

Keynote Address

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I am conscious of the honour I have been done in being invited to provide the keynote address. I recognise the distinguished pedigree of the speakers who have preceded me over the years although I suspect none of them has ever done so at a time when planning has been more on the lips of the media and of the nation.

I want to point out, at the beginning, that I am speaking as the principal author of Open Source Planning and someone who has been involved in the debate on planning reform. I am not speaking on behalf of the Government nor am I in any way responding to the current consultation on the draft national planning policy framework. Government will do that when the consultation is closed and the responses have been read and properly considered.

I want to start by reflecting on why we have brought forward our reforms of the planning system.

In the long run-up to the last General Election, my party produced two radical Green Papers. The first of these was Control Shift which was all about decentralisation and returning power to communities. The second of these was Strong Foundations which examined how we could ensure that policy addressed the housing needs of the country. In these papers it was acknowledged that the planning system would need to change and in particular that the previous Government's approach to regional planning and top-down housing targets would need to be replaced.

Open Source Planning was produced to address how the planning system would work as a whole following the policy proposals in those earlier papers.

In writing Open Source Planning, I and colleagues had well over 100 meetings with regular users of the planning system. Some of those we consulted are probably in this room tonight. We spread our net widely and included environmentalists, lawyers, planners, house builders, specialist developers, infrastructure providers, local councillors, those involved in consultation and of course representatives of local community groups.

The consistent message from all these meetings was:

- that the planning system was broken; and
- that the planning system should be vital for a strong economy, for an attractive and sustainable environment, and for a successful democracy.

There was also a strong message that in none of these areas did the planning system achieve these goals.

Given the scale of the problems, we were encouraged widely to take the view that piecemeal reform of the planning system was not an adequate response and that the tinkering with the planning system undertaken by previous Governments was not the answer.

Our aim in tackling the planning system could not have been clearer. As Open Source Planning made clear:

“Rather than have one planning structure determined centrally and then applied unvaryingly across the country, we want to create a planning system where there is a basic national framework of planning priorities and policies, within which local people and their accountable local governments can produce their own distinctive local policies to create communities which are sustainable, attractive and good to live in.”

Regional Spatial Strategies and their top down housing targets achieved none of this. In many cases the housing numbers put forward by local councils had simply been ignored and higher numbers substituted. The way in which the consultations around the Regional Spatial Strategies largely by-passed local people

further fuelled local anger. Protest and confrontation became the norm because there was no other way of making local voices heard. Insult was added to injury by the way the planning inspectorate was allowed to ride roughshod over local plans and impose changes where it disagreed with the contents of a plan.

Local people were further removed from the planning system by the growth of planning policy and guidance which in its sheer volume and in the detail of its content seemed aimed only at planning lawyers, consultants, planning officials and pressure groups.

By the end of the Labour Government, national planning policy amounted to over 1,000 pages. From the beginning of 2005 until the publication of Open Source Planning, a colossal 3,254 pages of planning guidance had been issued.

All of this reduced the power that locally elected representatives had to have a real say in the development of the areas they had been elected to serve.

On top of this, there was no way for local communities to share in the benefits of development. This last point is particularly important. Lessons from international examples of Neighbourhood Planning clearly show the importance not only of participating in planning but of sharing the benefits of so doing.

This slow, bureaucratic, expensive, and confrontational system was not just an affront to democracy it made it difficult even for local councils to bring forward local plans to help shape their own areas and do the right thing for the needs of their communities.

And it offered little protection for the things that mattered. Despite all the regulations, the system failed to prevent the last Government bringing forward plans to build on 30 sites in the Green Belt including, of course, around Oxford.

Nor indeed was the planning system providing any vitality with regard to the economy. The planning system was frequently held up as one of the top reasons why foreign investors chose to invest elsewhere in the world. Housing too fared little better rapidly pushing us in the direction of the lowest number of new houses being built in peace time since the 1920s, a crisis in homelessness and the situation where the age of the average first time buyer has risen to 37.

I think it is important to reflect on these points in the light of the current debate and to make clear how unfit for purpose the planning system had become.

Let me now return once more to Open Source Planning.

On p.5 of the document, we set out the three key tenets which underpinned our plans. These were:

- Restore democratic and local control over the planning system;
- Rebalance the system in favour of sustainable development; and
- Produce a simpler, quicker, cheaper and less bureaucratic planning system.

It is a pleasure to see these three tenets underpinning both the Localism Bill and the approach to the National Planning Policy Framework, but before I take each of these in turn let me read you some of the comments that greeted our reforms when we set them out in Open Source Planning.

One practitioner wrote:

“I warmly welcome your enhanced commitment to community collaboration and participation — and I genuinely think that anything that can be done to relate planning more closely to local communities, their needs and aspirations and to engender a sense of ownership by the local community in the planning process must be good news and should lead to better developments.”

A leading planner said:

“This is a truly radical approach to the planning system but it is a workable approach and one which will be a definite improvement on the current system.”

A local government commentator added:

“There are very few issues more emotive than the impact of planning decisions on individuals, households and whole communities. I welcome the whole of this Green Paper for its greater emphasis on local communities and local councils being set free to shape their futures and being able to enjoy the benefits that sustainable development can bring.”

Many people, then as now, agreed not only with our direction of travel but with the steps we were taking along the way.

The Conservative manifesto at the election confirmed that we would proceed with these reforms and they were included publicly in the Coalition Agreement.

Let me go back to our three tenets.

The first of these is about restoring local and democratic control over planning.

A key element of this is the introduction of Neighbourhood Planning. I am delighted that one of my villages and one of my towns will be amongst the first parishes in the country to produce a Neighbourhood Plan as part of the Government’s planning reforms.

Under Neighbourhood Planning, local people are looking for the chance to have a real say in how their towns and villages are developed. The Localism Bill makes clear that Neighbourhood Plans, once approved, will become a formal part of the planning system in a way old-style village and parish plans never did and will sit alongside the District Council’s Local Plan. They like the idea that there is no set format for Neighbourhood Plans and that they can reflect the level of detail appropriate for each neighbourhood.

A key part of the approval process is of course that the plans have to be approved by a referendum of the whole neighbourhood.

The proposed new rules do not shift power to developers; they shift power to local people. The impact of this can reach far beyond planning. International examples of Neighbourhood Planning show how the equivalent of neighbourhood planning has encouraged wider citizen participation and interest to the benefit of a range of community groups and to democracy.

This simple message has been widely understood by some developers, some of whom have recognised that the old ways of delivering a project by relying on the appeal system will need to be replaced by engagement with communities at the plan-making stage. They have recognised that for them the emphasis will shift from the application to the plan.

For professional service firms and practitioners, the introduction of neighbourhood plans provides a new opportunity to get involved in making expertise available in the production of these plans.

Local people understand this message too. What I have been struck by is the enthusiasm communities have shown for producing neighbourhood plans to help shape the areas in which they live and for wanting to become front runners in this process.

Rather than show disdain for our reforms local communities wish to grab them with both hands.

It has been made clear that it is against these plans that planning applications will be judged where the plans are up-to-date. So it is important to ensure that plans reflect sustainability in terms of meeting local environmental, social and economic needs and incorporate important environmental safeguards.

It is also important to ensure that communities share in the benefits of development. The New Homes Bonus is a mechanism by which the government will match pound-for-pound the extra money that an area gets through council tax for six years when the community builds more houses. This cash is not ring-fenced. It is up to local councils how they spend it. The Localism Bill commits to allowing neighbourhoods to keep some of the money contributed by developers under the Community Infrastructure Levy (“CIL”). This will generate real cash for local communities, allowing communities to share in the benefits of new homes and businesses.

This is an important change. It marks a clear move away from central diktat and has been one of the hallmarks of success where Neighbourhood Planning has been tried around the world.

And this brings me to the second tenet—sustainability.

In a recent article in the Financial Times, chancellor George Osborne and communities secretary Eric Pickles said that “sticking with the old failed system puts at risk young people’s future prosperity and quality of life”, reminding us that the debate over planning is much more than a technical one; it is at the heart of delivering prosperity.

We need to provide for the future needs of our communities—that is, after all, what planning is all about. We need to look at how we encourage the economic growth and private sector job creation on which our prosperity depends.

Although the draft planning Framework has been warmly welcomed by many groups, some bodies have suggested that it is a green light for all development. This is wrong.

The Framework is about making existing policy simpler and more accessible whilst retaining the protections on which we have come to rely. I am pleased that the Framework continues protection for heritage and makes no change to designations such as Areas of Outstanding Natural Beauty, National Parks and Sites of Special Scientific Interest; and that it continues to preserve the Green Belt. In other areas, it is right that local councils will decide where to locate development when they draw up their plans—subject to meeting environmental safeguards. As well as protecting the Green Belt, the draft Framework provides a new designation for councils to protect valued green space which is outside nationally protected areas.

Thus, one of the key changes in the new Framework is a presumption in favour of sustainable development. This is not a new concept. It was a prominent part of Open Source Planning.

I want to spend a few minutes on the presumption in favour of sustainable development. What has already been made clear is that the presumption proposed is a policy-based presumption that will need to be read alongside s.38(6) of the 2004 Act as an important material consideration that seeks to emphasise the positive role of planning. What I do not believe it does is return us to a pre-1991 situation. As a policy-based presumption it will need to be read alongside s.38(6) in putting plans together.

A policy-based emphasis on positive planning may not be new. What is different is the way that the emphasis brings sustainability to the core of the plan-making process.

Planning is and should be about balance and judgement. That is why the tick-box approach to planning under the previous government was so corrosive and undemocratic. A one-size-fits-all philosophy based on central direction deprives local councils and communities of the ability to exercise their judgement and achieve balance.

What we must be wary of, as others have pointed out, is the lesson of the past which has seen central direction set up hurdles to good plan-making rather than supporting it and where there has been an inevitable descent into a tick-box mentality.

The draft national planning policy framework makes it clear that sustainability means that plans should ensure they promote development to meet the needs of the present, without compromising the needs of future generations. That is not the promotion of growth at all costs. Many will recognise that this description reflects the Brundtland Commission’s internationally recognised definition of sustainability.

This is achieved by ensuring that plans are based on a solid evidence base and that they consciously reflect an appropriate local balance between environmental, social and economic needs. The ministerial foreword to the draft framework makes this clear: “This framework sets out clearly what could make a proposed plan or development unsustainable.” Each chapter of the framework sets out a different issue which contributes to that assessment of sustainability.

However, it is clear that for some, the problem is not the framework, but that it has exposed a lack of faith in being able to make the Brundtland definition of sustainability practical. This is an astonishing counsel of despair which surely undermines the very purpose and existence of the Brundtland Commission itself.

The local plan sets out what is, and is not, acceptable and remains at the heart of the planning system. Local planning committees will still be able to reject applications which are not in accordance with their local plan, and local plans will not be able to sanction development which would cause harm. Councils will still be able to prioritise the use of brownfield sites. Indeed, the draft framework already encourages local authorities to produce plans by using natural resources prudently, by enabling the re-use of existing resources and by prioritising land of least environmental value.

There is no necessary contradiction between development and protecting and enhancing the environment, as long as development is planned and undertaken responsibly. The planning system must play an active role in guiding development to sustainable solutions.

So let me now turn to my third tenet—simplification.

To help in this process of reform we are simplifying planning. I have already mentioned the current confusing and contradictory 1,000+ pages of national policy. The draft Framework seeks to reduce this to just over 50 pages, so that anyone can understand planning policy. This is a very practical example of how by making the planning system open, transparent and accessible it will also hopefully make it positive. Removing a whole tier of government in the form of the regions also massively simplifies the system.

Finally, let me turn to an issue which has been raised with me by a number of organisations — and that is what the transition arrangements will be. This is an important area which seems to me to be just the sort of issue you might want to raise as part of the current consultation. My own experience is that councils which have produced Core Strategies have already expended considerable effort in doing so. I understand their concern that these plans need to be quickly brought in line with any new Framework.

A number of organisations have also made the point to me that we need to find a way of ensuring that councils which have already completed or are well on the way to completing their LDFs are not in any way disadvantaged for doing so. This is clearly an issue on which I imagine many may want to comment as part of the consultation.

Throughout this process of reform I and colleagues have taken an open and collaborative approach. Many organisations have come to discuss aspects of the reforms with us. Many have come with specific wording they would like changed. Many, too, have come with offers of help in shaping best practice guidance.

The draft Framework remains open for consultation until October. I hope that you will all participate and let us have your views. Our doors remain open.

These reforms finally sweep away Labour's hated top-down approach and the imposition of housing numbers from Whitehall, an approach which has caused so much anger. Housing numbers will now become a matter for local councils to determine in their local plan. These reforms put power firmly in the hands of local people.

Reforming a slow, inefficient, costly and confrontational system is good news for us all and it is why we should all be committed to reform.