

Planning goes into space

Planning Consultant Wendy Le-Las describes the recent changes in land use planning and what impact this will have on planning regulations in general

Some five years ago, a bemused chief planner discovered that his new title was Chief Spatial Strategist. As he said “My mother thinks I work for NASA”.

Land use planning has always been involved in allocating spaces, but the traditional land use planning system is a creature of the post war era. Many of the same problems are still with us although the causes may be different now: the housing shortage, industrial dereliction and our continued love affair with motor car.

To this has been added the need to use fewer natural resources, the necessity of reducing our carbon footprint, the desirability of creating sustainable communities in urban and rural areas, and the need to secure a viable financial future for the countryside.

Planning issues

A basic weakness has been the lack of a strong connection between land use planning and the bodies dealing with other aspects of the environment.

This is illustrated in a table from the Royal Commission on Environmental Pollution’s 2002 Report on Environmental Planning.

It can be seen that our efforts to pursue sustainable development have resulted in an unwieldy plethora of plans and strategies conceived since the Rio Conference in 1992. Warm words expressed in plans have not actually delivered results because of lack of co-ordination.

Planning reform

This RCEP Report, together with the demands of the business community to simplify and speed up the system, led to the reform of the development plan system enshrined in the 2004 Planning and Compulsory Purchase Act.

Thus a two-tier system was born: with the exception of structure plans, all plans, programmes and strategies were linked to either a Regional Spatial

Strategy (RSS) or a Local Development Framework (LDF). Particulars of how local can best participate in the formulation plans will be explored in future articles. As with travel beyond other frontiers, spatial planning involves learning a whole new language.

Key characteristics

Suffice to say that the formulation of RSSs and LDFs has common characteristics:

Public Participation

Participation of the public and concerned parties in the public and private sectors (known as stakeholders in current government-speak), with the emphasis on early involvement, naively or otherwise thought to obviate problems at a later stage.

Sustainability Appraisal

Sustainability Appraisal (SA) incorporating the requirements of the European Commission's (EC) Directive on Strategic Environmental Assessment, which basically ensures that the spatial plans relate to:

- Other plans and programmes
- International, EC, and national environmental protection measures;
- The 'do nothing' option
- The existing environmental problems
- Environmental characteristics of areas likely to be significantly affected.

However, SA goes beyond these requirements to include the government's four aims for sustainable development:

- Social progress which recognises the needs of everyone
- Effective protection of the environment
- The prudent use of natural resources

- The maintenance of high and stable levels of economic growth and employment.

Compulsory stages

In both the RSS and LDFs there is some form of public inquiry and approval from the secretary of state.



Spatial planning is not just an issue for big cities like London

Continual monitoring

Provision for the ongoing monitoring and, if necessary, the revision of policies in the light unforeseen problems and/or circumstances.

Therefore, although the core strategy of an RSS is thought to be 15 to 20 years, and that of LDFs 10 years, it is hoped that individual policies will get updated as and when required. These will have gone through the process of public participation, sustainability appraisal and scrutiny by the secretary of the state.

Quite how this continuous updating of policies will work in practice is another matter. Welcome to the brave new world of spatial planning.

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New versus the traditional

So how do the new policies differ from those of traditional land use plans?

Well, there are still those which rely entirely for their implementation on getting planning permission.

However, there will be another group that depends on management schemes or investment programmes which do not depend on planning permission. For example, a traffic congestion charging policy to improve the environment of a town centre or financial grant to the owners of properties in a specified area or for a particular purpose, such as tourism. Lastly there will be policies which are a mixture of both planning permission and other measures.

Regional planning guidance

So what is the status of Regional Planning Guidance (RPG), structure plans and local plans now? All RPGs automatically became RSSs under the 2004 Act.

Structure plans will be 'saved' for three years, unless RSS revisions replace structural plan policies in whole or in part, or the secretary of state directs that the three-year period be extended. Relevant policies in local plans will be 'saved' for three years after which local development plan documents should have replaced them.

But the secretary of state can extend the transition period where replacement is impossible or unnecessary, because the principles of LDFs have been observed. In reality the ghost of the old system will linger for the years to come.

The table below illustrates the lack of connection between land use planning and other bodies, as illustrated in the Royal Commission on Environmental Pollution's 2002 Report on Environmental Planning.

| | Government Office | Planning Authorities/ regional planning body | Other local authority plan | Specialist agencies |
|-----------------|--|---|--|---|
| Regional | renewable energy assessment rural development programme | regional planning guidance regional transport strategy regional waste management strategy (forthcoming) | | Economic strategy (RDA) regional forward look (EA) water resources strategy (EA) Biodiversity audit (English nature) |
| Sub Regional | | structure plan waste plan minerals plan supplementary planning guidance on specific topics such as landscape character | community strategy local transport plan local agenda 21 strategy municipal waste management strategy (forthcoming – joint county/district) | biodiversity action plan (Biodiversity Partnership) shoreline management plan (EA/LA) |
| Local | | (district wide) local plan supplementary planning guidance on specific topics | community strategy air quality management plan Local agenda 21 strategy | local environment agency plan (EA) catchment management plan (forthcoming – EA) Coastal habit Management plan (English Nature/EA/LA) nitrate vulnerable zones (DEFRA) |