

Minister for the week

Roger Hepher wonders what he would do given Greg Clark's office for a week and that the rest of the Cabinet have locked themselves away in a country retreat to ponder the future of Europe or something

No-one could accuse Conservative politicians of ignoring the Planning system. Over the last 65 months, since the formation of the Coalition Government, we've seen some striking changes: the abolition of regional planning; the introduction of neighbourhood plans; the extension of permitted development rights; the NPPF and PPG; the presumption in favour of sustainable development; assets of community value... Opinions differ as to how positive and/or effective these changes have been, but they've certainly shaken up the system, emphasising the importance of Planning as a vehicle for implementing Government policy.

The May general election has given the Conservatives a workable Commons majority, and many argue that Jeremy Corbyn's recent success could result in the tenure of the Conservatives at No.10 continuing for more than simply the current term. The new Government surely, therefore, has a great opportunity to be even more ambitious, and to implement changes with more far-reaching consequences than those of the recent past. However, indications since the election suggest that the reformers have lost ground to the 'Middle Englanders'; witness recent decisions on on-shore wind farms, and the rock-hard stance against any hint of interference with the Green Belt - but let us not despair; it is early days for the new Government, and a week can indeed be a long time in politics.

In this article, my premise is that I have been given Greg Clark's office for a week; and that the rest of the Cabinet (with the possible exception of George Osborne) have locked themselves away in a country retreat to ponder the future of Europe or something, leaving me free to play havoc with their carefully crafted compromises. What would I do?

Review the Green Belt

It is much commented upon, but you just can't get away from this one. The Green Belt is a concept invented in a very different age - in the early 1960s the UK population was 10 million people (nearly 20 per cent) lower than it is now; people had far less personal mobility (there were about 5 million cars and vans on the roads, compared with 30 mil-

lion today); and GDP was a quarter of what it now is. It was doubtless created with good intentions: to check the outward sprawl of cities; to maintain the individuality of settlements; and implicitly to contain future development within the cities. When the boundaries were drawn, those who drew them presumably sought to strike the right balance between the needs of the cities and the objective of urban containment.

However, over many decades, the Green Belt has changed from being a corset, maintaining the shapeliness of the bodies it encircles, to being a noose, slowly strangling those same bodies. London has grown considerably, and is set to grow substantially larger. For all practical purposes, people tend to regard the M25 as its boundary; yet, with some 16 per cent of that area designated as Green Belt (and yet more as Metropolitan Open Land, which is effectively Green Belt by another name), the city is prevented from using its legitimate territory in a fully rational or productive way.

I certainly do not advocate that all the green space within the M25 should be built upon. Quite the contrary - cities need parks, country parks, green corridors and other areas of open land to provide the residents with breathing space, and space for sporting and other recreational activities; and some landscapes perform functions which are worthy of protection for a variety of other reasons. However, a good deal of Green Belt land is a far cry from the bucolic image the Daily Telegraph uses to illustrate its 'Hands Off Our Land' campaign. Much of the Green Belt is very ordinary land, sometimes despoiled by mineral workings or semi-urban activity that defies planning control, sometimes used for mundane agricultural purposes, often with no public access and little opportunity to be appreciated by the public. It could be so much better used, and each 1 per cent of Green Belt released could support 100,000-300,000 homes.

This is not a problem faced only by London. Cities such as Oxford, Cambridge and Guildford are equally strangulated - with the consequence that house prices are so high as to be unaffordable by many who would otherwise contribute to a healthy urban society, and there is extensive long-distance commuting, which is unsustainable.



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So what would the omnipotent Minister-for-a-week do? He would institute a complete review, with a view to keeping the concept, but looking closely at the boundary lines, and thinking hard about how the essential purposes of Green Belt can be better balanced with the needs of the UK in the 21st century. He would also try and move away from a system that confuses urban containment with protection of attractive landscapes, and would drop the loaded and misunderstood term "Green Belt" altogether. 'Areas of Landscape Value' and 'Urban Containment Zones' might be more honest and less emotive labels.

Draw up a national spatial plan

Since the demise of regional planning, we effectively leave each local Council to decide what is appropriate for its area. Nominally at least, there is co-operation between Councils. However, in practice, this doesn't amount to very much. It is a rather anarchic arrangement, which would never be tolerated in other systems.

In my view, we need a national spatial plan - a plan that defines from the top where growth is to be encouraged (and conversely, perhaps, where retrenchment is the aim); what transport and other infrastructure should be provided; where provision should be made for particular industries to flourish. This sounds unfashionably authoritarian, but it needn't be. It could - indeed should in my opinion - be a succinct document, setting general principles, leaving maximum scope for Councils to exercise local discretion as to implementation. To draw an analogy from the IT industry, it would be like Apple defining the operating system, but leaving app designers to invent and develop apps that can run smoothly within that system.

Maximisation of the potential of urban land

Whatever is or is not done about the Green Belt, it makes sense for urban land to be developed to the maximum reasonable density - not only will this minimise the need to release greenfield land, but it will also promote sustainability, by reducing the need to travel, and by making the greatest range of urban services viable. The first London Plan contained various references to achieving maximum potential, but when Boris Johnston came to office, he changed the wording to refer to 'optimisation'. The problem with this word is that it is redolent of seeking the 'lowest common denominator' - and, indeed, in practice, it is used by decision-makers to justify reducing the scale of development a bit here, and a bit there, with a view to pacifying everyone.

I would reinstate the word 'maximum' - in London, and in other cities too. I don't mind too much if it is qualified in some way to make it clear that density must not be permitted to ride roughshod over considerations of design, amenity, etc. However, we face a crisis - how to accommodate the equivalent of twice the population of Edinburgh in London over the next ten years - and strong measures are required. The starting point should be maximisation.

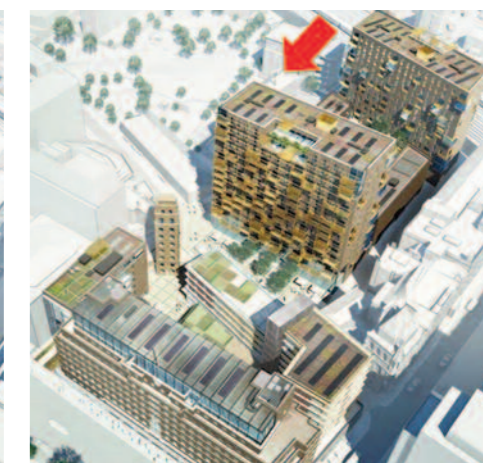
A meaningful presumption in favour

The introduction, through the NPPF, of the presumption in favour of sustainable development, was a welcome step. At first, it seemed to strike home: planning inspectors quoted the phrase prominently, and planning authorities recognised that this was something that deserved to be taken seriously. However, as time has passed, the novelty seems to have worn off. Attention has slipped from the 'presumption in favour' to the word, 'sustainable'. Since this word has no clear definition, it can mean almost anything people want it to mean. As a result, we now have relatively minor deficiencies in otherwise acceptable schemes being used to justify the label 'not sustainable', and thus the presumption not applying.

The presumption needs to carry greater weight. Under my brief tenure at DCLG, if there was a degree of doubt, the applicant would get the benefit of it, rather than - as tends to be the case - the other way round.

Allowing planning permissions to be 'bought'

It is an axiom of the planning system that permission to develop cannot be bought. However, in practice, the system operates in a way that is not far short of a purchase transaction - a balance is struck between the advantages and disadvantages of the proposed development, and, if the balance is in favour of the advantages, permission is (generally) granted. This process is often assisted by the developer making Section 106 contributions to tip



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the balance in the right direction. In theory, of course, these contributions are only to mitigate harm, but in practice, they tend to have the same effect adding more advantage when the reckoning is done.

Why don't we stop deluding ourselves, and specifically allow - or even encourage - applicants to tip the balance further in their favour by making more/larger contributions? The advantages would have to be advantages to the community, not to individuals, and guidance would need to be drawn up as to how this was to work. But, if a degree of daylight loss to a handful of flats in one street was counterbalanced by a new swimming pool of great value to the whole community, is this really such a bad thing?

If time permitted, there are more issues to address. Encouraging more creativity in the use of industrial land, particularly in stacking uses. Extending the NSIP regime to cover new settlements and major urban extensions. Greatly slimming down Local Plans.

Reducing the scope for tiresome challenges to development by people who have already tried, and failed, to get their point of view to prevail

through the normal democratic processes. Giving planning inspectors the power to make reasonable adjustments to schemes before them, to enable deficiencies to be overcome. Greatly increasing the resourcing of PINS to make the appeal system rapidly responsive, giving applicants a real alternative to getting mired in local politics and under-resourced development management systems. Government guidance on viability assessment, aimed at standardising and simplifying a process that is currently contentious and inconsistent in its operation.

Major housing development, airport expansion, high speed rail links; all are delayed and sometimes strangled by politicians' unwillingness to take decisions that are unpopular. The consequence is that economic growth - which properly channelled can be a driver of environmental and social progress - is held back by resistance to change. Let us collectively exhort our current politicians not to squander the opportunity that now presents itself, and to move the planning system into a position where it can deliver radical shifts in the way in which we organise land use, to serve the needs of 21st century society. ■

Others...

- Use of industrial land
- NSIP regime to cover major housing
- Slimming down Local Plans
- Reduce scope for challenges
- Inspectors to be able to amend schemes
- Really reactive appeal system
- Guidance on viability assessment

