

MAIN REPORT

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# RICS RESEARCH

IMPROVING THE CAPACITY  
OF THE PLANNING SYSTEM  
IN ENGLAND AND WALES:  
A VIEW FROM THE REGIONS



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**Improving the capacity of the planning system in England and Wales: a view from the regions**

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## **Contents**

Executive summary	2
Introduction	6
Methodology	7
Findings from the literature	8
Key issues from the round-table discussions	10
• Graduate and councillor education	10
• Staffing and skills in Local Planning Authorities (LPAs)	11
• Planning policy and guidance	12
• The planning application process	14
Regional reports	17
• East of England	17
• London and the South East	18
• North East England	19
• Wales	20
• West Midlands	21
Final remarks	22
References	23
Appendices	
Appendix 1: Letter of invitation	25
Appendix 2: List of participants	29
Appendix 3: Extended literature review	31

## **Executive summary**

### *Objectives*

The objectives of the research were to seek a representative view of senior practitioners and leaders in planning and development on the capability of the planning system to sustain its role in a changing environment. Specifically:

- What is the capacity of the planning system to meet current demands for staff and skills?
- What impact will the greater demands upon the planning system have in terms of requirements for sustainability, infrastructure and democracy?
- What effect will the widening range of policy objectives have upon housing, infrastructure, economic development and sustainability, at national, regional and local levels?
- What recommendations should the RICS make for improving the capacity of the planning system?

### *Methods*

The methods used to address these questions were twofold:

- A review of literature and policy documents, including previous studies of the capacity of the planning system, as well as an assessment of the increasing demands placed on planning by policy initiatives;
- Five roundtable discussions in the North, Midlands, East, South East/London and Wales, attended by senior stakeholders in the delivery of new housing, including regeneration schemes.

A range of stakeholders, many of whom were RICS members, were invited to the roundtables. These included planners from the public and private sectors, developers, representatives of the Homes and Communities Agency, civil engineers and academics. The sessions were held in Newcastle, Cambridge, Birmingham, Cardiff and London.

### *Starting point*

The framework for discussion was set by the literature and policy review and covered a range of issues. It was observed that many recent reports concentrated on the reasons for planning delay and how to address these. Others focused on the lack of skills for the new policy agenda of sustainable development and the staffing shortages, particularly in the public sector, which accompanied this. The policy review revealed a rapidly changing policy background, a target based approach that sometimes backfired, and a lack of consistency and coherence across different government agencies. The literature also concentrated more on failure than success.

### *The main topics*

Five key issues arose out of the discussions. These were:

- The growing burden of documentation and evidence as the planning system attempts to become both more democratic and transparent as well as covering a wider range of issues. This requires increasingly sophisticated understanding on the part of planners. Staff shortages, skills gaps and narrowly-based success criteria make this difficult to achieve.
- The qualifications and on-the-job training of qualified planners and ability of more senior practitioners to keep their skills up-to-date. There was felt to be a lack of creativity and vision among local authority planners with much of the work being perceived as 'ticking boxes' and meeting targets, often with perverse outcomes. Also identified was a need for training for elected members who, it was felt, often contributed to planning delay because of their lack of understanding of the development process.
- Problems of recruitment and retention in LPAs who often lost out to the private sector with its higher salaries and more attractive image. Planning is perceived as difficult and this perception is exacerbated by its poor status within local government departments. There is a 'missing generation' of planners in the 35-45 age group who will be able to take over when the current leaders retire. Finally, it was felt that the public sector is losing out to private consultants both at initial appointment level and later on.
- The problems created by constantly changing planning policy and guidance from national government. The move to the new Local Development Framework (LDF) system of spatial planning in England has been more difficult than expected with many local authorities simply re-packaging old plans and policies only for them to be rejected on grounds of lack of soundness. The introduction of the Community Infrastructure Levy (CIL) later this year was felt to be another example of this type of problem.
- The need to address delays in the planning application process. Causes include statutory consultees who fail to respond in a timely manner and the negotiations over section 106 agreements. Other reasons are simply a lack of capacity to deal with large and complex development proposals and a lack of proper project management within the planning department.

### *Regional variation*

The issues outlined above were broadly reflected across all roundtable discussions. However, there were also some significant regional variations:

In the East of England, the roundtable discussions revealed a rural/urban split in the operation, financing and capabilities of LPAs in processing development applications. Further to this many felt that rural residents demonstrated greater levels of NIMBYism (Not In My Back Yard) and that this was reflected in their elected members.

NIMBYism was also a significant problem in some regions of the south east. Concerns were voiced regarding the move to Core Strategies and LDFs, and the increased demands that these

were placed upon planners. Continuing professional development and undergraduate courses were considered insufficient to deal with these concerns.

In the North East a lack of consistency between individual planning officers and a lack of good management within local authorities were identified as particular problems. It was suggested that local authorities should invest more in pre-application discussions, particularly for larger developments. Finally, it was agreed that the decision to become a planner is highly influenced by salary and that planning in the public sector is too poorly paid to be able to compete for the best graduates.

It was generally felt that the planning system in Wales is different and less complex. Nevertheless, frustration was expressed at the apparent ease with which some projects, such as a football stadium or shops were approved but a housing development with 400 jobs was refused. Nationally, there was a drive to attract regeneration experts, although in some rural authorities a lack of language skills frequently prevented the appointment of English-only speakers.

In the West Midlands, there was concern about the environmental sustainability of the existing housing stock. More broadly, it was felt that there was a need for better methods of community consultation as many people do not bother or do not sufficiently understand the process to be able to respond. Some participants felt that the public do understand the planning system but will oppose development on minor grounds as they are not aware of the scheduling and financial implications to developers of delays to applications. Others felt the public do not understand the planning system at all.

#### *Overview*

- The planning application process was regarded as being overly complicated. Too many reports are required and there is not enough time to read, review and decide on applications.
- There is a broad need for up-to-date training for councillors, graduates, local authority planners and developers. It was felt by many that some of the one day Continuing Professional Development (CPD) courses were too generic and superficial.
- There is universal frustration at what is perceived as a box ticking exercise, which is aimed at achieving targets in delivery of housing and meeting environmental standards. There is also significant scepticism regarding the validity of the relatively new science behind many of these policies.
- The current economic slowdown presents LPAs with the opportunity to clear the backlog of planning applications, although it may also serve to put pressure on them to reduce the scale of the department.
- The development process should be promoted more favourably. This would not only serve to encourage more planning graduates to enter employment in local authorities but could also mitigate much of the negative public opinion which surrounds development.

### *Recommendations from the roundtables*

All of the roundtables concluded with ideas that could be carried forward by RICS and others.

- RICS should work with the Royal Town Planning Institute (RTPI) and others to improve the range of courses available to both practising planners and elected members.
- The status of planning should be improved and the RICS should play a significant role in this objective. One possibility is turning the role of Chief Planner in local authorities into a statutory position.
- The development control team should be established as an elite team within planning authorities.
- Informal hearings could form the basis for mediation, especially for smaller applications.
- Paying for pre-application discussions was favourably regarded as it could encourage local authorities to adopt this practice as standard and create some common agreement before applications were submitted.
- A Statement of Technical Common Ground should be agreed at pre-application discussions. This would set out a timetable and introduce proportionality.
- Many developers would be happy for a two-tier system where a faster service was available at a higher price.
- There is a greater need for knowledge transfer between developers, private consultants and local authority planners. Where possible, LPAs should seek to fill current vacancies with suitably qualified developers and private consultants. This would not only bring further expertise to LPAs but would also retain those who have recently been made unemployed within the workforce.

### **Acknowledgements**

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## Introduction

The broad membership base of the RICS has highlighted the lack of capacity in the planning system as a recurring and significant problem for a number of topical policy issues, from delivering increased housing, CIL and boosting economic development, to a lower carbon environment. The RICS is unique in its ability to bring together development and planning professionals both of whom make up an important part of its membership. On this basis, the RICS commissioned research from the Cambridge Centre for Housing and Planning Research (CCHPR) that would highlight exactly how the lack of capacity is impacting on the ground. It would also demonstrate the shared interest of the planning and development communities in identifying potential solutions to these issues.

The purpose of the research was to bring together evidence from those working on the ground on capacity issues in the planning system and to ascertain what should be done about any problems identified. It was hoped that the roundtables would enable the strongest possible case for change to be made whilst simultaneously achieving a consensus between the development industry and planning professionals.

The objectives of the research were to seek, through facilitated discussion across the regions, a representative view of senior practitioners and leaders in planning and development on the following:

- Status check – the suitability of current capacity (numbers and level of planning skills) for current demands. What impact do current strains have upon the planning system and development activity in each region at present?
- Future patterns – how will the impact of greater demands upon the planning system (sustainability, infrastructure, democracy) equate with moves to increase the numbers of planners? Will the level of capacity problem stay constant, improve or get worse?
- Impact on policy objectives – how will this lack of capacity and increasing demands impact on the government's key objectives such as housing, infrastructure, economic development, and sustainability, at national, regional and local levels?
- Potential solutions – looking beyond the need for more funding, how can the capacity of the planning system be improved efficiently and effectively? How can additional resources and specialist resources be best developed and employed? What should be the role of national, regional and local government and the private sector?

The capacity of the planning system to deliver mixed, sustainable communities has been an important policy issue for some time. Whilst recent policy announcements have further increased the demands upon the planning system and the government has taken steps to increase the resources available for planning, many informed individuals across the industry remain sceptical of whether there will actually be significant improvement. This state of affairs has been reflected in the parliamentary select committee report on *Planning Matters – Labour Shortages and Skills Gaps*, published on 14 July 2008, and the Killian Pretty Review of *Planning Applications: A Faster and More Responsive System*, published in November 2008 while this study was taking place.

Not only is the planning system expected to deliver an increasing range of different outcomes but there are inadequate resources for achieving this, especially in terms of staff and skills. The

government's main innovation in this area, the Planning Delivery Grant, only partially addresses this issue.

## **Methodology**

The methods used in this research were twofold:

- A review of literature and policy documents, including previous studies of the capacity of the planning system, as well as an assessment of the increasing demands placed on planning by policy initiatives;
- Five roundtable discussions in the North, Midlands, East, South East/London, and Wales, attended by senior stakeholders in the delivery of new housing, including regeneration schemes.

The main data sources are given in the appendices and include both statistical and more qualitative information. The literature review was wide-ranging and included key policy documents, major reviews of the planning system, as well as more academic papers on sustainability, environmental aspects and policy critiques.

The roundtable events were chaired by a senior RICS member in all cases. They took the form of a series of questions circulated previously with the letter of invitation (see appendix 1). Members were invited to comment on these, and although the discussion often ranged away from the questions, all of them were covered at some point during the event. When the final comments were made, each participant was invited to state what they felt was the most important issue. This approach worked well in terms of arriving at a consensus and a conclusion to the debate.

The questions for discussion emerged from the literature review and were focused under the following headings:

- current status and future patterns;
- process issues;
- policy and implementation;
- resourcing issues.

Lists of invitees were agreed with each region and covered:

- planners from both public and private sectors;
- developers;
- other stakeholders (such as the Homes and Communities Agency, Delivery Vehicles, and civil engineers);
- academics.

As there was an emphasis upon the housebuilding industry, all of those developers who attended were housebuilders although some were also regeneration specialists. Most of the roundtable organisers reported difficulties in encouraging local authority planners to attend the sessions. However, those who were able to attend made useful contributions and 'both sides' (i.e. planners and developers) were able to appreciate each other's problems and concerns. Inevitably, the content of the discussion was affected by who was invited and who actually attended the discussion. Some of the roundtables included participants who were not directly involved in or engaged with the planning system on a regular basis. In London and the South East the original

intention had been to hold two separate roundtables. However, it proved impossible to find sufficient numbers of attendees for both roundtables and the two events were combined into one.

## **Findings from the literature**

The main issues, which have been identified from the literature review, are:

### *1. Changing policy agenda.* This encompasses:

- sustainable development;
- sustainable communities plan;
- mixed communities;
- housebuilding targets, growth areas, growth points, eco-towns.

In a short period we have seen a Planning Green Paper *Planning: Delivering a Fundamental Change* (2001); *Sustainable Communities: Delivering through Planning* (2002); *Sustainable Communities: Building for the Future* (2003); the Planning and Compulsory Purchase Act (2004); *Sustainable Communities: People, Places and Prosperity* (2005 – Office of the Deputy Prime Minister’s Five Year Plan); the Sustainable Development Strategy *Securing the Future* (2005); and the *Planning for a Sustainable Future* White Paper (2007).

### *2. Changing planning system.* This encompasses:

- regional spatial plans and LDFs;
- increased consultation ;
- increased burden of evidence;
- targets and tick boxes.

The Planning and Compulsory Purchase Act (2004) introduced Regional Spatial Strategies (RSS) and LDFs, thus abolishing the Structure Plan/Local Plan system and replacing it with spatial planning (except in Scotland and Wales). This new planning system was then subject to a review by Kate Barker (2006), whose recommendations for streamlining the planning process were incorporated into the 2007 white paper. A report from the Planning Inspectorate (2007) noted that the new LDF system demanded a completely different way of thinking about development plans, and the extent of the culture change required had not been fully appreciated. Core strategies, which simply reflected the former Unitary Development Plan/London Plan approach and their focus on detailed development control policies, were regarded as being unable to result in a sound and deliverable spatial plan. With these changes in mind, it is no surprise that LPAs have struggled with the changeover to a completely new system.

### *3. Labour shortages and skills gaps.* This encompasses:

- recruitment and retention problems;
- a ‘missing generation’ of planners aged 35-45;
- the skills gap, both generic and technical;
- status of planning in local authorities.

Over the last decade or so there have been notable recruitment and retention problems in the planning profession. These problems have been identified by reports such as *Mind the Skills Gap* (Academy for Sustainable Communities, 2007), the Select Committee report on *Planning Matters: Labour Shortages and Skills Gaps* (2008) and the Killian-Pretty review of planning applications (2008). All of these highlight the problem of staff shortages which particularly affected but was not confined to the public sector. Skills gaps included both technical skills, such as those required for environmental assessments, and generic skills, such as those required for

project management and negotiation. There was also mention of the status of planning in many local authorities, whereby the planning department had been subsumed into a wider department (such as environment, living, transport and so on), and which directly led to the Barker Review (2006) recommending that the status of the Chief Planner be raised within local authorities. Such an elevation could also help to overcome the skills gap.

The Killian-Prety review raised the next three sets of issues and made recommendations for addressing them:

4. *Bureaucracy of planning applications system.* This encompasses:

- complex procedures;
- the lack of proportionality (such as for small and householder developments);
- the need for pre-application discussions for larger schemes;
- the use of section 106 agreements.

5. *Engagement with third parties.* This encompasses:

- statutory consultees;
- non-statutory consultees;
- elected members;
- the wider community.

6. *Change in culture.* This encompasses:

- an improvement in the standard of applications submitted;
- how best to address the shortage of resources in planning departments;
- how best to revise timescale based performance targets;
- how best to address unnecessary complexities.

These six headings sum up the main findings of several previous studies – the Barker Review of Land Use Planning (December 2006); the parliamentary select committee report on *Planning matters – labour shortages and skills gaps* (August 2008); the Killian Prety review of *Planning applications: a faster and more responsive system* (November 2008); and the National Audit Office report *Planning for homes: speeding up planning applications for major housing developments in England* (December 2008). The Association of London Government, together with the London branch of the RTPI, has produced *Recruitment and retention of planners: towards addressing the need for planners in London* (April 2004). These findings, however, are not new, as there have been many reviews in recent years including, for example, Lord Rogers' *Urban Task Force* (1998), the Egan review of *Skills for sustainable communities* (2006), and the *Calcutt review of housebuilding* (2007), all of which raised many of the same concerns.

The UK government has introduced several measures to address these six issues. These include the setting of national targets for the speed of decision-making by planning authorities; the payment of the Planning Delivery Grant to those local authorities who met these targets (this amounted to approximately £68 million a year between 2003/4 and 2007/8); initiatives to build public sector capacity, such as the Planning Advisory Service and the Advisory Team for Large Applications (ATLAS); and a bursary system to boost the number of qualified planners.

The National Audit Office has recently reported on the success of these initiatives (2008), stating that national targets had had mixed success. The proportion of major residential planning applications (i.e. 10 dwellings or more) decided within 13 weeks improved from 37 per cent of decisions in 2002-03 to 67 per cent in 2007-08. However these findings are biased towards refusals, with 98 per cent of rejections being decided within 13 weeks compared to only 49 per

cent of approvals. For a sample of local authorities, on average, approvals took over 25 weeks to decide. The most notable success had been the operation of the bursary scheme, which had doubled the number of students taking post-graduate planning courses. The National Audit Office's conclusions were consistent with those of the Killian-Prety review.

### **Key issues from the round-table discussions**

Four main issues arose out of the discussions. These concerned;

- The need for further training for newly qualified graduate planners, and equally the need for education and training on the planning process for elected members.
- The need to overcome staffing problems in LPAs and to keep the skills sets of planners in the public sector up to date. These deficiencies were particularly acute in the 35-45 age group.
- The problems created by constantly changing planning policy and guidance from national government.
- The need to address the problems of delays in the planning application process.

### **Graduate and councillor education**

It was broadly acknowledged that both graduate planners and councillors lacked experience and knowledge of the planning system and development process. There was broad agreement that at times this had caused great difficulties and had often resulted in significant delays in processing planning applications and good schemes approved by planning departments being refused by the planning committee

#### *Graduate education*

All roundtable discussions commented upon the lack of knowledge and experience amongst new graduates working in local planning authorities. This was felt to be particularly noticeable when processing planning applications. Opinion of the standard of new graduates was divided. While some participants suggested that industry expectations were unrealistic over what could be achieved within a one year master's degree, others felt that it was the role of the universities to provide a complete vocational training.

Developing new university courses takes time. For example, it took 10 years for the Transport Planning Society and others to develop a route to a new professional qualification. Presenting students with more courses where it is possible to work and study at the same time may create a more experienced and rounded graduate and a more affordable course.

The number of graduates and directions in which their careers take them has changed considerably over the last 20 years, as decreasing numbers of graduates enter the public sector. Some students decide on the private sector even before they have any experience of either sector simply because the image and remuneration is perceived to be better. This has affected the overall demography of the profession. The CLG select committee report acknowledged this by concluding that the cluster of older people and surge of new entrants into the planning workforce

has created an “hour glass” figure with a marked absence of planners in the 35-45 age group, whose experience would be especially beneficial to larger schemes in major conurbations. The surge of new entrants was attributed to an increased demand for planners and a wider range of courses with improved access.

#### *Councillor education*

The opinion that councillors needed training in planning issues and processes was unanimous. A number of factors were identified as contributing to this deficiency such as the absence of a planning education from the outset, a high turnover of councillors, and the need for councillors not to stray too far from public opinion to ensure re-election. Many participants felt that this deficit was a matter of some urgency.

Several participants had experienced frustration when their planning applications had been followed to the letter but rejected by the planning committee on other grounds. It was felt that this reflected a need to provide the committee members with a general understanding of planning policy and development process, as well as more specific issues such as standing firm against opposition and the requirements of section 106 agreements. However, there was no consensus on whether this course should be mandatory for all elected members or restricted to those members on the planning committee.

#### **Staffing and skills in LPAs**

The discussions highlighted three issues in LPAs. Firstly, it was observed that there are almost as many deficiencies in professional skills among practicing and local authority planners as there are among new graduates. This suggested that some had not had the benefits of continuing education and training courses. Secondly, the management of planning departments was felt to have become progressively weaker as local governments had been reorganised and more experienced staff had left LPAs for more lucrative employment opportunities elsewhere. Finally, it was felt that there is a need for flexible Continuing Professional Development (CPD) courses, which are responsive to new policies, issues and political agendas.

#### *Skills in LPAs*

It was felt that LPAs are playing catch-up with requirements and skills compared to private sector planning consultants who are able to adapt faster to a changing market place and new policies, and who can recruit people with a wider range of required skills. This was particularly noticeable in Wales, where planning capacity in terms of people had been an issue in both the public and the private sectors. As the resources required for regeneration are wide-ranging – planning, design, market/commercial interests – many local authorities had found it difficult to recruit people of the calibre required. As mentioned previously, a number of participants felt that attracting people to LPAs was difficult, particularly as the private sector had created an attractive presence, image and identity. It was thought that in order to address this, the public sector needed to do more of the same.

With the current economic crisis halting large numbers of development applications and building projects, many of those in attendance from both public and private sector felt that this situation provided an opportune moment for a knowledge transfer between planners working for LPAs and developers.

### *Management in LPAs*

The point was made on several occasions that the typical LPA had had its management structure and significance weakened. One participant suggested that the Chief Planning Officer had been pushed down the management structure with the effect that planning as a discipline had been subsumed into a broader whole. The net result of this arrangement was that although such structures may be considered effective in terms of addressing cross-cutting issues, there was no longer a clear planning department. As one participant stated '*planning can be in a department of Living, Luxury, Leisure, Environment and Tourism, which can be headed by a librarian*'.

### *The need for continuing education*

Many participants thought that there was a clear need to develop training courses that responded to the changing needs of the planning system, both in terms of policy and its application. It was widely felt that the focus on generic skills, as recommended by the Egan review, did not adequately deal with the new demands which had been placed on the planning system. It was, however, acknowledged that there were enormous expectations upon LPAs to conduct CPD training, but only few have the resources to do so. The need for skills training in project management and environmental sustainability in buildings were noted particularly.

There was a clear consensus on the need to review the status of planning at the local government level and the management of the planning department within this. There was also consensus on the lack of project management skills of local authority planners, leading to the observation that a more formal training programme in this field was necessary. It was felt that although many planners may have come to local authorities with good knowledge, experience and skills, a rapidly changing policy framework was placing greater pressures on them so that many now struggled to interpret consultants' reports and understand the complexities of some policies, such as section 106 agreements.

There was general agreement that there was a lack of knowledge of green issues. Participants at the Cardiff roundtable felt that further work on achieving sustainable buildings was needed to generate a standard approach across Wales on energy efficiency in particular. They also felt that planners lacked knowledge in this area and consistent tools and policies to support them were needed.

### **Planning policy and guidance**

Recent changes to the planning system in England encouraged a lively debate on its faults and potential solutions. There was a general consensus on most of the issues. Those most frequently discussed were the large number of new policies that local planners were expected to address, the need to deliver consistency in approach to development (and particularly across local government boundaries), local development frameworks (LDFs), section 106 agreements, and the community infrastructure levy (CIL).

### *Policy matters*

The ever-changing requirements of planning policy received universal criticism. Many felt the system was being tinkered with for political rather than practical purposes and that the current

multi-layered system was far too complex. Furthermore, some felt that the evidence upon which policy was based, notably sustainable development and the Building Research Establishment Environmental Assessment Method (BREEAM), was not substantial enough and was often a knee-jerk reaction to a larger problem. Responses to this varied from requests for a return to the previous system through to a requirement to make minor modifications or no further alterations to the system in order to allow it to settle down. With the exception of Wales, where many participants expressed relief that they were operating in a far simpler system, this final option was the most popular.

There were some further, specific criticisms. First, development control and economic development processes in LPAs, regional development agencies, urban development corporations and other government bodies in England were regarded as being unconnected. This was leading to delays in documents and decisions and could even cause the breakdown in relationships between development partners. Second, the requirement to constantly create new documentation, such as core strategies, was problematic, time consuming and costly. As a consequence, many were not produced as expeditiously as might be preferred and were out of date by the time that they were published.

#### *Local Development Frameworks (LDFs)*

A third concern related to LDFs. As one observer remarked *'the Local Development Framework system is utterly broken – it is fundamentally failing. They are not just delivering because some elements of a development plan are detailed and complicated yet central government criticises core strategies if they are too complex'*. Concerns with LDFs also extended to cross border inconsistencies and the complexity in developing them. One planning councillor commented that one of the benefits of the LDF system was that it made it easier to reject applications.

#### *Section 106*

The best way to achieve national government targets divided opinion. Whilst some developers saw the new homes target as having been tremendously useful, others, such as a number of local authority planners and planners working in private sector consultancies, felt that the system had become driven by targets and outcomes (*'a tick box exercise'*), much to its detriment. This was particularly notable when discussing section 106 agreements. One participant suggested that *'local authorities are taking the Mickey with section 106. They treat it like a shopping list and expect developers to pick up the tab for infrastructure and the like that they do not have the money to provide'*.

Developers were also critical of the inflexibility of LPAs when negotiating the obligations for section 106 agreements. This inflexibility was felt to be particularly pertinent in the current financial climate. Many developers have, in the last twelve months, sought to renegotiate existing agreements in a bid to balance their books. One participant remarked that in response to his attempts to renegotiate, the planner suggested that he had paid too much for the land in the first place and refused to budge on the agreement.

#### *Addressing regional differences*

Many felt that growth in certain regions did not match the government projections and that an increase in the provision of market housing did nothing to address the comprehensive lack of affordable housing. This was particularly apparent in the South East where, for example, the RSS for Surrey stipulates that 59,190 homes are to be built over its lifetime. This equates to 3,500

homes a year - a figure which significantly exceeds identified requirements.

It was felt that outside of the South East, more regional reviews, responses and approaches were needed to examine not only the differences between regions but also between different parts of the same region (such as urban and rural differences). When commenting upon the need to approach national issues at the local level and to highlight and embrace regionalism, one representative from the North East noted that *'the North is special and the North East is special within the North'*. Participants at the Cardiff roundtable were also keen to highlight the differences between the English and Welsh planning systems and the potential problems arising from developments that were close to, or crossed, the national border.

#### *Community Infrastructure Levy (CIL)*

Finally, there was some unease about the CIL and the prospect that it could inhibit development. Some hoped that the regulations would specify the necessity for consultation with the private sector on setting levels, with the option of operating differently in different areas, perhaps even on a street by street basis. One participant requested for CIL funds to be ring fenced and time limited.

For the private sector, there were two key areas of concern: firstly, how would spatial strategies be priced and fit into the real world? Under the CIL, the private sector would be expected to pay - a requirement which may prove to be unrealistic. The second was the question of *'do we save the planet or house people? [Achieving] Code levels 4 and 5 will be a huge drain on private sector resources [as will the provision of] combined heat and power systems etc'*.

An attendee at the North East roundtable suggested that there should be a RICS recommendation to government in this section to simplify the development plan system and to prevent the Planning Inspectorate (PINs) and the Planning Advisory Service (PAS) from asking for more and more detailed evidence to back up development plan policies.

#### **The planning application process**

There were notable differences between LPAs and developers in their understanding of what should and could be delivered by the planning application process.

It was widely felt that the amount of documentation and evidence associated with planning applications, particularly large and complex applications, had grown. This change required an increasingly sophisticated understanding of narrowly based success criteria on the part of planners and had been made even more difficult to achieve by staff shortages and skills gaps. Although private consultants had often been used to meet such gaps, their use did not address the fundamental issue of lack of capacity within existing planning departments.

In addition, a wider range of issues were now being covered by planning, including environmental impact assessments, traffic impact assessments, building regulations and, particularly, the various BREEAM<sup>1</sup> sustainability code levels for new housing. It was felt that planners were often not equipped to understand these issues at the level of depth required, with junior or less experienced planners often acting as the case officer for large and complex applications. Concern was also raised that no-one within the council was actually able to read and absorb the associated documentation and evidence with the result that developers were

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<sup>1</sup> Building Research Establishment Environmental Assessment Method

continually trying to talk to a more senior person.

### *Pre-applications*

The call for pre-applications was unanimous. One participant stated that the *'pre-application discussion process is being ignored yet it is as important as the application. It irons out matters of principle, identifies problem areas so that the application process becomes about details only'*. Some developers whose LPAs operated a pre-application process had found it tremendously helpful, although this was the exception rather than the rule. Others remarked that they struggled to get any response from their planning department before submitting an application. The lack of consistency between LPAs regarding who would or would not discuss at this stage caused great frustration.

Generally speaking, developers would be happy to pay for pre-applications if it simplified and expedited the overall application process. The proposal to assist planning applications at this stage was supported, particularly if it included a requirement to reach a Statement of Technical Common Ground within a fixed period of time. It was anticipated that this move would introduce proportionality and set out the key milestones for large-scale developments.

### *Processing planning applications*

Both LPAs and private sector planners were of the opinion that planning applications required too much paperwork. Although the many reports that had been produced on the planning system, such as the Killian Pretty and Barker Reviews, were intended to simplify the process for planners, their actual effect was to place greater demands on their skills and knowledge. One planner remarked that they were *'overloaded with evidence, that had to be shifted in transit vans'*. [As a consequence]... *'an outline planning application is no longer an outline. For example, on a scheme for 4,000 houses, the application looks like a full application, but it is only outline. It is like wading through treacle. We need to undo this'*.

The role of statutory consultees such as the Environment Agency and the Highways Agency who have the potential to throw out the timing and complicate decisions was widely criticised, although no solutions were offered for ameliorating this. Many developers felt that some agencies were anti-development and the delay in the submission of their reports, which was the main reason given for complaints about the length of the decision making process, was not accidental. The thirteen week target for the processing of applications was widely considered to be problematic with agreement across the board that this timescale was too short. One developer complained that there was a big gap between submitting an application and getting it validated. *'The system works around the targets to ensure that they are met. You can be nearly at the end of the 13 weeks and they will say – you have to resubmit – as if that was costless. It costs about £50-60,000'*.

The lifespan of planning permissions at present is significant. Many developers have approval to build on site but are concerned that their permissions will expire before the economy and recovered and house building has resumed.

### *A target-led system*

The current system of timescale-based targets for planning applications came in for considerable criticism by developers and local planners alike. It was felt that the timescales did not allow sufficient time for information to be absorbed and a considered decision reached. There was also

discussion about the way in which targets set to improve planning performance could backfire. As one planner commented, not entirely tongue-in-cheek,

*'The easiest way to get improved performance is to refuse applications!'*

Another participant commented: *'Statutory consultees are a case in point. They object at the last minute and we have been asked to withdraw or get refused. Not a good idea'*.

Planners may be reluctant to engage with developers at an early stage because they are so concerned about meeting targets. As a third participant noted; *'It is so expensive to go to appeal so we are backing off bigger schemes because the risks are too great. In one case the LA started off with 14 reasons for refusal so we went to appeal but meanwhile they withdrew them one by one so down to two – so we could end up going to appeal with thousands of pounds of investment yet we could get agreement. One of the reasons we appealed was we could not get time from the officers, they would not engage with the project, but as soon as we went to appeal resources and their commitment increased'*.

#### *Application costs*

It was suggested that the private sector would be prepared to pay for a better service. *'The planning fee is not the be all and end all compared with the holding costs of the site'*.

One proposal was for higher fees in return for an enhanced or fast track service. While this issue was not raised at all of the roundtables, there was considerable agreement where it did emerge. There was, however, a concern that as the level of applications fell, LPAs would lose income. While this had not yet happened to any significant extent, it could ultimately mean redundancies. Developers and others felt that losing staff would be a great mistake and suggested that the slack period, in terms of applications received, be used to consolidate skills and ensure that the management and protocols were in place for the upturn. Planners said that every effort would be made to retain teams in place but nothing could be guaranteed.

## **The regional picture**

This section of the report draws out regional differences from the thematic discussions of the roundtable.

### **East of England**

Participants at the East of England session comprised mainly planning consultants, developers and local government officials as well as academics, housing specialists and two RICS staff members.

As was evident in all of the sessions, developer participants were heavily critical of the perceived lack of knowledge of local authority planners. Whilst local authority planners were identified as lacking skills, continuing education was acknowledged as necessary across the board. At a more fundamental level, participants agreed that there needed to be a reinvigoration of the image of planning to increase numbers entering the profession. Participants recognised that there was a need for workshops and training courses in finance, land purchase, greenfield land, development economics and environmental sustainability that should be open to a wide audience, including all members of RICS. A lack of understanding on sustainability issues, particularly energy efficiency in buildings, was cited as being one of the most pressing matters. The potential for a knowledge transfer between private and public sides of the development framework was briefly explored with most agreeing that this had potential benefits.

It was stated that there is nothing new about NIMBYism or BANANA (Build Absolutely Nothing Anywhere Near Anyone) and the fact that some residents in the East of England vehemently objected to particular forms of development or all development was not unique. However, it was clear that there was a distinct difference in the operations and attitudes of rural and urban planners, as well as between rural and urban councillors. It was observed that rural councils have fewer resources than their urban counterparts, meaning that their ability to compete for high calibre staff and their potential to fund further education for planners was usually compromised.. Councillors generally were felt to be anti-development, and finding a 'champion' for development to highlight the positive side of housing growth in terms of new jobs, for example, might ease this.

Further to this, there was wide condemnation of government directives on and projections for growth as it was felt that these have been drawn up in an arbitrary manner without a proper needs assessment or consultation with the appropriate local bodies. It was agreed that professional bodies, such as RICS, could provide a neutral and non-confrontational environment for discussions involving councillors, developers and the community on development matters, and the regional government bodies should be proactive in drawing these groups together for such debates.

The relevance of high quality design was not clear to some of the developers in the group. One participant noted that although design awards were very nice, they did not bring in any more work and usually cost more in the long run. He concluded by stating that '*high quality design isn't worth the extra investment*'. Although not in direct response to this comment, another contributor remarked upon the benefits of using high profile designers to develop master plans and the like, stating that in one case they had acted as an aid in the releasing the deadlock in terms of realising, conceptually, some of the needs of the new legislation. More widely, there was a call for the promotion of best practice case studies in different building typologies. The Inspire East

(regional centre of excellence for sustainable communities) master planning guide and Excellence Framework were cited as important tools in this respect.

### **London and the South East**

The London roundtable was the second largest. Originally, it had been proposed that two separate sessions, one for London and one for the South East, be held on the same day in order to draw out any differences. However, due to a smaller number of participants for the South East, it was considered better that the two sessions were combined. Participants comprised predominantly planning, property and civil engineering consultants, with only one council planning representative. The release of the Killian Pretty review just prior to this meeting influenced much of the discussion, as some participants responded directly to points raised there..

Beyond the wider discussion on planning policies, it was apparent that the production of documentation, most notably core strategies and LDFs, was of great concern. The key problem with core strategies was getting them approved by the Planning Inspectorate with one participant reporting that of the 11 districts in Surrey, only one has had a core strategy approved by the Inspectorate. Although several others have almost completed the strategy document, they subsequently realised their proposals would be unsound so have not yet submitted them. The hope expressed in the Killian Pretty review that resources would not be diverted away from planning because of the fall in applications was debated with specific reference to the need to finish the LDF process. LDFs themselves were criticised for lacking both vision and courage, although it was not identified where the problem lay apart from acknowledging that resources both in personnel and financial terms were a problem. Responding to these struggles at a sub-regional management level was seen as the most appropriate response with such an approach being essential for major projects, such as the expansion of Gatwick Airport.

CPD, graduate diplomas and undergraduate planning degrees were perceived as being inadequate in dealing with the new demands placed upon the planning system. It was noted that university courses in planning are not intended to provide vocational training. The complexities of the discipline made practical work place experience essential. In order to address the lack of skills in LPAs, it was confirmed that private consultants had been used extensively for specialised areas such as viability and environmental appraisal. This, however, had not always been successful as in some cases the consultancy costs had far exceeded the in-house costs. This notwithstanding, it was felt that private consultants will continue to be employed for specialist areas which local authority planners know little about, such as retail, with the expectation that this will also aid the transfer of skills.

It was felt that whilst the government appears determined to engage and empower the community in the planning process, they may be overlooking the reluctance or inability of the public to read and respond to planning documents. With this in mind, it was considered necessary for the three main professional bodies, RICS, RTPI and the Royal Institute of British Architects (RIBA), to review citizen engagement policies and the accessibility of non-planners to information and debate on the built environment.

## North East England

The North East had the most evenly balanced and widest range of participants, including local authority planners, consultants, housing developers, and representatives from regeneration and housing agencies.

There was consensus that LPAs need to invest more in pre-application contacts and develop project management skills, especially for major applications. A fall in the number of these could provide an opportunity for the planning department to examine how they deliver their services, such as filtering out the small routine applications to specialist teams and creating large-scale delivery teams for the fast-tracking of applications.

There was felt to be a lack of consistency between individual planning officers and a lack of good management with too much work being off loaded onto the desks of those with the least experience. It was also felt that the requirement for information and evidence to be provided in support of planning applications meant that the material to be read is now so complex that much of it is being farmed out to people all over local government. A participant remarked that *'in the past, when you went to the LPA, a senior development control officer dealt with you – they liaise with all the other departments'*. As a result no one person had an overall view and understanding of all of the issues concerned with a particular development.

There was considerable concern regarding proportionality, particularly when an application requires a minor amendment. It was felt that there needs to be a change in the law on minor amendments and precedents, as Development Control (DC) officers are capable of undertaking this task without the need for it to go to committee. As one participant put it, *'we still don't know what will happen on minor amendments. What you need is not guidance or codes for sustainable development, but law, and then you can just do it'*. The workload that appeals create was highlighted by another contributor: *'written appeals are not worth it. Inspectors are meant to do four a week which is effectively one a day. Site visit, read all the evidence and make a judgement.'* One suggestion was that an informal hearing could form the basis for mediation, especially for smaller scale applications, although participants were not sure whether it could work for large schemes.

Concern was also expressed about the need to amend or vary section 106 agreements in the context of the recession. Lower house prices could threaten the viability of developments unless the value of planning obligations was also reduced. If applications are down, it was thought that this may give more time for planners to understand the developer's position in terms of viability and thus be more prepared to accommodate them.

Finally, it was felt that the decision to become a planner was highly influenced by salary, but the role of planner in the public sector is poorly paid and extremely difficult. *'Planners have a plethora of job opportunities now. LPAs need to match the market price and provide a working structure that puts planning on an equal status with lawyers etc. within the LPA'*. It was said that this shortage of appropriately qualified and experienced planners meant that LPAs often subcontract out their section 106 negotiations to lawyers who do not understand the economics of development.

There was a lively discussion of development plans in the North East. The conclusion of this was that there was a degree of consensus that the LDF system is not working, with particular reference to the recent withdrawal of Newcastle's Core Strategy after heavy criticism from PINs.

## Wales

This roundtable had the largest attendance. It consisted of an evenly balanced, wide range of participants that included local authority planners, academics, consultants, housing developers, representatives from regeneration agencies and housing agencies as well as the Welsh Assembly, Prince of Wales' Foundation for the Built Environment and RICS representatives.

The discussion showed that there were significant regional differences in policy and process, although some of the issues raised echoed the concerns of the other roundtables. The participants were *'acutely aware of the missing years of the planning profession'*, and planning authorities had looked to address this by trying to attract planners from England to work on larger developments which were still in progress. The fact that Wales has a simpler planning system was also observed. Other observations were made over the need to attract regeneration experts and the recruitment difficulties which can arise as a result of the language requirements in parts of Wales.

It was felt that there were three key areas within planning: development control (with a need for a greater emphasis on the concept of development management); forward planning; and, additionally, a strategic role in regeneration and long term development strategies. As people cannot easily be redeployed between these three areas, it was felt to be important that momentum was maintained in the expectations and delivery of development plans so that planners can get on with delivery.

There was a particular lack of knowledge of green issues (the sustainability and Climate Change agenda), where Welsh Assembly Government targets are more demanding than in England, and confusion over how standards for these could be achieved. More work was required on developing both an understanding of, and skills in, sustainable buildings/construction and the broader implications of climate change issues upon the planning process. It was also felt that a standard approach needed to be generated across Wales on issues such as energy efficiency. *'Planners lack the knowledge and we need consistent policies across Wales and the tools to support them'*.

In relation to skill levels, it was argued that 22 unitary authorities are not individually going to be able to support detailed skills. Development management and policy skills are both required, with the latter being easier to recruit, although policy skills are weaker in Wales than might be expected. Under the previous two-tier local government system strong data analysis skills were available at the higher, county, level. Since restructuring and the introduction of a one-tier system, however, some of the policy work has proven to be weak at local authority level and in need of national support. Reference was made to the Welsh Assembly's "Making the Connections" policy, which encouraged collaboration between LPAs. This could be one solution in respect of the provision of specialist planning services.

There was frustration at the apparent ease and inconsistency with which some proposals were approved. It was felt that some projects with political backing, such as a football stadium or shops and, more recently, a 1 million sq ft warehouse with relatively limited job creation, went through with ease while other proposals, such as a housing development which would have created 400 jobs, were refused. It was suggested that the cost of appeals had led developers to avoid larger schemes as the risks contained within these were felt to be too great. In one case, *'the LA started off with 14 reasons for refusal so we went to appeal but meanwhile they withdrew them one by one so down to two – so we could end up going to appeal with thousands of pounds of investment yet we could get agreement. One of the reasons we appealed was we could not get time from the officers, they would not engage with the project, but as soon as we went to appeal resources and*

*their commitment increased*'.

## **West Midlands**

This was the smallest session with half of the participants being planning or property consultants and the remainder comprising local and regional government representatives and RICS staff. There were proportionally more RTPI members than in the other groups.

Some of the recent reforms of the planning system came under criticism. One participant asked: *'Remember planning by appeal? In the last 5 years we have been trying to achieve this perfect system – a development plan and then simple applications which either accord with the plan or not. So then they introduced LDFs and now Development Management (=DC) but it has been driven by a target culture for so long, it will take time to get away from that'*. It was agreed that all participants wanted pragmatic and timely decisions which delivered outcomes, but what tended to happen is that the process, rather than the outcomes, were judged.

There was a lively debate about consultation and how to get the public to understand the planning process and why there is a planning system at all. Some participants asked whether consultation had gone too far and argued that central government did not understand what they were doing. Participants felt that although the public understands how the system works, they will oppose development without knowing how long schemes take or how much it all costs. Others felt that the public simply did not understand the planning system. *'They understand parts of it when they want to object to a development but they don't understand it more widely'*. It was suggested that the public could come up with good ideas but the problem was how to get them to have a more active and positive attitude towards planning. It was suggested that community engagement was a better name than consultation and that a consultation strategy should start much earlier than the plan itself.

Some participants felt that the consultation skills of planners had improved when compared to *'the old days in the village hall where a handful of men and a dog turned up and the man with the dog was a bit nutty'*. The phrasing of questions in consultation exercises, however, is very important in order to obtain an accurate response.

A useful discussion of sustainable development took place with many participants thinking that there was a real housing issue in relation to the environmental sustainability of the existing stock. Over 80 per cent of the existing stock is more than 50 years old. The typical Birmingham house needs to be insulated by building a skeleton framework within existing dwellings. It was observed that although there was a market for insulation, there was also a need to change behaviour so that people no longer felt the need to heat the whole house when the technology is available to heat just the rooms being used.

## **Final remarks**

The roundtable discussions demonstrated a positive attitude towards the planning process from participants. Planners and developers alike appeared to understand the problems each were facing, and there was considerable consensus about the causes and nature of the problems encountered. There was a clear difference between urban and rural areas, broadly speaking. At one extreme, busy metropolitan authorities with large numbers of sizeable schemes were better resourced and more positive towards development than small districts with fewer resources and opportunities, a strong element of NIMBYism and less experience.

Although some regions exhibited closer working relationships during the discussions, this does not necessarily mean that others did not. For example, participants at the Cardiff roundtable suggested that they felt they had stronger working relationships, particularly in areas of regeneration, than their English counterparts. However, this may simply reflect a less pressurised environment with lower demand for housing and a less complicated planning system.

The current economic climate has affected different development sectors in different ways: developers have had to make massive job cuts and scale back their operations but generally, local authorities have not yet felt any impact. However, a fall in applications means that less income is generated through application fees, indicating the possibility of cuts and the freezing of some posts, as has already been seen in some places (for example, Newport). It was anticipated that this could result in the system being under-resourced once the market began to recover and, in order to avoid this outcome, planning teams should be retained and the decrease in their workload should be used to improve both actual skills and working practices.

In terms of recruitment, Welsh planning authorities reported that they were benefitting from the downturn. As a result of local government reorganisation in England, some English planners had moved into eastern parts of Wales. However, it is not yet clear whether they will remain there in the long term.

In terms of planning delays, developers were clearly prepared to pay more in order to get an enhanced service from the planning system. This was felt to be particularly important for large scale developments with section 106 agreements still to be negotiated. Possible solutions to this difficulty could be the introduction of a two-tier system, or simply making sure that individual authorities are able to deliver what is required of them.

Although the focus of the discussion has been on ‘planners’, this term encompasses both technical and administrative staff working in the planning department rather than just those holding professional qualifications. As such, there is a need to manage them in a way which reflects this, and which focuses less on the professional planners and more on the overall resource within the department.

Finally, the roundtable discussions demonstrated that there is a clear need for cross-boundary working not only at the local authority level but also between England and Wales. Inspire East was cited as managing this demand particularly well.

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## Appendices

### Appendix 1: Letter of Invitation

Dear XXXX

#### **Improving the capacity of the planning system Round Table Meeting-XX**

You have indicated that you would be prepared to attend a forthcoming planning event and this invitation contains more information.

The capacity of the planning system to deliver mixed, sustainable communities has been an important policy issue for some time. This is reflected in the Select Committee report on *Planning Matters – Labour Shortages and Skills Gaps* published on 14 July 2008 and the Killian Pretty Review on *Planning Applications: A Faster and More Responsive System*. Not only is the planning system expected to deliver an increasing range of different outcomes but there is evidence that both staff and skills are lacking.

The RICS has commissioned research to explore current planning capacity, the new demands that are being placed on planners and the extent of a mismatch between the two. As part of this initiative, the RICS is holding a series of roundtable events to discuss these issues with a view to reaching a consensus between developers and planners about what might be done to address them effectively in the future.

I would like to invite you to the roundtable for Wales. The discussion will be facilitated by researchers from Cambridge University who are undertaking this research on behalf of the RICS and will be attended by leading individuals in planning and development in Wales. The RICS believes that your knowledge and experience will contribute significantly to this research.

I attach a short note providing more detail on the issues to be discussed.

The event will take place at RICS offices XXX commencing at XX and ending at XX. A light lunch will be provided at XX.

I do hope that you will be able to attend what promises to be an interesting and productive debate and will be grateful for confirmation to [XXX](#)

Yours sincerely

XXX

## **Improving the capacity of the planning system**

### **Roundtable discussion**

For the roundtable discussion, you are invited to give your perspectives on the current land use planning system; its capacity; staffing matters and associated issues.

We are particularly interested in which of the following areas you believe are most significant in ensuring a well working system and your involvement in the process.

#### **i) Current status and future patterns**

- Current capacity of planning system and make up of that capacity (eg skills/experience levels)
- Identifying the key areas of activity
- Constraints and bottlenecks in the planning system / development activity
- Changing demands placed on planning system

#### **ii) Process issues**

- Managing the shift to LDPs and other process changes
- The interface with government at the national, regional and local level
- The use of targets and incentive systems within planning
- The role of the private sector in improving / detracting from the capacity of the planning system

#### **iii) Policy and implementation**

- Local development plans and Wales Spatial Plan
- Sustainable development
- Brownfield development
- Planning delivery grant

#### **iv) Resourcing issues**

- Current and future staffing levels and turnover.
- Attracting new staff and councillors.
- Training and skills assessment for planning officers and councillors.
- The role of professional bodies in monitoring, developing and providing specialist knowledge as well as generic skills for planning officials and councillors.

#### **(v) What to do?**

- Ideas to take forward

## **Additional Notes on Planning Issues in Wales (attached to invitation letter for Cardiff round table)**

### General

The planning division provides planning policy advice to Ministers and provides a policy framework for the 25 planning authorities in Wales. Two key documents are Planning Policy Wales and the One Wales agreement.

### Housing

The latter document contains a commitment for the Wales Assembly Government to provide 6500 affordable new homes in the 4 years from June 2007. Planning works closely with Housing. Funding is provided via social housing grants and section 106 mechanisms. Training has also been carried out to improve Local Authority negotiating skills.

Councils are being required to produce Affordable Housing Delivery Plans as a means of encouraging affordable housing delivery before Development Plans are produced. The Division has produced its own guidance on negotiating section 106 agreements.

TAN 6 also ties in with Affordable Housing policy and the One Wales agreement and there are moves to improve the scope for rural affordable housing.

A review of Tan 20 Planning and the Welsh language is to be taken forward in 2009. The Wales Assembly Government is a coalition of Labour and Plaid

### Sustainable Development and Climate Change

Sustainable development is one of the main planks of the One Wales Government agenda and the Assembly has ambitious targets to reduce carbon emissions.

WAG has recently closed a consultation that will require housing to meet Code 3 and non domestic buildings will need to be BREAAAM excellent.

Research is being commissioned to see how planning permission could be relaxed for micro-generation on non residential buildings. Amended regulations are expected early next year.

It is understood that research is being carried out into the challenge and obstacles for Local planning Authorities in developing the climate change Agenda. As a result of the research it is expected that policy will be amended and training rolled out.

Local Planning Authorities have some difficulty with TAN 8. Wag is responsible for setting the policy and the LPAs responsible for delivery and operational issues.

There are challenges in meeting the climate change agenda.

Design statements are linked to climate change and from 1/4/2009 applications for new developments will need to be accompanied by a statement as to how sustainable development has been taken into account.

## Plans

England has Regional Spatial Strategies and Local Development Frameworks.

There is a significant difference here. Wales has a Spatial Plan which is a material consideration in the preparation of Local Development Plans(not Local Development Frameworks)

## Control

Building Regulations. Currently the same as England but the Assembly is pushing for devolved powers to back up its sustainability agenda.

There are differences in the fee levels and new fees will be introduced in 2009.

## Planning Bill

The New Infrastructure Planning Commission will impact on Wales. It is expected to contain provisions for Wales to have forward planning powers in the Wales Spatial Plan and Development Plans and we still do not know the relationship between the new National Policy Statements and the Wales Spatial Plan. However, there is some concern that on-shore projects over 50 megawatts and offshore projects over 100 megawatts will be decided outside Wales.

The Planning Bill contains provisions for the Community Infrastructure Plan to be introduced in England and Wales. Final details are yet to emerge but it is expected to be optional for Local Authorities to employ the levy.

## **Appendix 2: List of Participants**

### **East of England Region – Cambridge 1<sup>st</sup> December 2008**

Adrian Davey, Development and Property Services Director, Cambridge Housing Society (Chair)  
Natalie Blaken, Planning Manager, EEDA  
James Cutting, Planning Team Leader, EERA  
Dan Durrant, Project Coordinator, Inspire East  
Peter Faulkner, Consultant, Bidwells Faulkner  
Emma Fitzgibbon, RICS East  
Prof Ian Hodge, Head of Dept of Land Economy, Cambridge University  
Alan Joyner, Projects Director, Gallaghers Estates  
Dr Delle Odeleye, Department of the Built Environment, Anglia Ruskin University  
John Oldham, Chief Town Planner, Countryside Properties Plc  
David Potter, Operations Director, RICS East  
Chris Smith, Hopkins Homes Ltd  
Derek Stebbing, Planning Policy Manager, Chelmsford Borough Council

### **London and the South East Region – London – 2<sup>nd</sup> December 2008**

David Bottom, RICS South East (Chair)  
Fraz Baber, Surrey County Council, planning surveyor  
Beth Bear, Civil Engineering  
Mary Callum, Savills  
Gordon Chart, RICS planner  
Damian Cleghorn, RICS  
Esther Collins, CABE, Urbanside London, LDA and GLA  
Robert Frear, Civil engineer  
Howard Potter, Civil Engineer and town planner  
Tod MacHall, Associate Director  
Rebekah Paczek, PPS Consulting  
Steve Rankin, Planning consultant, surveyor/planner  
Peter Weatherhead, DTZ planner  
Ted Westlake, Chartered Surveyor, developer  
Rachel Winney, DCLG planning directorate

### **North East Region – Newcastle – 21<sup>st</sup> November 2008**

Kevan Carrick, JK Property Consultants LLP (Chair)  
Ray Ball, Newcastle City Council  
Ian Baggett, Adderstone Group  
Helen Campbell, Sunderland arc  
Damian Cleghorn, RICS  
Joe Doherty, Teesside Valley Regeneration  
Michael Hennings, North Tyneside Borough Council  
Peter Jordan, Persimmon Homes  
Barry Luccock, Sunderland Borough Council  
Michael Mealing, Tees Valley Living  
Nigel Perry, Nathaniel Lichfield & Partners

Neil Robson, Ward Hadaway  
Geoff White, RICS North

**Wales – Cardiff – 11<sup>th</sup> December 2008**

Richard Essex, Regeneration Skills Collective of Wales (Chair)  
Robert Carew-Chaston, Hutchings and Thomas  
Jane Carpenter, Senior Planning Manager, Redrow Homes  
Philippa Cole, Director, PMG  
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**West Midlands Region – Birmingham – 9<sup>th</sup> December 2008**

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### **Appendix 3: Extended Literature Review**

This review of relevant literature to inform the round table discussions is divided into sections as follows:

- Planning policy – sustainable development and sustainable communities
- Planning policy – providing more housing
- A new planning system
- Skills and staffing in planning departments
- Planning process – planning applications
- The need for greater understanding of sustainability issues

#### ***Planning policy: sustainable development and sustainable communities***

Commentators have long argued that the planning system may be overburdened with delivering a constantly changing policy agenda. Thus Healey and Shaw (1993) noted that ‘the land use planning system uses regulatory power to contribute to the management of environmental change. It is thus central to the contemporary environmental policy agenda. Several dimensions of the agenda have a long history in the planning system. Yet there is much which is new, both with respect to specific issues and to conceptions. The system therefore faces a major challenge in incorporating the new agenda, with respect to competences, institutional capacity and the competences of planners’. In 1998 Longhurst argued that there has been a growing interest in sustainable development as a guiding principle to allow the integration of economic development and the environment within policy and strategy. At all levels of policymaking a major emphasis has been placed upon the local scale as the most appropriate for the delivery of such policies and initiatives, with a particular stress upon local authorities as the major delivery mechanism. His research with urban local authorities in England and Wales revealed that there are varying interpretations of the environment within local authorities, reflecting environmental and economic development perspectives. In each case, however, these are effectively interpretations which tend towards the ‘weak’ end of a sustainability spectrum and he suggests that such divergent interpretations of sustainability are hindering integrative activity and the potential for introducing ‘strong’ sustainability measures.

In 2003 the Office of the Deputy Prime Minister (ODPM) published *Sustainable Communities: Building for the Future*, generally known as the Sustainable Communities Plan (SCP). The aim of the SCP was to achieve ‘a step change ... to tackle the challenges of a rapidly changing population, the needs of the economy, serious housing shortages in London and the South East and the impact of housing abandonment in places in the North and Midlands.’ But the SCP aimed for much more than a radical increase in housing supply. Its goal was the creation of sustainable communities.

Since the SCP’s publication in 2003 the Government’s Plans have been the subject of continuous debate and scrutiny. Paramount among the concerns has been whether, in its haste to build new housing, the government is repeating the mistakes of early mass house building, resulting in low quality housing, on undesirable estates and major adverse environmental impacts.

The Sustainable Development Commission (SDC) is the UK Government’s ‘watchdog’ on sustainable development, reporting to the Prime Minister and the First Ministers of Scotland and Wales. In its first Thematic Review, it undertook a review of the delivery of the SCP to assess whether its delivery is achieving the required outcomes for sustainable development. The Review

evaluates the broad approach, the delivery through the regional, sub-regional and local authority bodies, and the actual outcomes and plans 'on the ground' in specified areas. The evaluation tests the outcomes of this programme against the government's five sustainable development principles.

The SCP was launched as a major, long-term regeneration and growth programme, focussing on tackling the decline of urban centres in the north and midlands of England, and on increased house building in the south and east of England. The Plan sets out broad requirements for what makes a sustainable community. A more comprehensive statement of the government's view of what makes a sustainable community was published in 2005 in *Sustainable Communities: People, Places and Prosperity*, ODPM's Five Year Plan. This included the definition, reiterated in *Securing the Future*, the UK Government Sustainable Development Strategy, that: 'Sustainable communities are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.'

Whilst this definition has served its purpose, the Sustainable Development Commission argued that it should be more closely aligned to the government's sustainable development principles as published in the 2005 Sustainable Development Strategy *Securing the Future*. The five principles are explicit: 'we want to achieve our goals of living within environmental limits and a just society, and we will do it by means of sustainable economy, good governance and sound science'. By using this as the basis for the definition of sustainable communities, there would be a strengthening of some elements of the existing definition, particularly regarding the application of 'environmental limits'.

Despite these broad ambitions, the dominant policy focus and drive in the early stages of delivery of the Sustainable Communities Plan has been housing. The Plan is in effect a housing delivery programme under the heading of a regeneration programme, and the funding for the regeneration elements are largely found elsewhere. Progress in delivery very much remains a continuation of the planned housing programme. The 'Sustainable Communities' title for the programme has effectively been dropped from government communications on this programme.

### ***Planning policy: providing more housing***

Another key policy area is of course the government's ambitious new housing targets. Increased longevity, smaller household size and international migration has repeatedly produced forecasts of rising demand and need for additional housing and each official household projection has reflected this. The government responded first with 'Growth Areas' in Milton Keynes South Midlands, the London/ Stansted/Cambridge/ Peterborough corridor, the Thames Gateway and Ashford, Kent. As it became clear that household projections exceeded the housing that could be delivered in the Growth Areas, the government introduced Growth Points, a scheme under which local authorities could bid for additional funding in return for increased housing commitments. The new housing should be delivered in sustainable, mixed communities and more recently an 'Ecotowns' competition has been put forward to encourage sustainable development.

All of these changing housing targets have meant that some local authorities have experienced large numbers of planning applications for housing and mixed development schemes while others have more or less remained outside such activity. This can impact on resourcing as well as skills: small authorities with no Growth Points or not lying within Growth Areas may receive one or no

large scale planning application in a year, so that when one does arise the authority lacks the ability to tackle it effectively and in a timely manner. Meanwhile larger and more urban authorities may receive such applications on a regular basis and soon develop the skills and protocols to ensure that they are able to deliver a timely decision.

Planning authorities are also tasked with taking affordability into account when determining planning policy. Some guidance has been issued in the accompanying paper to PPS3, *Delivering Affordable Housing* (2006) but local authorities have found this area problematic. The National Housing and Planning Advice Unit (NHPAU) has published a guide to data sources relating to affordability (2008) and plans to provide further assistance in the future.

### ***A new planning system***

Within this broad policy agenda, often poorly defined, there has been a large number of planning specific changes that add to the burden in terms of generic and technical skills and competences required by the planning system. The government's planning reform programme includes the *Planning for a Sustainable Future* White Paper (2007), the *Planning and Compulsory Purchase Act* (2004), changes to secondary legislation, reviews of planning policy guidance and a change in culture for the whole of the planning system. The 2004 Act introduced Regional Spatial Strategies and Local Development Frameworks, thus abolishing the Structure Plan / Local Plan system (except in Scotland and Wales). This new planning system was then subject to a Review of Land Use Planning by Kate Barker (2006) whose recommendations for streamlining the system were incorporated into the 2007 White Paper. All of these changes add up to a considerable burden for the planning system.

By way of illustration, it is worth noting the report produced by the Planning Inspectorate, *Local Development Frameworks: Lessons Learnt Examining Development Plan Documents* in 2007. It states 'The LDF system demands a completely different way of thinking about development plans. In many instances the extent of the culture change required by all involved has not been appreciated fully. The emphasis on spatial planning and delivery which are at the heart of the new system and underpin the tests of soundness are challenging. Core Strategies which reflect the former Unitary Development Plans / Local Plans (UDP/LP) approach with their focus on detailed development control policies will not result in a sound, deliverable spatial plan. The examination starts on submission so LPAs should submit what they consider to be the final Development Plan Document (DPD), along with a comprehensive and complete evidence base. LPAs should not rely on making changes to the DPD in the lead up to the hearing sessions'. The report demonstrates clearly how difficult local authorities have found the change to a completely new system.

### ***Skills and staffing in planning departments***

The Select Committee report on *Planning Matters – Labour Shortages and Skills Gaps* published in July 2008 starts from the premise that there is a significant risk that major government targets for housebuilding and regeneration will be missed because the system is unable to manage the volume or variety of tasks required. Two linked, chronic problems need to be addressed urgently to prevent this – the shortage of staff and the skills gap among planning officers. These problems have been recognised for more than ten years but despite pressure for change, they remain critical.

The report presents a good deal of evidence to show how stressed the planning system is at the present time. Not only are there severe recruitment and retention problems for local authorities

but there is a ‘missing generation’ of mid-level planners aged in their 30s and 40s, partly as a result of the economic downturn at the end of the 1980s and partly because a number of planning schools consequently reduced intakes and closed courses. This means that when senior colleagues retire, the staff ‘gap’ will be exacerbated.

At the same time there is a skills gap resulting from the significant shift away from development control-led planning towards spatial planning, which requires new managerial and other generic skills and which has also altered the range of technical skills required.

The government has established several bodies to try to reverse this trend but their influence has been limited. The government needs to raise the general status of planning within local government structures and to provide ways for planners to widen and improve their skills while carrying out their duties. In particular, the Select Committee urged the government to reconsider its rejection of Kate Barker’s recommendation to raise the status of planning within local government by making the Chief Planning Officer a statutorily protected senior local government official.

However, planners with the required planning skills still need wider leadership, management and negotiation skills if they are to deliver the government’s housing and regeneration agenda. These skills need to build on confidence among planners themselves that they can design and implement a ‘vision’ for their localities as required in the new spatial planning regime.

The government has put significant funding into Planning Delivery Grant to local authorities, but it is not tied to any particular spending. The Select Committee suggests that there may be a case for tying it to raising skill levels by requiring increased training and development within recipient authorities.

The Select Committee is critical of the Academy for Sustainable Communities (ASC, which has now been subsumed into the new Homes and Communities Agency) as failing to reach more than three percent of the sustainable communities workforce in three years of operation. It has been more successful in identifying skills gaps across this workforce. However it should also concentrate on how to address shortage of staff as well as improving skills. There needs to be greater coordination between the various agencies tasked with improving the performance of the planning system. The ASC, Planning Advisory Service and ATLAS perform different but overlapping roles, leading to confusion over responsibility for skills in the sector. The Select Committee recommends that the Homes and Communities Agency be charged with leading this work and establishing a single skills council for planning tasked with delivering the required number of planners with the required skills.

Other reviews in recent years include Lord Rogers’ Urban Task Force (1998), the Egan Review *Skills for Sustainable Communities* (2004), the Leitch Review *Prosperity for All in the Global Economy: World Class Skills* (2006) and the Calcutt Review of Housebuilding (2007), while further investigations have been made by the Audit Commission and London Councils. The Select Committee concludes that perhaps the most surprising and frustrating point is that labour and skills shortages in planning are so unsurprising, given all these reviews and assessments. Recommendations have not resulted in their reduction and, say the Select Committee, this must change. But perhaps one reason why previous initiatives have not succeeded may be that government has continued to produce policy changes that increase the work of local authority planners.

### *Planning process: planning applications*

The Killian Pretty review of *Planning Applications: A Faster and More Responsive System* published in November 2008 looks at the planning process, how it could be further improved and particularly how unnecessary bureaucracy could be reduced. The review found a consensus among all stakeholders that the planning system should be customer-focused, fair, proportionate and transparent. It should allow local people to have a meaningful say and it should deliver the right decisions with appropriate speed (page 1). Killian Pretty also found a consensus that the process was not working well enough. Ten percent of major developments are typically delayed by a year or more, and the need to obtain permission for very minor changes can place barriers to business expansion that are out of all proportion to the risks of development.

The Killian Pretty review found that stakeholders were able to provide a wealth of suggestions for addressing the problems identified. Their recommendations are drawn from these and are designed to make the planning application process 'swifter, more efficient and more effective for all users'.

The first of their 17 recommendations aim to make the process simpler for small scale, low impact developments, to free up resources to deal with large developments and to make the system more proportionate. Recommendation 2 sets out measures to reduce information and validation requirements, particularly for householder and minor developments, while recommendation 3 proposes measures to improve the quality of advice to users of the planning system.

Recommendations 4 to 8 address measures to make the whole process work better, particularly for larger developments, focusing on the pre-application stage as well as improving the approach to planning conditions so that fewer are made and the process of discharging conditions is clearer and more effective. The review encourages the use of Planning Performance Agreements for major applications and recommendation 7 sets out measures to improve the negotiation and agreement of planning obligations. A CLG survey in 2006 showed that Section 106 agreements are responsible for at least half of the delays that affect major developments. Addressing and agreeing issues that would need to be covered by planning obligations needs to come much earlier in the process, at pre-application stage, and there needs to be much greater use of standard agreements and clauses. Recommendation 8 concerns to avoid the need for a new full application for planning permission to deal with a small but material change to an existing permission. This would require primary legislation but would allow a more proportionate approach to be taken for small changes.

Recommendations 9 to 12 deal with improving engagement with third parties, particularly in relation to statutory and non-statutory consultees, elected members and the wider community. The CLG 2006 survey found that issues associated with consultation could account for up to ten percent of the delays affecting major developments. Killian Pretty's own research found that one planning authority was able to reduce the percentage of applications sent to the local highways authority for consultation by half through introducing clearer guidelines on the need for consultation. The review also recommends increasing delegation rates to at least 90 percent in every council, which could be achieved by better engagement of elected members and better understanding of councillors' role on the part of planning officers.

Recommendations 13 to 15 aim to provide better incentives to encourage the right behaviours among applicants, agents and local planning authorities. This requires a change in culture. These include improving the standard of applications submitted, addressing the shortage of resources

and skills in planning departments, and revisions to timescale based performance targets which have had some perverse incentives, in favour of measures of quality and customer satisfaction.

Finally, recommendations 16 and 17 deal with the unnecessary complexity of the planning application process which is rooted in the national planning policy and legislative framework and which has to be addressed if real improvements are to be made.

### *The need for greater understanding of sustainability issues*

With the publication of several reviews including The Barker Review of housing supply (2004) and The Stern Review on climate change (2006) there is an overwhelming need to review the energy efficiency standards of new and existing housing stock. In light of increasing global oil prices and soaring demand, this paper seeks to bring together and review a series of strategies for consultation industry stakeholders and local government that will improve the energy efficiency of homes in England and Wales.

The document WHICH highlights the need to build homes that are less dependant on energy by setting the zero-carbon homes target to be achieved by 2016. This ambitious proposal is considered necessary as the government is aiming to building a third of the new homes needed by 2050 by 2016. Delivering this is expected to incorporate planning policy guidance notes, building regulations and the Code for Sustainable Development.

As with Building a Greener Future, REF this document identifies both the need to reduce the demand and consumption of energy as well as securing energy sources. To address the former, the paper endorses both the use of European Union capping for carbon emissions and encouraging behavioural change in consumers, whilst increasing domestic energy production with a simultaneous reduction in demand for energy is expected to reduce the need to import energy from foreign, and at times unstable, sources.

This document focuses on the production of sustainable or renewable energy sources, and expects that the 15% renewable energy target in 2020 will reduce UK gas imports by 11-14% in 2020. Introduced in 2002, the Renewables Obligation (RO) requires electricity suppliers to obtain a specified and increasing proportion of their electricity from renewable sources or pay a buy-out price. The RO has been supplemented by the Renewable Transport Fuel Obligation (RTFO) intended to encourage the use of biofuels in the transport sector. This assumes a 10% renewable share of transport fuel and the development and use of electric-powered cars.

To achieve the specified EU targets the report to deliver 15% renewable energy in the UK in 2020 based on the assumption that 10% renewable transport is feasible and sustainable, it may be possible to expect 14% in heat (less than 1% today) and 32% in electricity (less than 5% today) renewable sources.

The paper acknowledges that in 2006 only around 1.5% of final energy consumption in the UK came from renewable sources but aims to increase this to 5% by 2020. However, to meet the proposed EU targets whereby the UK will have to increase energy production derived from renewables ten times the 2006 levels; three times more than current policies are designed to achieve. Addressing this target requires the contribution of renewable sources in the three main energy-consuming sectors – electricity, heat and transport. However, achieving this standard requires a prompt response from suppliers, with a step change in the rate of building renewable technologies and a completely new approach to renewable heat.



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