance with the plan unless material considerations indicate otherwise. As a result those communities choosing to produce a neighbourhood plan (these plans are not mandatory) produce a plan with real bite.

As one then might expect the neighbourhood plan process is quite complex as the diagram below illustrates.



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Slide courtesy of DCLG

Upper Eden Neighbourhood Development Plan

The first neighbourhood plan to be approved was Upper Eden in Cumbria. This is a sparsely populated rural district in the north of England. Amongst other issues residents were concerned about the viability of farms and businesses given the low population, dilapidated buildings in the countryside and housing an aging population.

Neighbourhood plans must generally conform to the strategic level policies in the district level plans and therefore cannot stop or halt development. However they can relax policies as in the case of Upper Eden neighbourhood plan which, for example, loosened up district level policy to allow single plot affordable housing to meet local needs and provided more flexibility on new dwellings on farms.

Thame Neighbourhood Plan

Thame, a historic market town in South Oxfordshire was also one of the first plans of this nature to be approved at referendum. In contrast to the Upper Eden Neighbourhood Plan, this plan allocates sites for development; an indication of the diverse nature of this type of plan.

By way of example, the district level plan allocated 775 houses to Thame. The neighbourhood plan cannot reduce that number, but it allocated the houses to seven different sites instead of the single site the district plan had proposed.

Three plans have now been through referenda; the third is Exeter St James in Devon. Upper Eden had a turnout of 33.7% with 90% voting in favour of the plan; Thame had a turnout of 40% with 76% voting in favour and Exeter St James had a turnout of 21% with 92% voting 'yes'.

Equal opportunity?

Although there is support available to communities who wish to undertake a neighbourhood plan, as there are no parishes or town councils in urban areas and as neighbourhood plans are not mandatory, there is a concern that the opportunity, means and motive may not be fair across the country. However, this fear may prove to be unfounded. There is no doubt that neighbourhood planning works best when the community grasps the nettle.

Nevertheless there was considerable disappointment when these plans were introduced and some communities realised that it is not a way of stopping development. In fact it could be argued that the Government has brought in this suite of powers which empower people at the very local level to discourage the NIMBYs^v and BANANAs^{vi}.

Localism may also mean that different skills and different resources are required to help support the very committed people in these neighbourhoods to realise their aspirations and translate them into projects on the ground. But there is also another concern - however good a plan is, it is not a good plan if it cannot be implemented and delivered.

Delivery – Shropshire Place Plans

Shropshire Council has taken an innovative approach to delivery by introducing place plans. Largely a rural county with market towns, place plans have been used to identify local priorities and infrastructure requirements for each market town and its hinterland.

A community toolkit has been developed to assess and combine local findings with strategic level data and then these findings are integrated into place plans which are living documents that link aspirations with investment programmes, not just in planning, but across whole service provision. They are used as a basis of discussion with developers about local needs, as a way of identifying funding opportunities and to provide more transparency about local priorities.

The challenge for us as planners

Given the trend for greater devolution and more empowerment of local people, the challenge is how to join up this honeycomb of neighbourhood plans scattered across the country with those strategic issues.

Given the absence of a spatial strategy in England and for the UK as a whole and the abolition of the regional level of planning, this is a particular challenge and one that despite various measures brought in to counteract the lack of any linkages at national or regional levels, still concerns many.

Conclusion

In the midst of the accusations aimed at the planning profession over recent years and in the light of the almost constant stream of reforms from successive administrations it would have been easy to turn tail and run. However, the core values of planning have remained constant and given our business is change, it is good to try out new ideas and to take a few risks.

Yet we must be absolutely steadfast and very clear about the value of what we do and the impact planning has on people. We must be prepared to stand up for planning. It has never been so important.

ⁱ David Cameron Speech to Conservative Spring Conference, 6 March 2011 [available from Conservative Party website]

ⁱⁱ DCLG (2012) *The National Planning Policy Framework*, London, DCLG, p.4 [available online, see below]

ⁱⁱⁱ Savills Research (2013) *NPPF One Year On* [available online from Savills website]

^{iv} David Cameron 'The Big Society' Speech, 10 November 2009 [available from Conservative Party website]

^v Not In My Back Yard

^{vi} Build Absolutely Nothing Anywhere Near Anyone

Ann Skippers can be contacted via

E ann@annskippers.co.uk

W annskippers.co.uk



Follow Ann on Twitter @skippersscribbles

Further information/reading

National Planning Policy Framework

Department for Communities and Local Government (2012) *The National Planning Policy Framework* available from <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Shepley, C. (2012) 'As Usual, We'll Make It Work', *Town and Country Planning* Vol 81, No 4, pages 176 - 180.

For more information on neighbourhood planning

Upper Eden Neighbourhood Plan and other associated documents available from <https://www.uecp.org.uk/upper-eden-neighbourhood-development-plan/>

Thame Neighbourhood Plan and other associated documents available from <https://www.thametowncouncil.gov.uk>

Grovehill (Hemel Hempstead) Neighbourhood Plan information available from <https://www.grovehillfutureproject.co.uk>

Royal Town Planning Institute website www.rtpi.org.uk

Planning Aid

Neighbourhood Planning Roadmap Guide available from <https://www.locality.gov.uk/resources/neighbourhood-planning-roadmap-guide>

Lynn, T. and Parker, G (2012) 'Localism and Growth?', *Town and Country Planning* Vol 81, No 1, pages 15 -19.

For more information on Shropshire Place Plans

Shropshire Council <https://www.shropshire.gov.uk/placeplans> and <https://www.shropshire.gov.uk/planningpolicy>