

Sustainability Committee

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Inquiry into Planning: Evidence from GVA Grimley Ltd

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This brief paper provides the headline response to the questions raised for the above Inquiry. The views expressed reflect over 20 years experience of town planning in England and Wales, and (most recently) the completion of the (WAG commissioned) study into the challenges facing the planning application process in Wales (and the responses available to tackle these). The views expressed are the authors own but draw heavily on the evidence gathered for the planning application review (as your invitation to participate anticipates).

The key points for the Inquiry to consider are set out below (under the questions raised in an e-mail from Ryan Bishop dated 27th May 2010)

1. Do land-use planning policies at both a national and local level adequately reflect the key Welsh Government priorities?

At a national level planning policy probably does. At a local level, policy varies in both its interpretation and application of national planning policy and other Government priorities. This gap is probably caused by three key factors;

- a) the absence of effective spatial guidance at anything other than the local (authority) level. The Wales Spatial Plan is an admirable attempt to do this, but it is not filling that gap at the moment.
- b) the absence of well known or well applied targets (or the failure to afford appropriate weight to these targets - which are often more modern than the local plans they should guide)
- c) the absence of proper penalties for the failure to provide up to date local planning policy (or to define what this is).

2. Do planning policies help to deliver priorities such as affordable housing, economic regeneration and more energy from renewable sources?

There are three key issues here:

- a) in some circumstances, planning policy guidance can either require a disproportionate amount of information to accompany planning applications or fails to provide adequate guidance on what is acceptable or appropriate. This adds to the cost and timescale for planning applications and can (and does) deter or discourage applicants and development projects.
- b) key priorities and messages are being lost in the sheer amount and bulk of policy (with every initiative to limit or shorten policy documents appearing to achieve the opposite)
- c) There is a specific lack of understanding in planning policy of the difficulties associated with development viability and development economics. Assistance is needed to deliver all forms of sustainable development and planning policy should be helping not hindering - this is specifically the case with housing.

3. Are they effective in reconciling potential conflicts between different policies in areas such as renewable energy, landscape quality, housing provision, economic development and sustainable development?

It is in the field of arbitration (or balance) where policy is failing most regularly and most significantly. The need for proper and appropriate environmental protection, mitigation or management is well rehearsed and well understood. In comparison, the social and economic dimensions to sustainability are largely missing or undervalued in the decision making process (and the fault here is general and not just Welsh). This runs right through the planning system with a large amount of specific guidance and advice clearly focused on environmental and technical considerations but no equivalent guidance on social and environmental objectives or priorities. This distorts the decision making process and in particular the requirements made of applicants and the time taken for decisions to be taken. In a very real sense it can paralyse planning authorities which either consider there is no scope for balance or which are wholly unused to exercising robust discretion.

In some areas (and for some forms of development) the position is better (or more balanced) than others. There are lessons (and expertise) that can and should be transferred by or through national planning policy to achieve this. This is a key task for the Welsh Assembly Government through the practice it encourages as well as the policy it provides.

4. Do they help to ensure that decisions on planning applications contribute to key Welsh Government priorities?

See above. Policy can and clearly does assist in some places, for some forms of development and in some planning authorities. Currency is critical to this process - as is clarity. Adding targets, a spatial dimension and a time period to policy appears to work well when it is

done properly and has senior support or sponsorship. This is as true locally as it is nationally, but underscores the need for a regional dimension to planning policy and planning practice and/or more consistency and joint working between planning teams and departments.

This must be achievable in a country with only 25 planning authorities and with some (if not many) of these facing similar conditions and the same challenges in terms of resources and pressures.

5. Is the system for preparing and updating these planning policies flexible and responsive enough to cope with new and changing priorities?

It should (and can) be. When a decision is made then action in Wales can and does take place quickly (and much more swiftly than in other parts of the UK). However, the key is to make this nimbleness more effective through the effective targeting of guidance - and by making this more supportive rather than regulatory. The pendulum needs to start swinging in a more promotional direction (and this need not interfere with the commitment to and requirement for sustainable forms of growth, energy production and environmental management). Better targeting on those issues or tasks which the consensus (and common sense) concludes can make the best contribution to this rebalancing is urgently needed.

6. Are there examples of good practice in other countries and regions that we can learn from?

Probably not in terms of system change.

Planning policy is criticised as is the operation of the planning application system. This is inevitable in a system of regulation which has very public consequences.

Yet, and despite this, it is clearly and fundamentally sound as the key mechanism in the management of new development. We have about the right level of public scrutiny and, with one or two key exceptions, the framework for the right level of involvement from the right people with the right expertise. The decisions taken should also be broadly safe and broadly of a high quality.

The operation of the system is what sometimes lets it down - and policy has a key role to play here. However, and although there is criticism of the planning process and the built environment that has resulted from policy and the applications it allows, the system has been able to deal with significantly growing (and major) responsibilities and an increased profile. It is in many ways the only place for much of the modern growth agenda to be examined and acted upon and it is difficult to define a better basic system to manage development.

7 What changes can we recommend to the Welsh Government to improve the current system?

As stated above, the fact that the system is broadly right, does not mean that it is fit for the challenges it faces (or presents). There is scope for change in both policy and the application of it (through the decisions taken). Recommendations set out in the recently completed review of the application process are relevant here as they are all targeted at making the process more responsive, more consistent and more proportionate (to the applications made). They all sit within a policy commitment to sustainable development. In this context and with respect to policy (which the review did not address), the following changes are most pressing:

- a) a new national policy statement on sustainable economic development and the support to be given to identifying and pursuing (and accelerating) specific types and forms of growth
- b) to supplement this with a spatial and target based dimension to national planning policy - which should reconsider regional and/or sub regional guidance. A review of the WSP could be a trigger for this.
- c) to limit other new policy and guidance - on "non-corrective" matters for a period of at least 12 months
- d) to accelerate a change in approach to development management (and to provide lessons and guidance) - with a focus on balancing effects, benefits and impacts
- e) to install or indicate penalties for non or under performance with respect to policy or to allow authorities to follow an accelerated procedure for specific issues or opportunities in advance (or after) the adoption of plans
- f) to swiftly update guidance on development viability in the new economic circumstances and to provide advice to authorities on the impact this should have on decision making.