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Heritage Link response to Barker Review of Land Use Planning: interim report

Heritage Link brings together 80 voluntary organisations concerned with heritage in England representing interests from specialist advisers, practitioners and managers, volunteers and owners, to national funding bodies and local building preservation trusts. Much of the historic environment is cared for - supported, managed or owned - by these organisations. They are supported by some 4 million members making it the biggest alliance of heritage interests in England.

Several Heritage Link members are responding to this consultation from their own particular standpoint, but the purpose of this response is to identify the shared concerns of the non governmental heritage sector.

This response is supported by the following member organisations:

- Ancient Monuments Society
- Architectural Heritage Fund
- Association of Gardens Trusts
- Association for Industrial Archaeology
- The Battlefields Trust
- Campaign to Protect Rural England
- Civic Trust
- Council for British Archaeology
- Council for Independent Archaeology
- Garden History Society
- Heritage Afloat
- Historic Farm Buildings Group
- Inland Waterways Association
- Institute of Field Archaeologists
- Institute of Historic Building Conservation
- SAVE Britain's Heritage.

Introduction

Heritage Link welcomes the opportunity to comment on the Interim findings. The planning system is fundamental to protecting heritage and to delivering the benefits that accrue from it. The Planning and Compulsory Purchase Act brought about significant changes to planning, most notably a move away from land-use planning to spatial planning. Under the new approach, which the government intends to be 'positive and

proactive' there is considerable potential for planning to contribute to wider quality of life goals. We support in principle the aims of the Barker Review to improve the efficiency and speed of the planning system, to increase flexibility, transparency and predictability provided this is not at the expense of the quality of planning decisions and outcomes which should remain the paramount objective.

Heritage can:

- *provide 'roots' and a sense of place*
- *provide a focus for engagement and discussion*
- *offer an identity or a symbol*
- *establish a basis for activity – economic, cultural, social, environmental*
- *provide a basis for the 'future history' of a community*

*In a fast changing world, heritage and history offer continuity and a 'backdrop' to the immediate
Engagement in heritage and conservation offers a wide range of education, training and skills
development opportunities*

Prof Peter Roberts, Chair, Academy for Sustainable Communities, at Heritage Link/Heritage Trust for North West Regional Networking Event 20 1 06)

Heritage Link welcomes explicit references to the role of the historic environment in delivering social objectives and to heritage protection as one of the ways in which proactive planning can contribute to wider quality of life goals.

However we are alarmed at the focus on sustainable *economic* development despite assurances that the Review's final recommendations will not advance business interests above environment and social outcomes. Heritage Link members believe that the nation's heritage is central to economic and social regeneration, liveability, local quality of life and community cohesion. Heritage contributes to all three pillars of sustainable development with the national planning system – recognising this is the key to achieving successful integration.

Planning and Sustainable Development

The function of the planning system in ensuring optimal integration of economic social and environmental objectives is as the Interim Report points out all the more vital in an ever more crowded island. We are pleased that the report acknowledges that there is not an inevitable conflict between environmental, social and economic goals' (for example, in paragraph 1.6) but the disproportionate emphasis in the report given to 'balancing' objectives we believe to be unhelpful and to represent an outmoded way of thinking. Both the UK Strategy for Sustainable Development and the Government's overarching Planning Policy Statement (PPS1) make it clear that sustainable development requires social, economic and environmental objectives to be pursued together. This requires an integrated approach based on reconciling objectives, rather than trading them off. More significantly, the report does not appear to recognise the positive role of planning in encouraging more sustainable patterns of economic activity; in creating and supporting new markets, in supporting patterns of economic activity which underpin many communities' quality of life: such as local shops and networks, crafts and traditional skills. The economy is about much more than GDP.

PPS1 sets out the objectives of planning policy as achieving '*a sustainable, innovative and productive economy that delivers high levels of employment, and a just society that promotes social inclusion, sustainable communities and personal well being, in ways that protect and enhance the physical environment and optimise resource and energy use.*'

Moreover the planning system is a democratically accountable means of arriving at an outcome. We welcome the Report's recognition of the role of planning in delivering sustainable development and the statement that '*it is clearly vital that the final recommendations do not advance business interests above social and economic ones*' but we are concerned that the tone of the Interim findings and a number of statements would undermine the integration of economic, social and environmental objectives should they be adopted in future policy and practice.

We argue that the ability of planning to operate in the wider public interest should not be compromised in the drive for efficiency to favour predominantly business interests.

1. Community Involvement

We welcome the recognition in the Foreword of the benefits of the plan led system particularly the 'vital opportunity for local community involvement in the vision for their area' and in paragraph 1.34 of the 'ability to reach consensus about the nature and extent of development via community involvement and the regeneration of many deprived areas' which 'are just some of the ways in which proactive planning actively contributes to wider quality of life goals'.

Heritage Link's recent research *Making Consultation Matter* (Heritage Link 2005) found that 52% of responding local and national heritage groups felt that they made a difference to the outcome of planning decisions and furthermore that heritage groups are confident that their role in the planning process is positive. Where the consultation process works well, it brings benefits in line with wider government policies, strengthened communities, civic involvement in local government and an improved quality of life of the built and natural environment.

However, the advantages of this 'vital opportunity' are not borne out in the remainder of the Interim Report Analysis which instead questions the role of local participation and implies community involvement is costly, restricting, time-consuming and short-sighted. Paragraph 3.49 for example, states: *Planning policies and decisions involve making complex trade-offs in areas where there is often no clear right answer. Gauging individual and community preferences to factor non-market values into decisions inevitably takes time and resource. But one of the consequences of globalisation is that the window of opportunity for commercial success is rapidly shrinking. Firms therefore require the value-for-money service that is timely and transparent.*

Statements in paras 3.48, 4.31 and 4.32 and 3.38 imply that third parties have a negative effect on business competitiveness.

Another statement in the Interim Report 'The public can not be fully informed about the nature of a number of specialised policy processes of which planning is one' fails to recognise that many communities are the experts on their area and among them are individuals and groups with considerable specialist expertise acquired in their professional life or through study or a hobby. Studies have shown how engaging the public leads to better quality and more satisfactory outcomes for all (*Listen Up! Community involvement in the Planning System*, Friends of the Earth, 2006 and ODPM study referred to below). Almost all our members are involved in the planning system through casework and consultation which means that they and their own members have specialist knowledge and experience and freely give their time on a voluntary basis, to benefit their communities. This misconception, ie that the public are incapable of engaging in specialist policy processes, needs addressing and is not a reason to invalidate public participation. The challenge is how best to draw positively upon the considerable resources and potential that exist in all communities.

2. Consistency with other Government objectives

Although the Interim Report's Foreword advocates that policy making should move forward in a properly joined up way (para 1.3) it is at odds over the value of public participation which is at the heart of other areas of government agenda: double devolution, civil engagement, civic participation, and corporate social responsibility

The Department for Communities and Local Government is at the forefront of this shift in emphasis. Double devolution is part of a broader government aim to improve all public services by consulting with and involving local community. The independent report *It Makes Sense to Ask* published by ODPM highlighted the benefits of community involvement in terms of increased user satisfaction, improved public services and better local environments. The report concludes that the benefits of community involvement largely outweigh the costs. Planning is one area where this new Government approach has already been given expression in new policy statements and new statutory requirements.

In PPS1, setting out the Government's overarching principles and objectives for the planning system

Para 41 states,

'Local communities should be given the opportunity to participate fully in the process for drawing up specific plans or policies and to be consulted on proposals for development. Local authorities, through their community strategies and local development documents... should play a key role in developing full and active community involvement in their areas.'

These principles laid down in the policy statement have been matched by statutory requirements on local government to consult the community on development proposals and planning applications.

The Planning and Compulsory Purchase Act 2004 introduced Statements of Community Involvement specifying minimum standards for consulting the community on both general development plans and individual planning applications.

'The Planning and Compulsory Purchase Bill's proposal to place a duty on district and unitary authorities to produce a Local Development Framework (LDF) and a Sustainability Statement provides an opportunity to place the protection of the historic environment at the heart of local plans, reflecting the values set out in Community Strategies. It will ensure that impact on the historic environment is given due weight in development control decisions. It also provides a new opportunity to engage local communities, civic societies and parish councils in deciding what is most important in their areas.'

Alongside this, the DCMS is proposing a major reform programme to the system for protecting historic sites and buildings. Like the ODPM/DCLG, the DCMS is also encouraging wider community participation.

Tessa Jowell, Secretary of State for Culture, Media and Sport, in her vision on the cultural value of the historic environment *Better Places to Live: Government, Identity and the Value of the Historic and Built Environment* highlights the unique role that heritage can play in building bridges between our past and our future. She describes her vision for a reformed system of heritage protection, one that is more consultative and involves the whole community,

'We will move to a system that is more consultative; has systems which are open to scrutiny; explains the reasons for the decisions it makes; makes clear the scope of the

protections it creates; and relies wherever it is effective and desirable on flexible agreements rather than imposed restriction. We aim for a new way of doing things, involving the whole community, and winning the support of those who own – and those who use, enjoy or simply walk past – our important buildings and sites, whether ancient or modern.'

Outside the planning system, the government also places increased emphasis on corporate social responsibility with an ambitious vision for UK businesses to consider the economic, social and environmental impacts of their activities, wherever they operate in the world. Margaret Hodge, Minister of State for Industry and the Regions, said on her appointment in May 2006:

'I am delighted to be taking on responsibility for CSR. I look forward to working with UK business to ensure that environmental protection and community cohesion are seen as an integral part of delivering sustainable economic growth and business prosperity.'

3. Democratic Accountability

In view of these statements, we are concerned at the figures quoted in para 1.16 which indicates around 85% of planning applications are now delegated to planning officers for decision. Whether a decision should be delegated should depend on the size, significance, complexity of the proposal and whether it is contentious or sensitive.

Heritage Link's *Making Consultation Matter* research also found grass roots perceptions that fewer planning decisions were being made in public. Some heritage groups felt that changes to the planning system were resulting in a reduction in their ability to influence and engage with planning decisions. They raised concerns that an increasing number of planning decisions were being delegated away from planning committees to un-elected planning officers.

Regional Assemblies were perceived as being high-handed and remote. In particular the transferral of wider spatial development responsibilities from directly elected county or unitary councils to these assemblies was associated with reduced confidence in the consultation process for Regional Spatial Strategies.

4. Engagement Skills for Planning

We appreciate the analysis of growing pressures on local planning authority staff. The resource implications of the forthcoming Heritage White Paper will add to these, a subject on which the heritage sector has frequently expressed concerns. The workload, increasing complexity of plan making and development control combined with difficulties in retaining and recruiting staff are exacerbated by pressure to reduce delays. Targets for handling planning applications are driving the speed of delivering decisions but not the quality of decisions.

Making Consultation Matter highlights the need that government should back up its policy of community involvement in planning with additional resources and training for local planning authorities.

£600m is made available through the Planning Delivery Grant to increase capacity and improve the speed of decision making. Part of this could be channelled into facilitating effective public participation in the planning process, not least in training front line staff in communicating with the public. The current consultation on the allocations of the Planning Delivery Grant gives the priorities as housing delivery, plan making and e-planning. All of these have an element of consultation so deploying this grant in future to

include more training for planning staff in public engagement could help towards both speed and quality of decisions.

We would like to bring to your attention the first three recommendations from the full report *Making Consultation Matter*:

- The Planning Delivery Grant should be expanded and developed to improve skills and competencies in local government to engage communities and the voluntary sector
- Local Authorities need to diversify the range of access points for the community and voluntary sector to engage and participate in the planning process
- The minimum standards for Statements of Community Involvement and consultations on planning applications should be enhanced and expanded in order to promote continuous and meaningful engagement with the planning process

A Summary of the Heritage Link survey Making Consultation Matter is enclosed. The full findings are in draft and we will send you a copy of our report shortly.

If you have any queries relating the points we have raised please do not hesitate to contact us.

Heritage Link
September 2006

Enc:
Making Consultation Matter summary 2005
Making Consultation Matter Recommendations July 2006