

DRAFT NOTE OF A MEETING OF THE NATIONAL PLANNING FORUM

FRIDAY OCTOBER 8th 2010

LOCAL GOVERNMENT HOUSE, SMITH SQUARE, LONDON

53 members and guests attended and there were 12 apologies for absence – names recoded in the Minute Book.

All the presentations made at this meeting can be viewed at www.natplanforum.org.uk/pres2010.html

1. Welcome and opening remarks

Councillor Mike Haines, Local Government Association, Chair of the National Planning Forum and NPF Vice-chair (Local Government) welcomed members and guests.

2. Seizing the Opportunity! – the proposed National Planning Policy Framework (NPF)

Three speakers made presentations followed by a question and answer session.

■ Vincent Goodstadt

An overview of the Coalition's proposition and experience elsewhere

Vincent Goodstadt overviewed the Coalition's proposals and explored international experience in developing strategic planning frameworks. He argued that the challenge of the NPF was to underpin economic recovery while helping deliver the localism agenda and simplify the planning system. The NPF required input from a wide range of stakeholders and should be the mechanism to transform regional economies, while 'setting local people free to address their priorities'. It should enable a simpler system; provide confidence for local communities and underpin economic competitiveness. But it must address the inherent dilemma of how to reconcile the potential conflict between national priorities and local ambition; and, if it is to deliver confidence, improve economic performance and underpin investment in essential infrastructure it will need to be a spatial as well as a policy orientated document.

The NPF needs to be selective and focus on the key components of national importance, in terms of:

- National hubs – e.g. airports, ports, freight terminals, commerce and knowledge.
- National networks upon which all areas are dependent – e.g. road, rail, water, telecommunications and national green infrastructure; and
- Nationally important flagship projects – e.g. HS2, Olympics, etc.

■ John Rhodes, Director Quod Consultancy

Developing the National Planning Framework – Seeking a Shared Vision – a view from the development sector.

John Rhodes presented a development industry perspective on the NPF. He argued that there was now a new approach to planning – 'less direction means more local responsibility; planning will become more locally based; communities and councils should respond with a voice that articulates the needs of local areas; developers will need to listen, seek consensus and rely less on the appeals process; the levers of control will fall away – on either side - and we all need new skills.' The role of the NPF was to provide a framework for

local plans, planning decisions and appeals. It should avoid repetition and duplication, stick to key principles and be a great deal shorter than the current 4000 pages of national planning guidance! The NPF should set out:

- The weight to be attached to community needs and consensus
- The need to secure sustainable economic growth
- The need to address local housing needs
- The sequential preference for brownfield land and regeneration
- Protection for the natural and historic environment
- The importance of carbon and sustainability
- The need to plan for and provide infrastructure
- The benefits of joint working with communities, business and other stakeholders

■ John Howell OBE MP

A response

John Howell MP, PPS to Greg Clark and author of *Open Source Planning*, responded, saying that he believed *Open Source Planning* was now receiving a more positive response than when it was first published. The NPF had considerable professional support and the Coalition was committed to its production. Fundamentally it is a project about 'alignment' – planning is a tool for delivering government priorities; but currently does not have this alignment. 'Planning Policy Statements point in different directions and there is no coherent alignment to government objectives.' Current work was focused on producing an outline of what the NPF might look like so that all those with an interest might comment on it and, following this, the detail can be added so that, as the forthcoming Decentralisation and Localism Bill is considered, there will be an appreciation of what the NPF will look like.

The NPF is 'not rocket science'. It was about squaring the circle between matters to be determined locally and those that can only be addressed at national level. The 'golden thread' running through the performance of the planning system is the presumption in favour of sustainable development. The NPF will answer the question: 'what does planning need to do to deliver the government's policy objectives?' in a focused way. If appropriate, it will be a spatial document; but its spatial component will be reduced to the minimum necessary – the NPF will not 're-invent regional planning.'

Government recognised the need to build houses and there was considerable frustration with those in the planning system who did not get on with development where there was agreement – even if that agreement was not at the highest or optimal development figure.

■ Question and answer session

- Cllr David Smith questioned the value of major new transport projects like HS2 and argued that there was a danger of missing out on short term opportunities offered by investing in the improvement of existing infrastructure. He was supportive of the localism agenda; but warned that in his long experience of planning as an elected member, he was yet to meet a community group that was in favour of new development. He was concerned that local opposition could veto much needed development proposals and lead to a situation of planning by appeal.

John Howell (JH) responded that HS2 was not a planning issue; but a question of government priorities. No one person would have a veto over planning proposals. His experience was that there were many examples where proper community engagement had led to enhanced development proposals. The problem was that people were not properly involved in the future of their community and so, inevitably, objected to proposals. If they are properly involved in identifying problems and devising solutions then support is more likely to be forthcoming.

Vincent Goodstadt (VG) was sympathetic to this view; however, opposition to development can be visceral. Nimbyism was not necessarily wrong; the problem was a lack of trust that the promised development and accompanying infrastructure would be delivered. If people were to be won over the 'planning gain' needed to be delivered more effectively. In the French model the plan is accompanied by a contract in which infrastructure providers commit to the provision they are required to make. HS2

required a context – the National Planning Framework would provide this. There was a crisis of capacity on the rail network.

- Mhora Samuel, Director of the Theatres Trust, welcomed the involvement of local people in the planning system and in particular looked forward to engagement in culture and sport. She was concerned to understand the extent to which local people would be truly free to plan their community's future. Simon Marsh stated that RSBP were enthusiastic about the proposed NPF, especially if it had a spatial dimension. He drew attention to an international study commissioned by RSPB looking at how to incorporate the natural environment into a national planning framework. He sought assurance that DEFRA and DECC would be engaged in the process and it not be confined to DCLG. Andrew Whitaker of the Home Builders Federation raised the question of how the NPF can address the question of and engage with communities who will occupy growth areas and are not yet therefore formed.

JH emphasised that the local planning authority will remain responsible for the local plan, which will embrace a series of neighbourhood plans. Local people should dictate the priorities that will go in to the plan. He pointed out that the Coalition Agreement reserves responsibility for the presumption in favour of sustainable development to the S of S for Environment, Food and Rural Affairs and that the aim was policy alignment across departments. The current thinking was that the NPF would not address growth areas as the main driver was to be economic growth and home building was to be driven from the bottom up. Local Enterprise Partnerships might play a role although they would not be planning authorities.

VG addressed planning for the arts and culture, which lent itself to a local response. There were three issues: (1) the difficulty of planning with precision and not over planning – there needed to be flexibility in planning for social infrastructure; (2) on-going revenue costs remained a challenge over and above the provision of capital for arts and cultural facilities through Section 106 payments; and (3) there was an almost philosophical problem in that fewer people engaged with these activities than formerly, which raised the problem of the low levels of engagement with civic society generally. In his view DEFRA was becoming increasingly important to the planning process across the country because of its concerns for sustainability and the ecosystem. There was an important issue about defining local need and ensuring those who will live in an area in the future and who have a need for homes are included in the definition. The NPF could address the linkage between housing and jobs in the context of planning for migration and the location of new houses.

- Kelvin Macdonald of the RTPI welcomed the government's commitment to produce a national strategy, which had been demanded for many years; reflected on how 'spatial' might be defined when every policy has a spatial impact; and asked how the NPF would link to investment, achieve delivery and the relationship with the National Infrastructure Plan – it was important that the plan was not the end in itself. Tony Fyson of the TCPA and *Planning Magazine* was concerned about the lack of detail about how the new localist planning system would operate and the question of where representative democracy would play its role in the process. Graeme Bell, *Planning for Real*, enthused over the commitment to a national planning framework and emphasised the need for it to have a spatial dimension. There needed to be a proper transition from the abolition of regional spatial strategies and the use of 'saved' policies was recommended. In his experience effective relationships between developers and communities were those that were built up and endured over time.

John Rhodes (JR) made it clear that his purpose was not to support *Open Source Planning* per se; but to give the perspective of the development sector. The development industry welcomed an approach that was about less planning because the planning system was sometimes the impediment to achieving development. He was not expecting to see a spatial approach at national level; but wanted spatial plans at local level that encouraged development. He thought Government was saying 'get on with it' rather than wait for the production of the forthcoming Bill. The approach should be about making things happen on the ground. He agreed with the notion that developer/community relationships needed to be built up over time and endure – the best developers recognised this.

JH thought the age of community consultation was over and would be replaced by community engagement. The NPF would be spatial when appropriate; but would not be spatially prescriptive. He felt that there was now a real excitement about planning - real planning – rather than the minutiae of development control.

VG though there was a real issue about separating 'the wood from the trees'; the question of what was meant by spatiality was a key issue. There was a need to address spatial choices and implications; but not in

a prescriptive way. A collaborative approach was important and expressing policies spatially was an aid to achieving the goal of conciseness and clarity - 'one diagram loses 10,000 words'. A good test was to ask 'to what extent can policies be mapped?' It was important to allow for 'road testing' of both the national planning framework and neighbourhood plans.

The Chair closed the item by thanking the three speakers and pointed out that the National Planning Forum discussion around the idea of a national planning framework was the first he had attended.

3. Local Enterprise Partnerships – an update from Cathy Francis, Department of Communities and Local Government

Cathy Francis provided the Forum with an over view of the rapid progress being made by ministers in inviting bids to establish Local Enterprise Partnerships (LEP), which were intended to address the problems of:

- Rebalancing the economy
- Closing the gap in regional economic performance
- Delivering value for money
- Eradicating pockets of severe deprivation

LEPs represented a new start – a permissive approach empowering local people and business, offering flexibility and focused on driving economic growth and rebalancing the economy. 56 outline proposals had been received.

Cathy Francis pointed out that local enterprise partnerships potentially have the scale and geography to be involved in:

- Leading strategic planning policy frameworks
- Facilitating comprehensive infrastructure delivery plans
- Lobbying/enabling in respect to strategic planning issues e.g. joined up approach to housing/employment distribution, investment in +revenue funding of infrastructure
- Fast-tracking/expediting the development management process
- Promoting strategic planning applications-removing delivery pipeline blockages
- Planning intelligence, linked to local economic assessments
- Involvement could vary, ranging from statutory formal roles to more informal

Following her presentation Cathy (CF) dealt with questions.

- In answer to a question from Pat Aird CF emphasised the continuing importance of achieving sustainable economic development and the importance of LEPs taking appropriate advice.
- Corinne Swain, ARUP, supported the notion of LEPs aligning with economic (travel to work) areas; but wanted to know how this approach related to the idea of city mayors, who might be focused more on the centre of urban areas. CF thought there were different objectives for LEPs and for elected city mayors.
- Fenella Collins of the CLOA asked that a signal might be sent emphasising the importance of the rural economy and rural hinterlands to the national economic effort. Andrew Pritchard emphasised the level of political capital council leaders had invested in the process thus far and the concern about the absence of dedicated financial support for LEPs. A further question enquired about the relationship between the LEPs and European funding and the responsibility for its distribution.

CF stated that there was a strong rural theme running through the LEP proposals and the rural voice would be heard. Regional growth fund would be accessible to LEPs and transport budgets might be devolved to them. LEPs would be able to access EU funding.

- Tony Fyson was positive about LEPs and thought there was the potential for sub-regional planning through the LEPs. He favoured LEPs organising around city region structures. Mike Hayes was encouraged by the LEP proposal for Merseyside where Terry Leahy of Tesco had agreed to be chair. He thought that from a planning perspective the most important relationship would be between the LEP and the local development framework; it

was very likely that LEPs would have some form of spatial strategy for development of infrastructure – the question was to identify what needed to be done to deliver this strategy and what was the role of the statutory system in that process – this seemed to offer a significant opportunity. Michael Coupe, RICS, asked about the definition of sustainable development in the context of the proposed presumption in favour of sustainable development. Liz Peace, BPF, asked how business involvement can be encouraged and sustained and LEPs not become ‘talking shops’. Andrew Whitaker asked how flexible LEPs would be in adjusting boundaries or membership in the light of experience and whether they covered the whole of England. Anna Halcro-Johnston from the National Trust asked about the timetable for putting the new arrangements in place following the abolition of the RDAs.

CF answered that LEPs covered the whole of England and that a number overlapped. There was recognition that LEPs could play an important role in relation to ‘larger than local planning’ and there needed to be close alignment between the economic and spatial planning strategies. There was significant interest from business leaders in LEPs; the invitation to submit proposals for LEPs was addressed to local authorities and business leaders together and the presumption was that they would be chaired by a business person; membership arrangements would be flexible and locally determined. The emphasis was not on vision or plans; but on outcomes. There would be a flexible approach to the organisation of LEPs to reflect local views. She would come back on the definition of sustainable development.

4. CLG Planning Programme Update – Steve Quartermain (SQ), Chief Planner, CLG

Steve Quartermain explained that he was constrained in his report as the Localism Bill was in course of preparation and in due course would be presented to Parliament at its First Reading. However:

- Regional Strategies were to be abolished and the Secretary of State had indicated that there was a commitment to putting mechanisms in place to enable local authorities to work together, including a new statutory duty to co-operate. There was a legal challenge to the position on regional strategies.
- Local Enterprise Partnerships were being developed and proposals sought.
- Neighbourhood planning was an important element in the new system and SQ hoped to be able to report on this and its relationship to the community right to build in detail at the next Forum meeting. There was a considerable amount of work underway in relating community right to build and community veto.
- The proposed National Planning Policy Framework would be an important opportunity for enabling external input to the process.
- There had been an announcement on ‘garden grabbing’ and subsequent amendments to PPS3.
- An announcement on five year land supply was anticipated, with an emphasis on local evidence and determination.
- Changes to Regulations were underway in relation to the Use Classes Order in respect of schools and micro-generation.
- Announcements were also anticipated on the Community Infrastructure Levy, the New Homes Bonus and Business Increase Bonus.
- There was a legal challenge in relation to proposed changes to definitions of houses in multiple occupation.
- Consultations were out on:
 - The Natural Environment White Paper from DEFRA
 - The Environmental Impact Assessment Regulations
 - Consolidation of Tree Preservation Orders
 - Time limits on extending planning permission for minor works

SQ invited questions and comments.

- Corinne Swain asked about the intended relationship between the National Planning Policy Framework and the National Infrastructure Plan. SQ pointed to the revised consultation documents that had been published in relation to National Policy Statements, which set the framework for decisions about the development of Nationally Significant Infrastructure Projects. There was an on-going debate about the content of the National Planning Policy Framework and the extent to which it might be spatial or policy orientated.
- Colin Eastman raised a question about minor changes to the text of the GDO and GDPO and whether there were any other changes anticipated especially in relation to consultees. SQ confirmed that a review was underway.
- Simon Leask of ATLAS was concerned that there was a mood of uncertainty about new housing numbers and, as a result, some authorities were not taking responsibility. SQ explained the Government's view that the incentive regime will change the culture of opposition to new housing development and the clear view of ministers that rather than debate numbers authorities should get on with building.
- Andrew Pritchard was thankful for the presentation on the new planning system recently made to elected members in the East Midlands. It would be helpful to emphasise the need for elected members to look at the evidence before setting new housing targets. SQ emphasised minister's determination that decisions on targets would be made locally. There would be no transition periods and no further guidance – the forthcoming policy guidance in the national Planning Policy Framework would be considerably shorter than that which is currently available.

5. Updates from the Executive Board

The Secretary thanked members for the large attendance and particularly to Steve Quartermain for his contribution. He drew attention to the next three meetings of the Board - December 15th 2010, which would focus on 'localism', and March 4th and June 23rd 2011.

- a. **'Improving the Connection'** - update on the NPF report on Planning and Building Control. This report had been published on the website and had been submitted to CLG as part of the 2013 Review of the Building Regulations. It had appeared at a time when there was developing interest in the relationship between the two services.
- b. **'Mediation in Planning'** had been launched at the Planning Convention. The recommendations in the report were being pursued; a meeting with ministers had been arranged for November to press the case for mediation being supported as an alternative dispute resolution technique in planning, in the context of localism, and to seek ministerial support for the initiative. A Programme Board was being established from amongst the key stakeholders.
- c. **NPF at the 2010 RTPI Planning Convention** – a report had been circulated on what had been a successful exercise.
- d. **Membership policy – a review.** A report had been circulated on the changing nature of the Forum's membership and how it might further change in the light of current circumstances. This emphasised the National Planning Forum's unique cross-sectoral membership and recommended establishment of an 'associate membership class' of up to 10 members to enable individual, 'stand-alone' organisations to become members. The 'every member contributes' policy to the payment of an annual subscription was being gradually pursued. The Secretary invited comment by email on the proposed changes to membership.
- e. **2009/10 – summary of accounts.** These had been circulated and indicated expenditure in the order of £72000 and income in the order of £76000. In 2010/11 both income and expenditure were likely to be considerably reduced. Invoices for 2010/11 subscriptions would be sent out in the near future. Non-subscribing members were encouraged to consider making a contribution. It was important that all members demonstrated their support for the Forum.

f. **Appointment of Vice-chair (Government Agencies)** – this was vacant and a volunteer to fill the gap was being sought.

6. Draft note of May 2010 meeting

This was agreed without amendment and signed by the Chair as an accurate record.

7. AOB

There was no any other business and the Chair thanked members for their attendance and closed the meeting.

DRAFT

FUTURE FORUM MEETINGS IN 2011

- **Friday March 4th**
- **Thursday June 23rd**

All at 12.45pm for lunch - start of business 1.30pm at Local Government House, Smith Square, London