

Annual planning update, CaMKoX Arc, design and debating PD rights

Minutes of the London Planning and Development Forum on 19th March 2019 at Dentons.
Full minute by Drummond Robson at planninginlondon.com > LP&DF

Cambridge University Land Society collaborated with the London Planning and Development Forum for a fourth Annual Planning Update held on Tuesday 19th March, hosted by Dentons, at One Fleet Place London EC4M 7RA. Other partners were the National Planning Forum, the Association of Consultant Architects and *Planning in London*.

About 90 Delegates were welcomed by our hosts and Brian Waters, the Chairman, introduced the speakers. (Presentations were followed by short Q and As).

The government perspective was given by **Simon Gallagher**, Director of Planning MHCLG (and a graduate of Selwyn College).

He described the work of his department as having a business plan with three parts

1. Implementation Work
2. Policy Work
3. System Work

The Ministry has seven objectives in its single departmental plan, including more homes and supporting stronger communities.

The Implementation work is currently focused on implementing the NPPF including for housing need and delivery, where long term solutions are needed. Central and Local Government and the Planning Inspectorate are all seeking to realise how delivery will happen in practice. As well as more and better housing consideration is being given to better use of town centres.

Policy Work. For example on diversification to follow the Letwin assessment. (*The Independent Review of Build Out* of October 2018). There is consultation on a review of CIL with the aim of simplifying it to enable strategic infrastructure tariffs. PD work to make larger extensions permanent is in hand. The Spring Statement aims to revive an interest in quality.

System Work recognises that decisions take too long. A green paper later this year will be entitled "Accelerated Planning", from which there should be faster decisions. They were looking at Bridget Rosewell's 20 recommendations <https://www.gov.uk/government/publications/independent-review-of-planning-appeal-inquiries-report> which shows it takes too long to get an appeal through and there is a lack of public trust in the system. This needs to improve.

Q and A

Q. Transport for new homes is almost entirely car dependent.

A. Good design means good development. Local authorities are expected to solve this with the local community.

Q How do we preserve quality?

A Andy Bradsy's presentation follows so the answer should lie there.

Q Nick King. What is the right rate for housing delivery to meet the demand?

Oliver Letwin gave very few facts and concentrated on large sites only.

A Rates of absorption, diversity of product, more build to rent and more affordable housing should assist the rate of delivery. Faster decision making. (Letwin found no evidence of Land banking).

Q (RIBA representative) Confusion over affordable housing requirement for



Cambridge University
Land Society

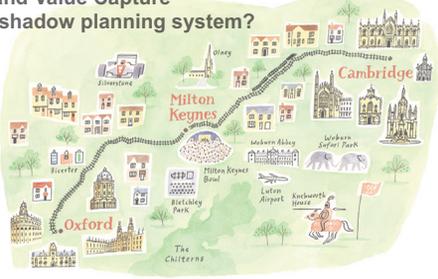


London Planning &
Development Forum

Tuesday 19th March
at Dentons, One Fleet Place London EC4M 7RA
1.30 FOR 2.00pm followed by drinks

Annual Planning Update

- The Government perspective
- Housing and new settlements: The CaMKoX Arc
- The status of design
- Land Value Capture
- A shadow planning system?



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Journal of the London Planning & Development Forum

2.05 Welcome: Dentons

2.10 Keynote
Simon Gallagher, Director of Planning MHCLG
2.30 Q&A

2.45 The CaMKoX Arc
Professor Tom Holbrook, 5th Studio outlines the concept and strategy

2.55 Alexander Jan, Arup Economics;
3.05 Helka Kalliomaki, Turku School of Economics;
3.15 Robbie Owen, Pinsent Masons;
3.25 Q&A

3.45 **Government initiatives to raise design quality**
Andy von Bradsy, new government Head of Architecture
4.05 Q&A

Stephen Ashworth, Dentons;
5.00 Q&A

5.10 DEBATE
In the absence of serious reform we need a 'shadow' planning system
– permitted development, planning in principle, the Use Classes Order...

5.15 FOR: Nick Cuff of Pocket Living;
5.35 SECONDING: Andrew Rogers, Association of Consultant Architects

5.25 AGAINST: Hugh Ellis, Chief Executive TCPA;
5.40 SECONDING: Mike Keily chairman Planning Officers Society.
5.45 From the floor...
5.50 Vote!

5.55 Closing round-up: Jamie McKie, Senior Associate, Dentons

Chairman, CULS APEC Forum and of LP&DF, Brian Waters

Followed at 6.00pm by
Networking reception sponsored by Dentons Host: Roy Pinnock



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Graphic
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Housing



Good Housing & Landscape Infrastructure

The Potential of the Oxford to Cambridge Corridor

under 10 units – whether required or not. No agreement between LAs and NPPF. Also no agreement on land values.

A NPPF review: <https://www.gov.uk/government/collections/revise-national-planning-policy-framework> February 2019. A new section of the planning practice guidance has been added, covering the process for assessing economic need (paragraphs 025 to 030). This is designed to reflect the policy direction in paragraph 20 of the NPPF, that strategic policies should make sufficient provision for employment, set out a clear economic vision and recognise and address the specific locational requirements of different sectors.

Mike Kiely added that the local plan, SHMA and SHLAA all contribute to affordable housing need requirements beyond the 10 unit rule.

Q Bidwells How can local Councils be made to work together on CaMKoX?

A There is no legislation. Different authorities show different enthusiasms. Also See presentation by Robbie Owen and Alexander Jan below.

Q Peter Eversden London Forum. PD for offices takes away from the local plan. One size does not fit all.

A The PD unambiguously takes away local authority control, A balance has to be struck.

Q Michael Bach London Forum

The Community is being missed out in assessing major applications which are considered behind closed doors. How can there be earlier involvement by the community?

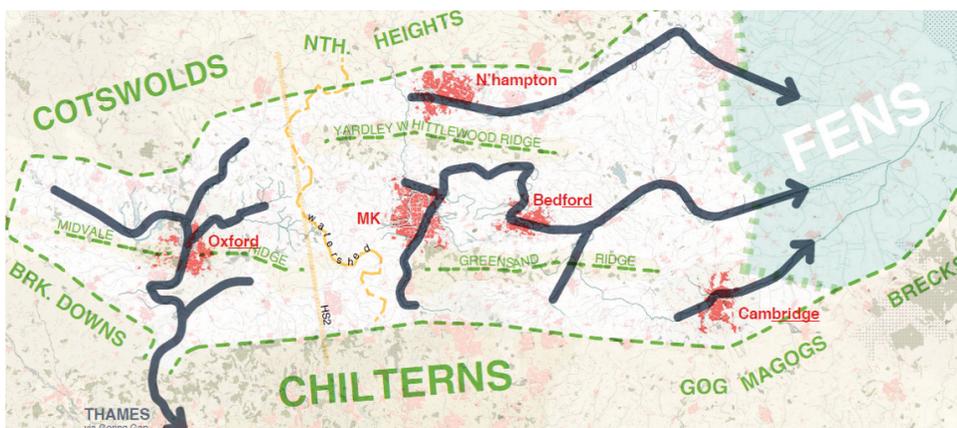
A The challenge is how to make decisions more transparent, using high tech presentations etc.

Neighbourhood planning helps.

Q Robin Goodchild University of Aberdeen

When is the presumption in favour of development not applicable.

A The presumption is in favour of sustainable development, not all development. The question is of course a big one. Local plan shapes the local framework, good design, proper infrastructure provision, affordable housing and better environmental gain are all parts of the answer.



The CaMKoX Arc

Professor Tom Holbrook, 5th Studio, outlined the concept and strategy of the government supported CaMKoX Arc 50 miles from London, based on close working with the National Infrastructure Commission and subsequent work from his London and Cambridge practice.

He stressed that quality of life should be the driving consideration and asked how to achieve that well, suggesting that monocultures and disconnected places together with large areas of parking were >>>

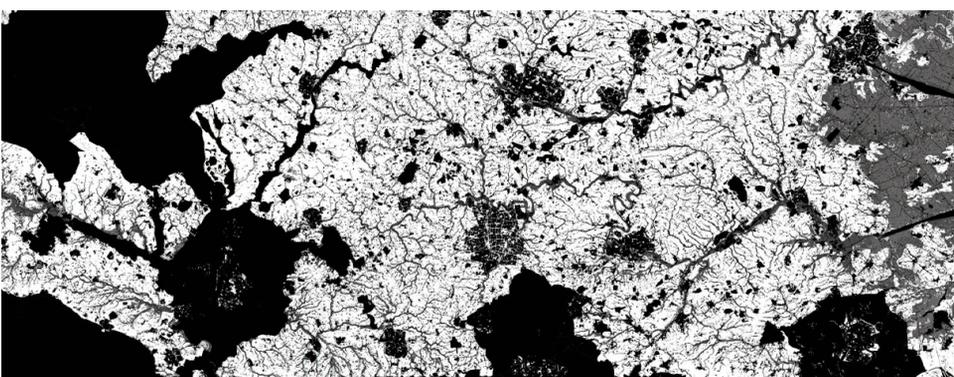
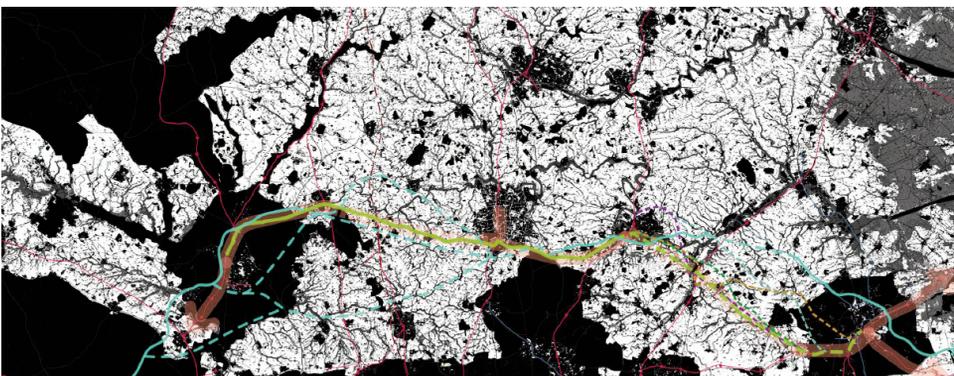
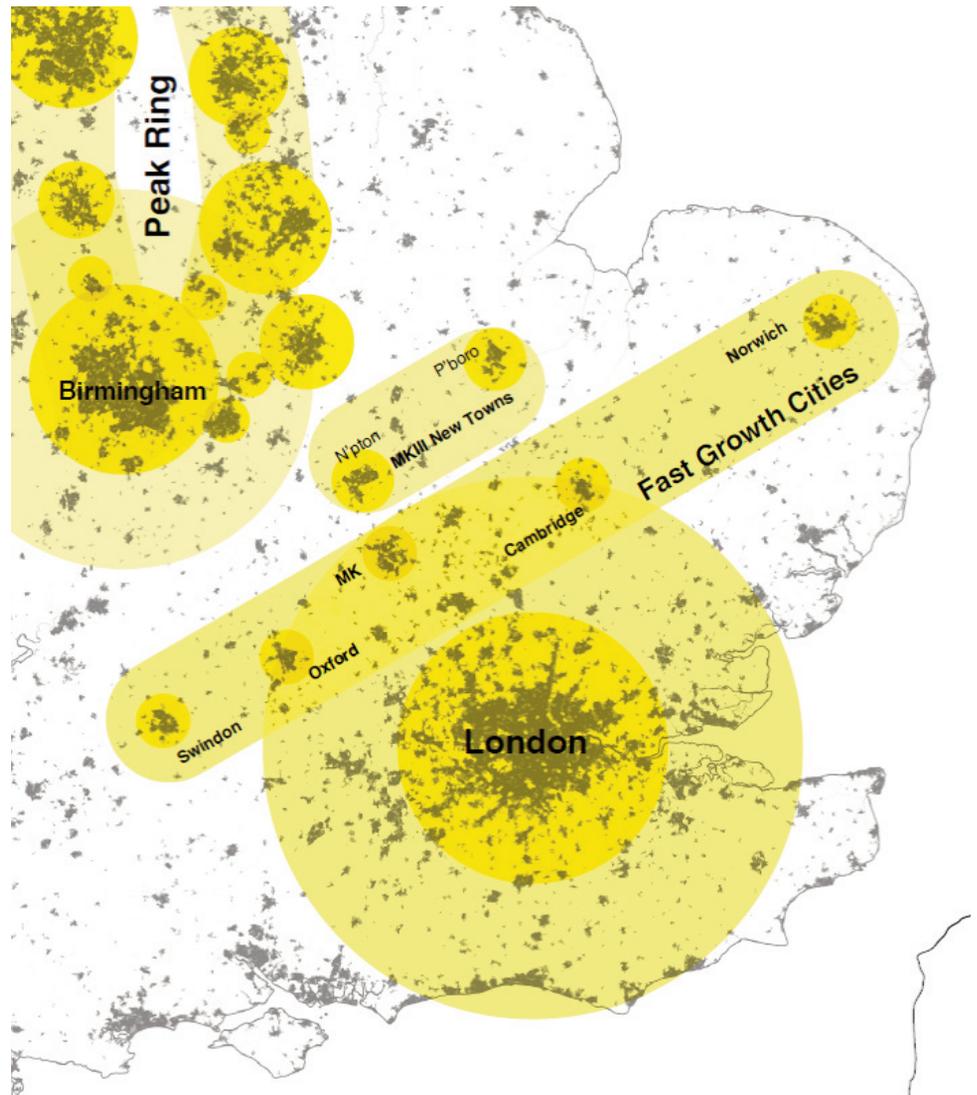
>>> all to blame.

He traced the growth of population in settlements between London and Birmingham through a sequence from 1900 to 2015 which illustrated progressive and growing hubs and foci towards larger towns culminating in what this means if protected land (including e.g. green belt) is also restricted from future growth. The 1900 pattern is contrasted with growth and protected land in 2015 in the two illustrations below.

The CaMKoX Arc transport infrastructure is then threaded into this more limited prospective development area to underline the case. It also suggests that the countryside is under greater threat than ever.

This black and white treatment can however fuel the simplistic argument that we should protect countryside from the ravages of urban growth (or even more emotively urban sprawl). The idea that "town and country" should be more closely harmonised – which has long been the suburban house and garden reality – is lost in this news media fuelled fiction.

Seductively, Professor Tom Holbrook also asks why we don't build lots of places which we are all happy to visit - such as sunny Tuscan hilltop towns as San Gimignano. However this ignores whether we would actually like to live in such tourist honeypots. This sunny characterful inducement is easily used to justify not building lots of volume house builder lookalike dwellings in standardised largely cul de sac copybook designs – whether in Cambridge, Bedford, Bicester, or Oxford. (Lumped in with these is suburban Milton Keynes which at least allows for more arterial bus routes and has fewer dead ends). No



design consideration is given to necessary employment, services, schools, or amenities, though space for them is acknowledged by superimposition of suggested uses.

After this (possible aberration?) we move back to a clear and coherent diversity of perceptive settlement categories and sizes...based on "granular types that start from particular conditions" - in other words more contextual design.

To these typologies are then added how infrastructure connects them, which in turn sets up what are perceived as string cities (or city regions) around both Oxford and Cambridge, both linked by road and rail transit and interchange nodes (or stitches). Two compact cities divide the spatial framework in three parts:

The three divisions also benefit from their functional specialisation.

Where HS2 crosses the CaMKoX arc is seen as potentially one of the most connected places in the UK centred on the current village of Calvert, grown into a high density compact city illustrated by the opening slide. This contrasts with the low density neighbourhoods of Milton Keynes. MK has green



spaces within it, whereas Calvert relies on accessible countryside on the outside. Both have comparable urban capacities. Implicit is that overall the Calvert option saves land.

Alexander Jan, Arup Chief Economist considered the governance models including financing and planning powers required for success of this ambitious proposal. He used material presented to the NIC. These priorities in turn mean many challenges needing to become opportunities:

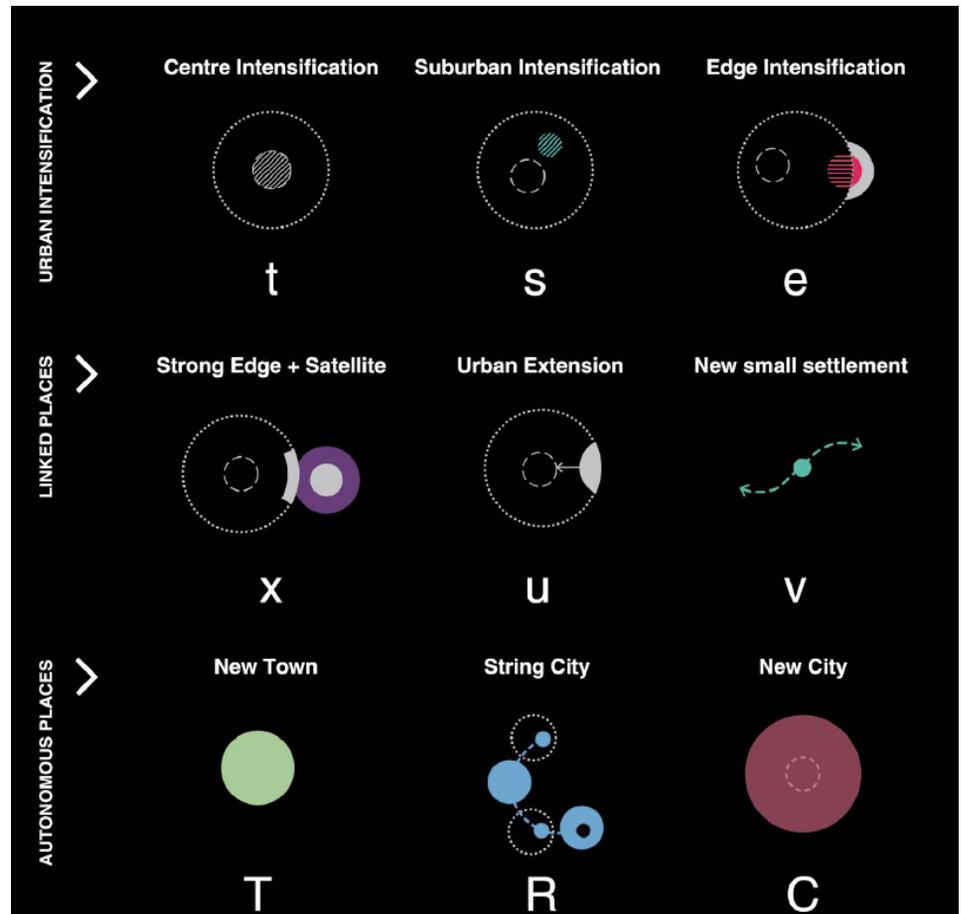
- Existing population 3 million – GVA £100bn
- Ambitious growth (1 million new homes by 2050 – 2 million people?) c66k per annum – two thirds of London’s actual growth (three times the rate)
- 144 conservation areas, 7,321 listed buildings etc
- New roads (a rarity)
- New railways with limited/no involvement from Network Rail (also a rarity)
- Many authorities, other statutory players...
- Urban and rural mix with lots of variation in density, settlements and so on
- Population density c3 per hectare; Greater London 52... (Census data, 2011)
- Will require £10bn-15bn to deliver?

There are also

- 31 local authorities (4+21+5+CA)
- Arc Leaders’ Group (LAS+LEPs) with four thematic groups
- Arc Chief Execs’ Group (LAS+LEPs)
- 4 LEPs plus England’s Economic Heartland
- Joint Arc Advisory Group (with a business chair)

Alexander Jan considered the different organisational structures to make this happen starting with the recent Olympic Delivery Authority

- Non-departmental body, established by Act of Parliament (2006-2014)
- Responsible for the delivery of the infrastructure required for the Olympic and Paralympic Games, adapting the Olympic park with the construction of new facilities alongside LOCOG
- Well funded (c £9.3bn 2007)
- Delivered venues, facilities, infrastructure and transport. Responsible for all the permanent venues and other facilities... planning and delivery



of both transport infrastructure and services

- Powerful authority with extensive reach...

Other approaches (by way of illustration) include:

- Elected regional authority and mayor (GLA)
 - Urban Development Corporations (LDDC, Merseyside Development Corporation)
 - New Town Development Corporations
 - Strengthened sub-national body EEH (transport, utilities, digital)
 - Government company set up by Act of Parliament (HS2 Ltd)
 - Joint development vehicle(s)
- So he concluded that the
- Challenge will be to come up with an effective governance structure that commands support and is seen as sufficiently accountable to stakeholders...

It is to be hoped that wide enough combined public and private experience can be formed meet this challenge.

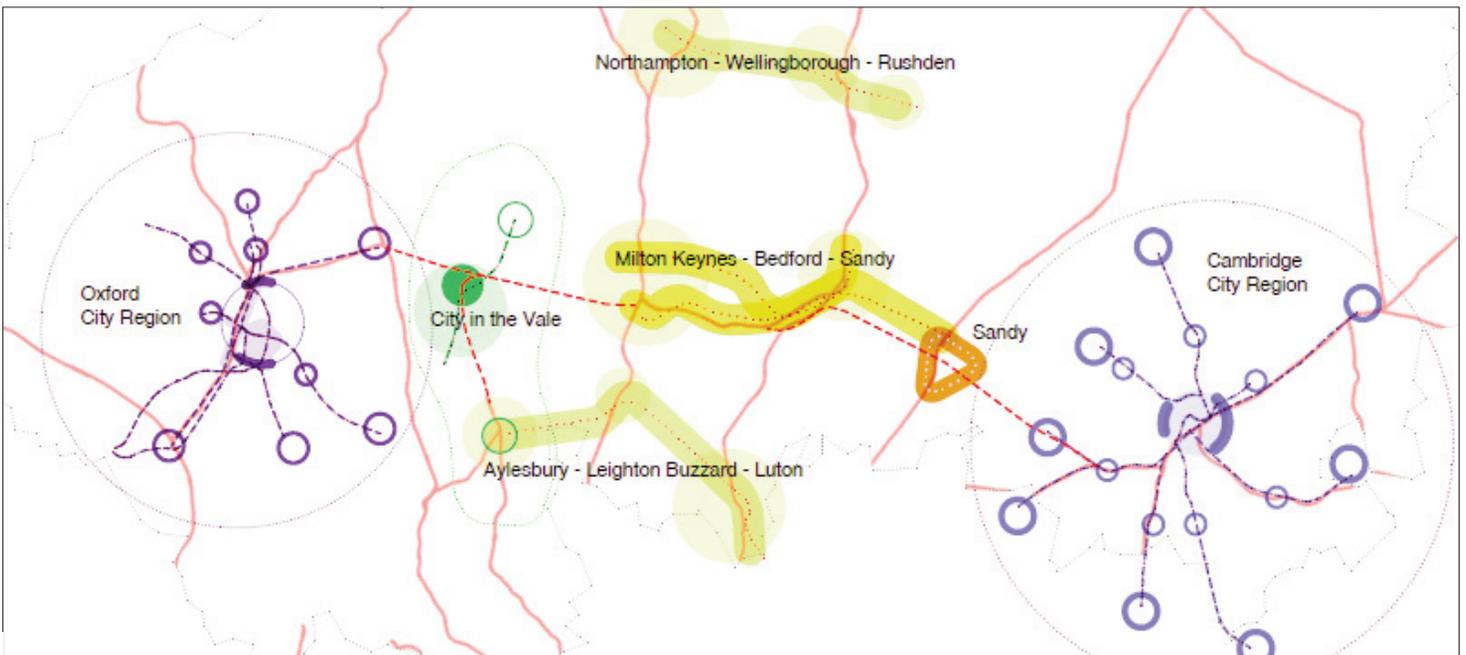
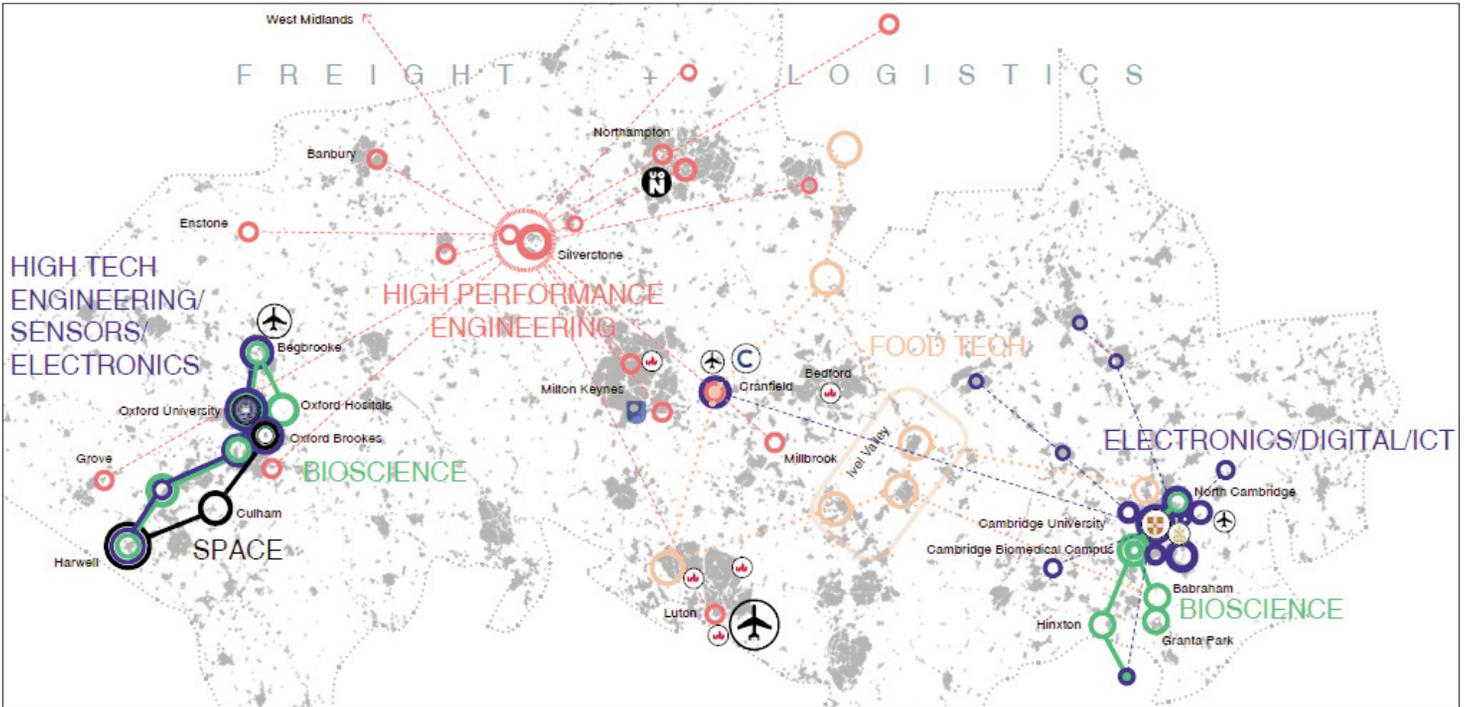
Q and A

Q Where is the money – not just seed funding – coming from to meet this challenge?

A Alexander Jan said that both road and rail were by now pretty committed. In theory revenues from new homes, local authority taxes, stamp duty CIL and business rate supplement could generate a large part of the resources required.

Chris Findlay a landowner cited the example of Weston Otmoor for a scheme for 35,000 people and possibly 12,000 jobs in 2008 where no value was placed on the greater good

Tom Holbrook considered that some of the real opportunities were to be found at the boundaries >>>



>>> between local authorities but required local authorities to collaborate – hence the success of the New Town Corporation.

Robbie Owen of Pinsent Masons presaged his presentation by referring to an adverse Inspector decision on the Vale of Aylesbury local plan. (A new plan is now under consideration).

Helka Kalliomäki, of Turku School of Economics in Finland offered a European perspective on growth corridors.

She referred to past typologies

- Different linear frameworks have been visible in planning in different times, scales and contexts (e.g. Whebell 1969)
- In European spatial development, corridors have been seen as potential tools in developing simul-

taneously economically, socially and environmentally sustainable spatial structure (e.g. ESDP 1999)

- Corridor-based spatial visions examples of new 'soft' planning spaces (e.g. Haughton et al. 2010), connect actors from diverse administrative territories along connecting infrastructure framework

She showed the Copenhagen Finger Plan, which is still operating clearly, and the perceived diversity of other (?less coherent or widely followed) models to be found elsewhere in Europe.

In her native Finland is a network of development zones focused on Helsinki connecting to other hubs.

In perhaps her key analytical slide Helka

Kalliomäki broke down the corridors and linear framework into three key axes:

More sceptically she pointed up the dangers of this conceptual framework.

- Criticism towards the abstract nature of corridor visions and their inability to engage with development practices at the local level
- A disconnection between statutory planning and new "soft" development frameworks
- a disconnection between national and local objectives
- a lack of nationally coordinated policies
- a lagging completion of the institutional framework for comprehensive spatial development
- Inadequate evidence-base of corridor development

Her tentative reflections from this work in progress were

- Objectives related on the one hand to transportation and housing growth, and marketing and lobbying – and on the other hand to finding/building an arena for more difficult discussions e.g. about inclusion, affordability & related development challenges

- Potential of corridor collaboration and the role of corridor initiatives relates particularly to those gaps that not are not filled within the boundaries of existing statutory planning system

Robbie Owen, Partner and Head of Infrastructure Planning and Government Affairs at Pinsent Masons concentrated particularly on the role of LEPs and England's Economic Heartland's 'Prospectus' for an National Planning Strategy

- Context (1): NIC Interim Report, 2016
- National Infrastructure Commission interim report
- "The corridor...could be the UK's Silicon Valley" BUT..

- a lack of sufficient and suitable housing presents a fundamental risk to the success of the area
- New east-west transport links present a once-in-a-generation opportunity to secure the area's future success

- Current governance mechanisms are not sufficient to deliver the step-change in strategic leadership and collaboration needed

- Context (2): NIC Final Report, 2017

'Partnering for Prosperity: A new deal for the Cambridge-Milton Keynes-Oxford Arc'. The Cambridge-Milton Keynes-Oxford arc contains some of our most productive and innovative places,



delivering growth and prosperity for the whole country.... Without swift and determined action to overcome the area's housing crisis, it will fall behind its international competitors and fail to attract and retain the talent and skills it needs....The proposed East West Rail and Expressway schemes must be built as quickly as possible to unlock land for new homes and provide a better service for those who already live across the arc....Local areas must work collaboratively to make the most of these new opportunities, thinking more boldly than before, both now and in the long-term."

- Context: MHCLG declaration, March 2019
- Issued 13 March 2019
- Described as a 'Government ambition and joint declaration between Government and local partners'
- Recognises key issues: the need for a long term commitment, the potential for the delivery of homes and economic growth, the importance of

environmental gain

- Little in the way of tangible commitments
 - Establishing a Joint Advisory Group
 - Public Engagement exercise over the summer
 - Consult on route options for the Expressway in the autumn

- National Policy Statements (NPSs)
- National Policy Statements are the backbone of the NSIPs regime

- NSIPs are large and/or significant projects for energy, transport, water, waste water and waste approved through Development Consent Orders (DCOs)

- NSIPs can also be for commercial and business developments and can also include 'related housing'

- 'Designated' NPSs include:
 - 6 energy NPSs – overarching energy, renewable energy, fossil fuels, oil and gas supply and storage, electricity networks and nuclear power
 - NPSs for Ports, National Networks, Waste Water and Airports

- Emerging NPSs on water resources infrastructure and nuclear waste geological disposal

- Scope of the NPS power
- Designated under the Planning Act 2008

- Wide power for the Secretary of State to designate NPSs for the purposes of the 2008 Act: 'setting out national policy re one or more specified descriptions of development'

- In particular, NPSs can set out/identify:
 - amount, type or size of development of that description which is appropriate nationally or for a specified area;

- criteria to assess suitability of location and weight to be given to each;

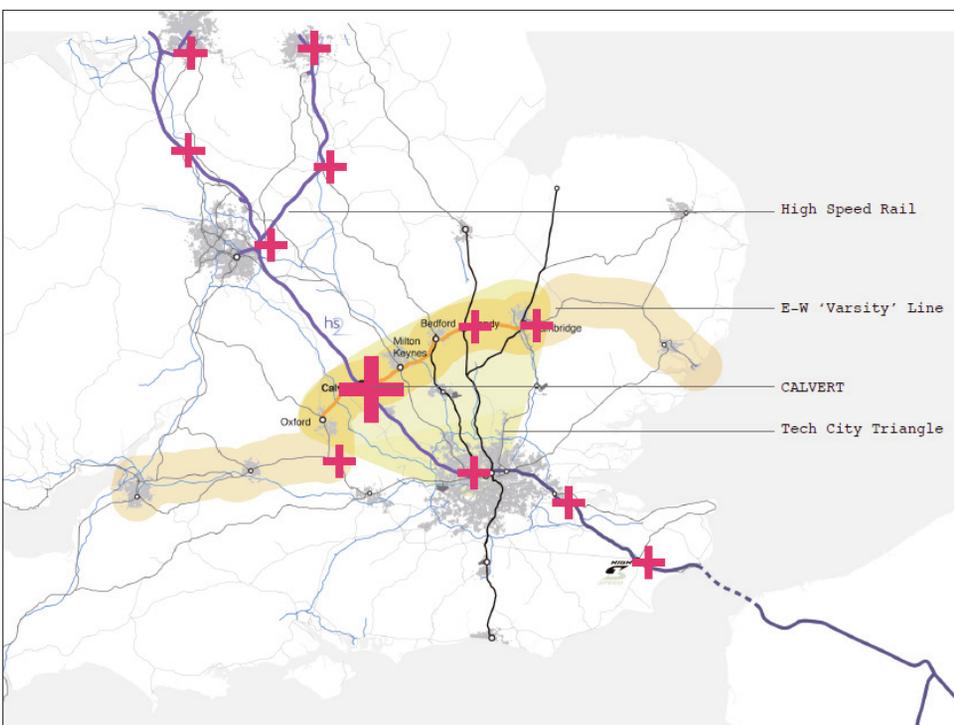
- one or more suitable or potentially suitable locations;

- one or more statutory undertakers as appropriate persons to carry out a specific development;

- circumstances where specific mitigation is required.

- Process for designating NPSs

>>>

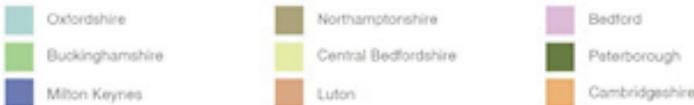


A national priority...

“Annual output of the corridor in 2050 could be **£163 billion higher** than in 2014, supporting **1.1m new jobs**... doubling the growth expected.”

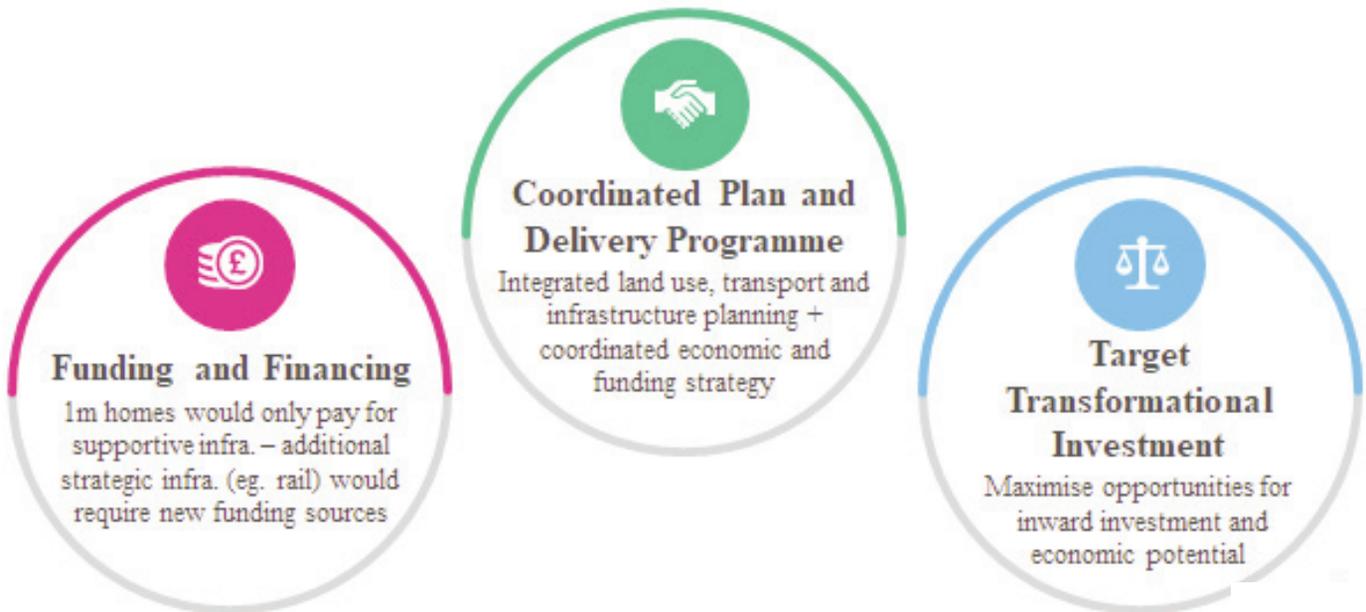
“If the arc is to maximise its economic potential, current rates of house building will need to double – delivering up to **one million new homes** by 2050.”

Partnering for Prosperity
National Infrastructure Commission
Nov. 2017



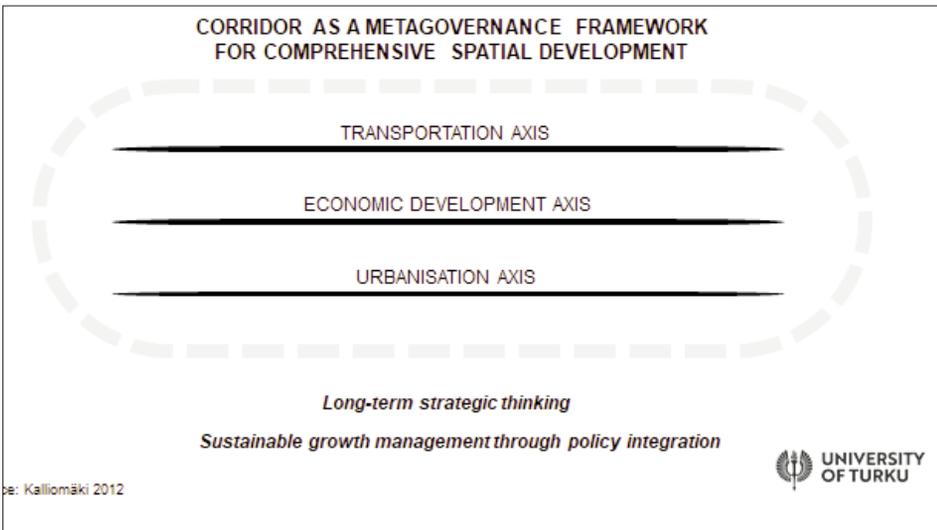
ARUP

...with three priorities...



ARUP

- >>> • Publication of draft - with Appraisal of Sustainability, etc.
- Consultation: "such consultation as he/she thinks appropriate"
- Appropriate publicity of any location-specific NPS
- Parliamentary scrutiny through a House of Commons Committee
- House of Commons approval
- SoS 'designation'
- Formal suspension and/or review processes
- Content of an NPS for the Arc?
- There is no limitation on the scope and purpose of an NPS so long as it is within the 2008 Act powers. The NPS could:
- Set out the need and in-principle support for the infrastructure projects concerned – including the amount, type or size of development in each cate-



- Firmly establish in national planning policy Government ambition and vision for the Arc, creating a strong overall policy framework having legal effect
 - Provide clarity and certainty for decision-makers, scheme promoters, investors and communities alike
- Secure the principle of the need for the Arc's enabling infrastructure and set out assessment criteria for the related DCO applications for the nationally significant infrastructure
- The Secretary of State would have to decide any such DCO application 'in accordance with' the NPS: it would be a clear and consistent determining factor when deciding the DCOs
- Align and reconcile competing policy positions of local authorities – outside the complexities of plan reviews and housing supply/delivery targets
- A material consideration when deciding TCPA planning applications.

The Government's new Head of Architecture
Andy von Bradsky, newly appointed government (not just departmental) Head of Architecture, explored the status and government approach to design quality.

He spoke of his background and reputation, including his wide industry experience – practice to policy and his new role and the team he has around him. They are led by The Chief Planner as a Design Quality Steering Group.

His role is to support the Design Team with the objective to raise design quality in built environment through the planning process. It is a resource across the Ministry (though he says not government) on matters of design quality, technical performance, procurement and delivery of housing programmes. It embraces regeneration, high streets, Garden Communities and other Government housing supply initiatives. Cross Government design advice, eg BEIS, DHSC, DfT, DCMS, HMT has the objective to raise design quality. The team has an annual Action Plan to deliver outcomes and impacts including writing design guidance and planning practice guidance to support the revised NPPF.

A support network engages with stakeholders. Design quality and quality of construction should lead to more homes and fewer complaints. Further slides amplified roles in strengthening planning policy, diverse technical tools and amplifying and evaluating quality, embedding quality into government programmes and offering support to well planned and designed locally led garden communities. The philosopher Sir Roger Scruton has a 12 month brief in 2019 develop a vision and practical measures to help ensure new developments meet the needs and expectations of communities, making them more likely welcomed rather than resisted.

>>>

gory – and make some reference to housing for context and need

- Set out any wider government policies that are applicable
- Set out the generic impacts of the infrastructure (e.g. traffic and transport impacts, air quality, noise, landscape and biodiversity)

- Contain clear and concise policy tests and assessment principles that can be robustly met in subsequent DCO application documents
- Set out material considerations for applications, supplementing the NPPF and other relevant national and local planning policy
- Benefits of an NPS for the Arc?

>>>

Q and A

Philip Graham Cullinan Studio / University of Reading spoke of awareness of local supply and demand to avoid providing one bed flats for every home in the country, the need to provide for certain types of people and how to plan for aging. He asked when do we see standards accommodating life style changes and the influence of stamp duty thresholds?

A In response Andy Bradsky suggested that the key responses to these questions lay in a diversity of supply and more building to rent.

"Common Sense" Land Value Capture

Denton's Stephen Ashworth gave a provocative presentation on "Common Sense" Land Value Capture (which has eluded public private resolution since its first April 1948 inception). He drew attention to some of the inconsistencies in state thinking on this matter with the aim or clarifying a more common sense attitude. He began by putting two inconsistent statements together.

Capturing Commonsense

Value Capture in brief

Value Capture

The Select Committee on Value Capture: September 2018 said:

15. Consequently, in this report, we refer to land value capture in the context of taxes and charges imposed by local or central government which seek to capture, for the public benefit, increases in land value that arise from the public policy decisions or specific development events, primarily the granting of planning permission by local authorities or as a consequence of new, or improved, major infrastructure projects.

The Secretary of State: March 2019 said:

"I note Sir Oliver's recommendations that authorities should further capture land value uplift by insisting on specific levels of greater housing diversification - and also note that many of the housing-building industry are sceptical on this approach. I agree with the principle that the costs of increased housing diversification should be funded through reductions in residual land values. The Government is committed to improving the effectiveness of the existing mechanisms of land value capture, making them more certain and transparent for all developments. My focus is on evolving the existing system of developer contributions to make them more transparent, efficient and accountable and my department is gathering evidence to explore the case for further reform".

Key points

- Do not talk about value capture – call it "right pricing"
- Planning mechanisms and CIL can help "right price"



- Clear and certain policies will be reflected in land values
- Be imaginative
 - Warnings
- Not a panacea
- May affect speed of land to market
- Needs an effective local plan and CIL examination process – and genuine challenge

Debate: Permitted Development

In the absence of serious reform we need a 'shadow' planning system

FOR: **Brian Waters** (replacing Nick Cuff of Pocket Living who at short notice could not be present)

SECONDING: **Andrew Rogers**, Association of Consultant Architects

AGAINST: **Hugh Ellis**, Chief Executive TCPA;

SECONDING: **Mike Kiely** chairman Planning Officers Society.

Brian Waters **PROPOSING THE MOTION:**

"A study by the Association for Public Service Excellence into permitted development rights (PD) and in particular the right to change office space into housing, describes PD as being "on such a scale as to be in effect a shadow planning system, with no opportunity to secure decent quality housing or contributions for education or even even basic children's play space".

Another study by the RICS, which visited 568 buildings across the country, concludes that only 30 per cent of units delivered through PD meet national space standards.

These are serious concerns that need to be put into a bigger context. First, at a time of economic recession, when these PD rights were introduced, and at a time of a severe housing shortage especially at the lower cost end, permitted development rights have turned out to provide something like 30

per cent of the additional housing achieved and for some local authorities, over half. In 2014–2017 changes of use alone provided 88,000 mainly relatively affordable homes and in London as early as 2015–16 was producing 19 per cent of new housing.

This freedom brought with it some collateral damage, be it pressure on small businesses in low-cost accommodation to relocate and in terms of some unusually small dwellings. The benefits included the release of value in terms of better land use, the upgrading of buildings and the provision of relatively low cost housing.

How then to mitigate the damage?

Nick Raynsford's Review of the planning system provides a masterful analysis but a fairly hopeless synthesis: any report with more than half a dozen recommendations is doomed. This has 26!

It's launch by the Town and Country Planning Association was dominated by recriminations against permitted development rights which gave it the atmosphere of a conference of traffic wardens told they could no longer issue tickets.

Hugh Ellis did make the point that the small proportion of very substandard permitted developments would be blocked if the 'grey' interface between planning and building control were to be properly addressed.

Planners are always claiming to be under-resourced but go on invading areas of objectivity. Standards are objective criteria and therefore much more efficiently handled through the Building Regulations than by planning. All possible such standards should be moved out of planning and into the Building Regulations. For housing these should include minimum floor areas, storage, energy and sustainability criteria and access to amenity space.

Doing this will eliminate local and political prejudices which complicate basic national standards and will reduce the margin of collateral damage without harming the considerable benefits being gained by permitted development freedoms.

It would be a good outcome for the Minister's review of the quality of homes delivered by PD conversion which he announced a few days ago.

At the same time he should work with the Chancellor to ensure that development profits are being properly taxed and to arrange that proportionate contributions are fed back into local infrastructure.

The minister announced the other day that following consultations he was introducing a new raft of permitted development rights, mainly to allow new uses to energise suffering high streets. Something needs to be done and he also announced a new consultation called Better Planning For High Streets, addressing the role of compulsory purchase, local development orders and other innovative tools. Something to look out for then.

I would just comment that for the present I think

that planning authorities should zone primary retail frontages and require new uses to have active frontages, and this criterion should be included in any prior notification requirement for an application for a change of use from a retail or other A class use in such zones.

It should not be forgotten that the 'nay-sayers' were shouting that nobody would bother with the Class O offices-to-homes permitted development right, then that the take-up was negligible, and that the whole thing was pointless. Not quite what they are saying now.

And they haven't learned have they? Planning in Principle (PiP) was given a big analysis in Planning magazine which asserted that there has been a very slow take up of this new process and quotes experts saying that this is not likely to change. The article was published on the 6th of July but the PiP regulations were only published on the 15th of June! Is this a repeat case of the system predicting what it wishes for regardless of the evidence?

Why do we need devices like PiP, brown land registers, and PD freedoms anyway? The answer is that the planning process has become so sclerotic and complex and that reform and simplification tend to do the opposite. So the politicians in frustration seem to be subverting the system by introducing shortcuts via a shadow alternative.

If this sounds unlikely, just look at what is required to make an outline planning application today: a truck-load of impact studies just to get it validated compared with the original process: a red line on a map, a one-page form and a postage stamp. Because an outline application is no longer any such thing, Planning in Principle has been introduced to re-establish the ability on small sites to confirm the principle of development.

Maybe a shadow planning system is not such a bad idea. I commend the motion!"

AGAINST: Hugh Ellis, Chief Executive TCPA; Hugh Ellis argued that the new PD rights are already a shadow planning system. RICS visited over 500 schemes and found that very few meet recognised space standards.

The Raynsford Review of November 2018 (see TCPA publications) concluded that "The evidence received by the Review is extensive and complex, but it confirms the need to ask fundamental questions about the objectives, accountability and outcomes of the planning system. Less reassuring is the complexity and controversy which surround many of these issues. In some cases, they have remained unresolved for decades, precisely because acceptable political solutions have been so hard to find. Neither does the evidence suggest that there is very much consensus about what to do now. The lack of clear agreement about the need for a democratic system and the conflation of the public inter-

est with private interests suggest that the system is confronting a major crisis of purpose."

And

"the evidence presents a picture of a planning system that has a conflicted purpose" so he argued that the present system needs reform

HEs priority is therefore to meet public concerns rather than enable schemes with untested merit to happen.

Andy Rogers **SECONDER FOR** the motion Introduction based on refuting the main points of the opposer.

The RTPI has claimed that pd rights "have been increasingly abused to achieve policy aims" - ie the policy of providing more houses - which crucially ignores the parallel policy of reducing red tape. The so-called "shadow" planning procedures are designed precisely to do that and have been - and continue to be - very successful, whether it's removing simple back extensions from the desks of over-worked planning officers or providing homes in redundant sixties office blocks.

The TCPA has protested that substandard developments should be enough to make pd rights unworkable: this ignores the fact that only a very small proportion of the dwelling units being provided through pd are truly awful - and even those that are at least give homeless people a place to live that is not a shop doorway. Besides, how many homes being created are actually, as the TCPA has recently claimed, "not much bigger than a standard parking space"?

Examples such as the apparently 'substandard' converted Newbury Park office block in Redbridge can be misleading: this block is actually used by the borough as temporary accommodation for the homeless and is surely better than a crowded b&b (or even park bench), which is the alternative.

The RTPI doesn't like pd either, but at least argues more rationally - although it has said that pd rights "add to the financial burden of local councils" - which is hard to understand when the whole point is to take large numbers of minor planning applications (the fees for which, it is always claimed, do not cover the cost of processing) out of the system.

The RTPI also suggests that "extending permitted development rights risks poorly designed and located housing" and challenges "the ability of local planning authorities to deliver mixed and efficient land use ... [and] communities to engage in development". Such risks (and they are after all only risks) may or may not be real, but the wider benefits of permitted development and a so-called shadow planning system are in practical terms very evident.

As pointed out by Brian Waters, permitted development, pip, etc are just procedures used by

the government to work round the difficulty of simplifying a sclerotic planning system, relieving the pressure on over-worked officers, releasing resources to concentrate on wider planning policy and the larger place-making applications, and by-passing intransigent planning committees. Certainly they have undoubtedly been a success for the government policy of providing more houses - in 2014-2017 changes of use alone provided 88,000 homes that are very often relatively affordable - and of course reducing red tape.

Just because they don't work perfectly 100% of the time, "shadow" planning procedures are not inevitably bad. I therefore support the motion.

SECONDER AGAINST: Mike Kiely chairman Planning Officers Society against the motion

Mike Kiely cited the case of several PD flats in Croydon of just 13.5 sq m. He asked what therefore is planning for if that is what it does. If it simply encourages development as Pickles wanted to do it simply provides a freedom at the expense of another man's restriction (note. This, ironically was the very criticism of the 1947 act itself). MK said that a sensible sustainable strategy is needed and that responsible local authorities should be trusted to assess development that meet this basis. Outline permissions can be complicated because they have to be considered to deal with all the possible conditions that may arise.

Town centres are under pressure through internet purchasing but are by no means dead yet. He asked that the UCO and licensing should be re-examined.

MK emphasised that planners should be place-makers and licensing should focus on being place-managers.

The vote was 2-to-1 against the motion

A Closing round-up was provided by **Jamie McKie, Senior Associate, Dentons**.

He said that more reform can now be expected from the forthcoming green paper and hence more legislation. The CaMKoX arc has many policy issues to resolve if it is to succeed.

The Chairman thanked participants and guests and Dentons for hosting a useful and interesting afternoon, with an opportunity for networking to follow. ■

The next meeting of the LP&DF will be early in June. Details at planninginlondon.com. All welcome