



PLANNING OFFICERS SOCIETY

CONSULTATION RESPONSE TO CONTROL SHIFT: RETURNING POWER TO LOCAL COMMUNITIES – CONSERVATIVE PARTY GREEN PAPER NO.9

Introduction

1. The Planning Officers' Society represents the most senior professionals and managers of planning functions in the English local authorities. We set out to:
 - Act as an advocate and promoter of Local Government planning;
 - Assist and advise the Government and the Local Government Association on planning matters and related issues;
 - Act as a centre of excellence, undertake research and promote best practice in planning matters;
 - Promote all aspects of the built and green environment by working closely with other organisations and professions.
2. The Society's aim is to ensure that planning makes a major contribution to achieving sustainable developments, from national to local level, in ways which are fair and equitable and achieve the social, economic and environmental aspirations of all sectors of the community.

Commentary

3. Our comments look mainly at those aspects of the Green Paper that relate, or appear to relate, to the planning system, but we will start with reference to some of the wider provisions of the paper. As you would expect from an organisation representing local authority planners, we strongly support the principle of greater local autonomy. In particular, we:
 - support the proposals for the local retention of business rates, subject to there being no ring fencing;
 - support greater transparency in the local government funding settlement;
 - support the proposals for local authorities to be given a 'general power of competence'
 - support greater freedoms for councils to decide how to carry out their statutory duties;
 - support the abandonment of 'forced amalgamations', whilst allowing for local determination of mergers or sharing of services;
 - support proposals to allow councillors to represent their constituents' views, subject to necessary safeguards;
 - support local determination of organisational structures;
 - support the phasing out of ring-fenced funding;
 - support the devolution of planning powers away from unelected quangos but at the same time recognise the need to provide an effective framework within which local authorities can operate to reach decisions of a sub-regional nature. This is discussed in more detail later;

- whilst not objecting to the principle of the proposal that would require local authorities to publish more public information on the remuneration of senior town hall staff, we would urge caution on the detail of how it is implemented. Any such requirement should be no more demanding than that applicable to the civil service;
4. However, we have a number of practical questions about the detail of the proposals relating to planning, and concerns about what could turn out to be unintended consequences arising from them. We have set these out below, and hope that they will assist you in developing your proposals in order to achieve your objectives more effectively.
 5. Our concerns cover the following areas:
 - the creation of incentives for local communities to accept higher levels of housing growth;
 - the apparent disappearance of any form of strategic planning;
 - the details of the arrangements for replacing process targets with standardised information;
 - the proposal for referendums, if they were to relate to planning applications.

Incentives for housing growth:

6. We hope you would agree that the important thing here is to incentivise the individual members of the community who elect the councils, for without the whole-hearted support of their communities the councils themselves are unlikely to take up the cause. We therefore did a simple case study, to see how substantial the financial incentives proposed in the Green Paper would be, from the point of view of the individual household. We looked at band D council tax payers in a case study authority, to see how much difference it would make per household, were the authority to increase the number of houses built in its area by 50%, sustained over five years (this would be a radical and challenging increase for most authorities to achieve, but serves by way of illustration). In year 1, we calculated the difference at just £3.46 per household, rising to just over £20 per household by year five. Whilst we recognise that the figure will vary from authority to authority, we are far from convinced that a financial incentive of anything like this order of magnitude would serve to overcome the very deep-rooted public opposition to increased levels of growth that many of us experience in our daily work.
7. Even when this money is translated into investment in infrastructure, it is difficult to see how it might win over hearts and minds. As the Green Paper makes clear, this would not be new money, but rather a redirection of what is currently paid out under Housing and Planning Delivery Grant and formula grant to fund the planning service. Many authorities may therefore find themselves no better off (some possibly worse off) than they are under the present financial regime, and thus no more able to fund compensating infrastructure.
8. Moreover, many of the objections to development relate to matters such as the loss of the finite amount of open space available locally, the impact on quality of life, and congestion, which are not easily soluble by investment (or at least by investment at anything like an affordable level). Thus, while we firmly support the principle of winning over public opinion to development that

meets the needs of the community, we seriously doubt that the current proposals will achieve the desired effect.

9. In this context, it may be instructive to refer to the results of a recent attitude survey into development proposals (reviewed in Planning Resource 9 March 2009). A representative survey of 1,000 households found that 21% of the population had objected to a development project in the past year, up from 13% in 2007. Private housing developments had attracted opposition from 19% of the survey population. General opposition to development was running at 85%, while the proportion of the population that actively favoured development was just 6%. The consultant conducting the survey concluded: "NIMBYism is hardening in Britain. Although it is possible we may have reached the high water mark for general opposition, those that are against development are becoming more aggressively active in opposing schemes nationwide".
10. However, housing is not the only form of development that would need incentivising. Two other obvious examples are mineral extraction and waste-related development. Both are essential to underpin continued economic growth, but both tend to be controversial, "unwelcome neighbours". Both operate on catchment areas that transcend individual local authority boundaries. In the absence of statutory regional allocations for minerals and waste, apportioned down to the level of the individual planning authority, what incentive will there be for individual authorities to pick up a fair share of the responsibility for minerals and waste, or to work jointly towards the most sustainable solutions? Moreover, the ability of central government to promote such solutions through bodies like the Environment Agency and DEFRA would be greatly weakened. Without any regional bodies through which to negotiate, they would be left to deal with a diffuse body of individual local authorities. We believe that this is another area where there continues to be a need for a regional capability of some kind. Also, notwithstanding our reservations about the practicability of the incentivisation proposals as currently drafted, if the principle were to be applied consistently, incentives would also be payable for minerals and waste development.
11. Local authorities also vary greatly in their ability to accommodate residential growth. Some are more residential in character, whilst others are more naturally centres of employment. The need to promote employment growth is arguably no less important than the case for housebuilding, and this can generate infrastructure needs of its own. A case could also be made for the incentivisation proposals to be broadened, to reflect these wider needs. A similar case could also be made for incentivising renewable energy development in pursuance of this or a future government's climate change agenda.
12. However, opposition to development is not universal, and in some parts of the country there is considerable enthusiasm to promote additional growth. But in many cases this enthusiasm is not underpinned by evidence of local demographic need or of housing pressures caused by labour market forces. This brings us on to our second concern about the proposals.
13. **The loss of strategic planning:** Britain is a crowded island, and planning is the main tool we use to make difficult decisions about competing uses of land, in which there are inevitably winners and losers. The recent debate about the expansion of Heathrow, whatever one may think about the final outcome, is a

graphic illustration of this. Other such decisions, with strategic if not the same national implications, are being made on a daily basis. In coming to these decisions, planning has to balance local considerations against strategic objectives at the national, regional and sub-regional level. If planning is devolved almost entirely down to a local level, the consequence will almost inevitably be that local considerations will override any wider objectives. Whilst this may be the correct decision in some cases, it will not always be right, and a proper balance will need to be maintained. We cannot see how this will be done under the current proposals. Even if some authorities can be persuaded to accept additional growth, will it necessarily be the right types and amounts of growth in the right places to meet the needs of a growing economy and a mobile population? For all its imperfections, the current planning system does try to take these wider considerations into account.

14. Related to this, there appears to be an assumption running through the Green Paper that the job of the local planning authority is solely to meet the housing and other needs of its **existing** community. However, for the past two centuries or more, one of the driving forces of growth in the national economy has been the ability of workers to move from one part of the country to another. From the earliest days of the Industrial Revolution, we have seen substantial migrations of population, from countryside to urban area and from one region to another. The current planning system tries to facilitate this, whilst balancing it against legitimate local concerns. We are concerned that a planning system that might become focussed on local concerns to the exclusion of all others would work against the interests of the national economic growth, on which we all depend.

15. Our conclusions from the foregoing are as follows:

- Any measure which increases the overall funding available for investment in the infrastructure needed to support development is to be welcomed, but it should not be relied upon to as a means to overcome public opposition to development. In any battle for the hearts and minds of the public, financial incentives must be accompanied by efforts to win them over with the arguments about the wider objectives that development meets. This is not an impossible task. In the 1950s, house-building was seen as a vote-winner and political parties competed to see who could promise to build the most;
- Planning decisions have to be taken with a mixture of strategic and local considerations in mind. Whilst we would have some sympathy for the view that regional planning has of late become over-detailed and prescriptive, we are concerned that the Green Paper proposals redress the balance too far in the opposite direction. We need to identify those wider considerations that should properly influence planning decisions at the local level, and ensure that there are mechanisms in place which enable those issues to be debated, resolved and then given due weight in determining individual decisions. We do not believe that a system that relies on voluntary arrangements with no statutory duties or powers would deliver this. The Society would be happy to assist in devising machinery for doing so which is more focussed, economical and effective.
- Further consideration needs to be given to the special needs of minerals and waste planning, and other types of land use that may generate infrastructure needs. What are the objectives you would hope to achieve for these types of development, and do the current proposals provide the best basis for delivering them?

16. **Information-gathering:** One further issue relates to the proposal to do away with process indicators and replace them with comprehensive and standardised information. Whilst we welcome the principle of this, the devil will be in the detail of what is scrapped and what replaces it. But on the question of information-gathering more widely, we think the Green Paper may have missed a trick. There has been a tendency over the years for planning to become much more strongly evidence-based. Whilst we again support the principle of this, concerns have been expressed that the burden of evidence has in some cases become disproportionate to the added value it brings to decisions. As part of any review of information needs, we therefore suggest you include the information requirements associated with development management and plan preparation. This is relevant to the localisation debate, in that effective public participation in the planning system can be seriously impeded by the amount of paperwork and technical terminology with which all participants have to contend.
17. **Referendums:** Finally, planning applications should be excluded from the proposed referendum provisions. If they were not, it would have a harmful effect on the speed with which applications are determined. It would also run counter to the established principle that local opinion is only one of the material considerations to be taken into account in the determination of planning applications.