

BRIEFING: LONDON PLANNING AND DEVELOPMENT FORUM

Not another re-write of the system please!



There was one topic at this quarter's LPDF meeting – the Tories' green paper on planning – which attracted a lot of criticism from members

The discussion was introduced by Michael Edwards of University College London, Peter Eversden of the London Forum and Peter Cox of lawyers Denton Wilde Sapte.

Michael Edwards said: 'I'm an old socialist, thoroughly enraged by New Labour's wholesale adoption of the neo-liberal legacy from the Thatcher period.

'They caved in to developer and volume house-builder lobbies, 'reformed' local government making it less democratic, insisted on the Tube Public-Private Partnership, refused to create proper development corporations for the Thames Gateway and in all sorts of ways sustained the asset-value bubble which has now brought us all to grief.

'They also reinforced the worst social class inequality in western Europe and now threaten us with huge cuts in the social wage to pay for last year's compensations to banking shareholders. And they haven't even taken global warming seriously. If that's what a Labour Party can do, perhaps the Tories will be better!'

'Some of the highlights [of the Tory green paper] are indeed appealing and with my tinted spectacles I could see them as welcome reforms.

Localism

'More local democracy would be grand. Imagine building up the Camden or Hackney Borough plan from fragments worked out in localities! Getting rid of unelected regional bodies sounds good too. But this version looks like a NIMBY charter, with no mechanisms to enable the weak and deprived to negotiate with the rich and strong, either between parishes or at a sub-regional/regional scale, where the replacement is nothing.'

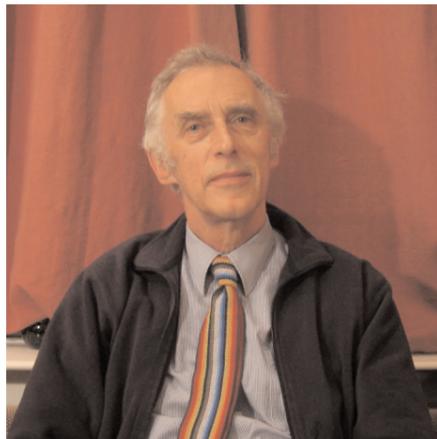
Third party rights

'Third party rights of appeal where a permission is a departure from the development plan is a great idea. It would really give the development plan some weight if elected members and officers could no longer drown those hard-won policies in 'other material considerations' like regeneration benefits,

conservation benefits, viability, and so on. This reform would probably lapse if they get into power as I recall it happened to a similar manifesto proposal from Labour in 1997. Pity.'

Flexible use classes

'Flexibility between clusters of use classes where specified, or not excluded, in the development plan.



Edwards: old socialist enraged by New Labour welcomes Tory policy! Well, in part...

That sounds interesting for places with lots of vacancy, and it's a welcome departure from 'one size fits all'. This one has to be read along with the presumption in favour of 'sustainable developments'. It moves the UK towards a continental system of entitlement to development rights except where those rights are explicitly circumscribed in the plan. Could this be a serious attack on our utterly dysfunctional, car-dependent, settlement pattern?'

Sustainability

'Does this mean that only zero-carbon buildings which generate mainly pedestrian, cycle and equine trips will be permitted development? No, because 'sustainability' means whatever each LPA says it means in its local plan. And once that local plan is

approved then that definition of sustainability is sanctified for that area. A local authority could define it in terms of financial viability, or as vegetable gardens large enough to support a family.'

Incentives

'Finally these incentives. It's good to see that LPAs will be incentivised to encourage development and thus prevent the NIMBY triumph. It's clear from experience in parts of Spain that, if you make the financial incentives big enough, you can have local authorities approving development on a vast scale, quite unrelated to demand or need or 'sustainability'. But I don't believe that a single rate of incentive which the Tories propose will work equally well in Berkhamsted and Corby, Redbridge and Wandsworth.

The other proposed use of incentives is for developers to buy off the individuals or localities which object to projects: very regressive and nasty.

'So I don't buy it after all. And I'm not sure the Tories' regular customers will buy it either. It has plenty in it for the defence of residential privilege, but not nearly enough to satisfy the BPF, the HBF and the financial sector behind them.

'There are, as always, tensions within the bourgeoisie. So far as 'material planning considerations' go, I still have no-one to vote for.

Peter Eversden followed. 'The key issues I have with the Tory Green Paper on planning are:-

- Yet another re-writing of both national and local planning policies, with reduced development control if the latter is not completed in specified timescale;
- Developer/ neighbour 'buying off' objections;
- Permitted development for shops, offices and public buildings;
- Windmills allowed on houses;
- Increased car parking in new developments;
- Local Housing Trusts not covered by the planning system;

- Any existing building could become a school;
- More permitted development rights;
- A third party right of appeal against local planning decisions would be introduced but would exclude non-conformances to national policy. Conformance to the London Plan is not mentioned;
- There is no reference to conservation areas and little on listed buildings.'

'Many PPGs have been turned into PPSs and now the Tories want to turn PPSs and any other national statements into PPGs and put them all in one 'UDP' (Where 'U'=Universal, rather than Unitary). It took 12 years to fail to complete UDPs and 6 years to fail to get far with LDFs – now it is proposed to start again with new local plans.

'There is full opportunity for civic participation in planning now, in the way the Conservative Party is proposing, but people don't bother or don't know how. Local communities can determine the vision for their area now through a Sustainable Community Strategy which influences Local Area Agreements, the Core Strategy, planning policies and Area Action Plans.

'Further London decentralisation is proposed. What would it mean? – take out GOL? – take away the Mayor's 'call-in' powers? – raise referral thresholds? And it seems to be wrong that a local Housing Trust has to conform only to national planning guidance, not the local plan. Enquiry by Design' and local consultation are unlikely to be good enough to by-pass development control.

'The London Forum would welcome enforcement if approved applications are misleading. The change of use proposals are of concern and need more assessment as it seems that any house could become a school and any shop a pub.

'The proposed third party right of appeal could be a problem on process challenges due to the Ombudsman decision timescale. (It normally takes two and a half years for an Ombudsman result). The handling of objections might be weakened as the views of 'a small minority' of neighbours could be ignored.

'The compensation proposals should not be part of planning decisions. There are too many absentee landlords who could be bribed. Neighbours might be offered a cheque or a threat.

'The involvement of PINS in a Major Infrastructure Unit is welcomed. There seems to be suggestion of abolishing housing density targets and allowing Councils to resist development of their neighbourhoods.

'More car parking is to be allowed which conflicts with the aim to reduce the need to travel. 'Micro-generators' on non-listed buildings should not be permitted development as there must be

control on visual appearance for protection of the public realm.'

'The Tory Green Paper is not well written and would carry too far permitted development and a presumption in favour of sustainable development.

Member comments

Michael Bach also of London Forum was disappointed that the proposals lack coherence. He asked where is the Gummer work on smart growth/quality of life? There was nothing about planning for development and it is going back to square one on development plans, he argued.

It would take two terms of a government to get a whole new set of plans approved and only then could the disciplines start to produce anything. There was no evidence, he argued, that the Tories believe in planning – what, where and how much. It will 'lead to putting off decisions and planning by appeal', he said.

The Use Classes Order proposals are 'all over the place' '87 deregulation shook out employment space such that we no longer make things.

David Cox of Denton Wilde Sapte stressed the Green Paper's incoherence. He referred to the big ideas of the other parties which are joined up to the Treasury for funding. The economic element seems to be missing.

He suggested that the Conservatives have always been lukewarm about the London perspective – it looks as though this is devolution to Bexley and Camden. Is the national planning framework like the Welsh or Northern Ireland one? Neither is very effective. The proposals will leave lawyers rubbing their hands with glee.

Cox expressed doubts whether third-party right of appeal or the curtailment of applicants' right will survive, even if the UK Human Rights Act is repealed. However the European Convention remains (notably article 6 – right to a fair trial). Planmaking takes on average about five years, with a high opportunity for local input and the right to lobby members. The approach is more expensive than judicial review.

Investment funding has not been thought through, Cox argued.

Clinics for primary care trusts, hospitals, schools etc. would get stopped. It is proposed to abolish CIL which CLG are struggling with. There is a reference to tariffs but these are not good without clarity on infrastructure needs as is well understood by local authorities.

Ghislane Trahearne of the British Property Federation was not keen on third-party rights of appeal and circulated the BPF report on this. She asked – and doubted – whether localism is really

ATTENDANCE:

Brian Waters: Chairman **Andrew Rogers:** Association of Consulting Architects **Andrew Wells:** Dalia Lichfield Planning **Brian Whiteley:** RTPI, London Borough of Newham **Chris Poulton:** GOL **Colin Rumsey:** LB Enfield **David Cox:** Denton Wilde Sapte **Duncan Bowie:** London Metropolitan University **Ghislane Trahearne:** Policy Officer (Planning) BPF **Jo Stockley:** RICS **Judith Ryser:** Isocarp/Cityscope Europe/UDG **Martin Simmons** **Michael Bach:** London Forum **Michael Coupe:** London Society **Michael Edwards:** UCL **Mike Hayes:** NPF Secretary **Paul McGrath:** C2 Architecture **Peter Eversden:** London Forum **Ron Heath:** RIBA LU&PG **Tom Ball:** London Forum **Drummond Robson:** Honorary Secretary and Robson Planning

wanted, sought but did not find a true planning framework and thought thinking on national and local plans is woolly.

Judith Ryser described the proposals as a 'rag-bag' which avoids the confrontational and is contradictory. The loss of a level of thinking between national and local is to be deplored. This is often where it all happens – e.g. the links between transport and waste or the relationship and negotiating level between a regional and local rail network (Cf the RER in Paris).

Martin Simmons concurred. There is no statutory plan between national and inter-local partnerships which is a very important 'filling in' tier which is about analysis and shared understandings.

Duncan Bowie of London Metropolitan University reinforced this. To assume that strategic and regional are merely aggregates of what people want at local level is very dangerous. The s.106 proposals will encourage household by household bribery and would become unaccountable to the point of being corrupt. The Green Paper explains regional planning in London but nowhere else. Reliance on incentives is not enough. The national planning system needs to be supported by the National Spending Review. National decisions need to be hand in hand with infrastructure planning – a point he thought Bob O'Neill (the shadow planning minister) had understood.

Jo Shockley, RICS head of policy and communications, thought the Green paper lacks coherence, and is not the way forward. The payment system is dangerously like buying planning permission. Third-party rights of appeal were not welcome. She concurred with the concerns about the prospective loss of regionalism, in particular in the wider south



BRIEFING: LONDON PLANNING AND DEVELOPMENT FORUM

east compared with London. The presumption in favour of sustainable development lacks any consistent definition. She was concerned that the proposals would be a charter for warring tribes of NIMBYs.

Mike Hayes, though a part time consultant to the Infrastructure Planning Commission, provided his own views as opposed to anyone he represented. He was critical of third party rights and the National Planning Framework. If we have a hung Parliament he wondered what, how and who would advance this in such areas as housing needs assessment of housing market areas, particularly assuming 2026 targets apply.

The proposals are not driven by planning but ideology. There is no democratic accountability and no regional control. He thought there was a need to strengthen local political leadership.

Chris Poulton of GOL said GOL was there to try to help authorities in trying to ensure plans are not considered unsound by Planning Inspectors. Also there is a need for a representative of local authorities at national level so that national policies work for London. GOL also mediates between different conflicting views such as the appropriate route for High Speed 2. Without a regional presence for London linking national and local government it is difficult to know how to resolve conflicts between local authorities and GLA.

Duncan Bowie said that public investment in social infrastructure for London is not very successful with the result that there is no infrastructure plan for London. He concluded that there needed to be more therefore on the policing role to ensure compliance with the London Plan. There needs to be a design policing at the local level.

Tom Ball disagreed saying that this cannot be prescribed. Training in design is desperately needed since practitioners are not educated in this.

Ron Heath spoke in favour of Democracy in the Planning system, based on his experience in the 1990s in Epping Forest District Council's local plan working group and bringing his experience as an architect to this. He also said, however, that the

public takes no notice of a planning application unless it is on their doorstep – suggesting little hope for the intention of localism. He also thought there was little training of Councillors. He advocated toughening up development plans to make them stricter.

Drummond Robson said he thought the Green Paper lacks an evidence base so informed choices can be made about whether the aims are worthwhile or not. Without this why should we rely on its unsubstantiated self-seeking assertions? It should begin with the near certainties of population size and growth and decline and trends in employment, infrastructure needs etc. and then some options as to how these can be realised realistically. Result is transparency rather than the smoke and mirrors world that politics has become.

Brian Waters, chairman, invited positive ideas which would improve the planning system. The first was that 'front loaded' development plans should lead the way.

Peter Eversden spoke of Spatial Planning in Areas using the 2004 Act, notably Area Action Plans. He cited the example of Brentford which was prepared as a real vision for what could happen there in a comprehensive fashion rather than simply site briefs.

Drummond Robson had an idea for Local Development Orders with vision (An LDO grants permission for the type of development specified in the LDO and by so doing, removes the need for a planning application to be made).

Mike Hayes promoted the role that Mediation may play both pre and post a planning application decision which would offer much greater flexibility to improve proposals than at present when schemes are either wholly black or white – acceptable or not. He also suggested that Council Leaders should have a legal duty to deliver a Spatial Plan – LDF – within three years.

Jo Shockley advocated greater neighbourhood-level planning with quality control to balance local criteria against sustainable development criteria set within a strategic planning context. ■

NEXT MEETING of the London Planning & Development Forum is at the new offices of the British Property Federation

POST-ELECTION LONDON

Week commencing Monday 14th June, at 2.30pm

*Provisional. Please check planninginlondon.com for details and to register.
Or email Forum Secretary Drummond Robson : robplan@btconnect.com*



i PILLO!

A nasty truth

'The likelihood of random and violent death may be the cheapest form of conservation', suggests *The Economist**. 'Involuntary parks', a phrase coined by futurist writer Bruce Sterling, show how well nature can do when humans are removed from the equation. Many are accidents of conflict. Examples are the demilitarised zone between the Koreas, the sea infected by Somali pirates is reported as teeming with fish and perhaps the most famous, the evacuated area around Chernobyl in Ukraine where burgeoning wildlife has been little affected by radiation.

*See Economist.com/greenview

Shooting of public servants

Whilst on the lessons offered by North Korea, they offer another example for consideration. The bureaucrat responsible for their botched currency reform, Mr Pak Nam-gi, 77, was last month taken out and shot by a firing squad. Not a policy advocated in any of our recent green papers, but perhaps worthy of inclusion in neglected papers on 'culture change in planning'.

Global warnings

'Within the last 40 or 50 years there has been a very great observable change of climate', said the Pennsylvania doctor Hugh Williamson. 'Men are led into numberless errors by drawing general conclusions from particular facts', said Thomas Jefferson. Both in the late 18th century when Noah Webster also observed that history has a tendency to repeat itself. Even earlier, in 1763, Benjamin Franklin observed 'Cleared land absorbs more heat and melts snow quicker'. But time moves on and nowadays 'Climate change has become the refuge of the used-to-be-important – such as Al Gore and John Gummer – a political hinterland for people who are looking for something to do', according to comedian Frank Skinner writing in *The Times*.

'Pub hubs' are the future

Management techniques need to keep pace with new flexible working patterns, if the benefits of a digitally connected Britain are to be realised. This was the conclusion of a panel at a recent Orange debate on 'connectivity' at the London Transport Museum. Panelists including Janet Street-Porter agreed that a move away from traditional cities and offices, as places to conduct business, will see connected individuals choose where they want to work. Commonplace connectivity hubs like coffee shops and pubs will extend across the country. Mine's a pint. ■



NEW TITLE PUBLISHING FEBRUARY 2010!

Politics, Planning and Homes in a World City

Duncan Bowie

'Anyone who is seriously interested in the subject of London's governance – and that should include any serious Londoner – ought to look inside Duncan Bowie's book and try to distil its lessons. It is essential reading for students of government and planning, not only in London and more widely in the United Kingdom but in other great cities across the world' - *Professor Sir Peter Hall, Bartlett Professor of Planning and Regeneration, UCL*

'This text is special in that it links the principles of land use planning with the author's practical experience of making spatial planning and housing strategies work in Livingstone's London. As a result the reader is not only helped to understand planning theory but also to gain insight into the ways in which a law based discipline can effectively (and sometimes ineffectively) interface with political reality' - *Professor Christine Whitehead, Professor of Housing Economics, London School of Economics*

This is an insightful study of spatial planning and housing strategy in London, focusing on the period 2000 - 2008 and the Mayoralty of Ken Livingstone. Duncan Bowie presents a detailed analysis of the development of Livingstone's policies and their consequences. Examining the theory and practice of spatial planning at a metropolitan level, Bowie examines the relationships between:

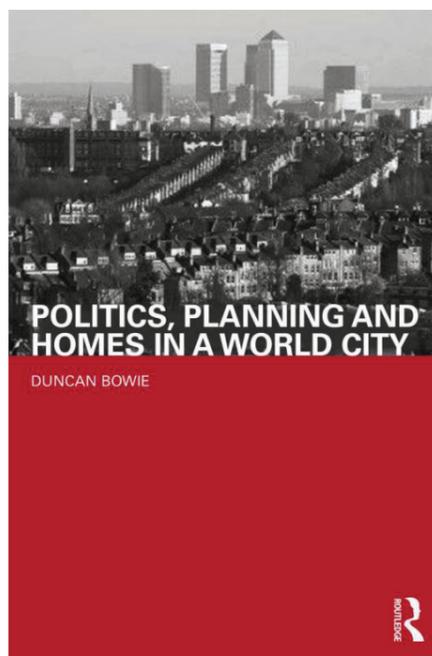
- planning, the residential development market and affordable housing
- environmental, economic and equity objectives
- national, regional and local planning agencies and their policies.

It places Livingstone's Mayoralty within its historical context and looks forward to the different challenges faced by Livingstone's successors in a radically changed political and economic climate. Clear and engaging, this critical analysis provides a valuable resource for academics and their students; as well as planning, housing and development professionals. It is essential reading for anyone interested in politics and social change in a leading 'world city' and provides a base for parallel studies of other major metropolitan regions.

Selected Contents: Introduction 1. London and the Planning of a World City 2. Strategic Planning in London before the Mayor 3. The new Spatial Planning Framework for London 4. The Development of the London Plan 5. From Policy to Implementation 6. The Impact of Spatial Planning on Housing Outputs 7. Revising the Spatial Plan 8. Challenges to the London Planning Regime 9. Planning for Growth in a Globalised Transient World 10. Planning and the Market 11. The Management of Land and Space 12. Planning for Diversity: Combating Social Polarisation 13. Planning and New Approaches to Metropolitan Governance 14. London's Experience of Spatial Planning

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BRIEFING: PLANNING PERFORMANCE

Housing decisions down 20 per cent

Decisions on planning applications for residential developments decreased by 19 per cent in the December quarter 2009

Planning Decisions on Major and Minor residential development (DCLG new Table 8[YE]) Year ending 31 December 2009

London Boroughs	Total residential Major decisions	Number granted	% granted	% within 13 weeks	% over 13 weeks	Total Minor residential decisions	Number granted	% granted	% within 8 weeks	% over 8 weeks
London	561	342	61	67	33	7,525	4,479	60	77	23
Barking & D	3	3	100	-	100	64	25	39	75	25
Barnet	32	24	75	91	9	403	218	54	88	12
Bexley	7	5	71	71	29	71	32	45	72	28
Brent	26	18	69	77	23	205	110	54	79	21
Bromley	30	21	70	60	40	262	153	58	60	40
Camden	13	7	54	100	-	364	295	81	58	42
City of London	1	1	100	100	-	8	7	88	63	38
Croydon	50	17	34	60	40	394	214	54	75	25
Ealing	26	17	65	38	62	181	100	55	71	29
Enfield	11	6	55	55	45	332	150	45	89	11
Greenwich	15	7	47	73	27	54	32	59	56	44
Hackney	19	14	74	63	37	264	166	63	81	19
Hammer & F	8	6	75	-	100	124	95	77	77	23
Haringey	13	9	69	62	38	224	107	48	81	19
Harrow	14	11	79	36	64	254	97	38	77	23
Havering	14	6	43	71	29	172	101	59	80	20
Hillingdon	18	6	33	83	17	234	101	43	76	24
Hounslow	8	5	63	75	25	120	50	42	73	28
Islington	10	7	70	80	20	235	164	70	75	25
Ken & C	6	4	67	50	50	453	384	85	92	8
Kingston	7	1	14	71	29	117	44	38	63	37
Lambeth	31	14	45	100	-	416	180	43	93	7
Lewisham	21	14	67	52	48	193	130	67	65	35
L T Gateway	..	..	..	..	..	..	..	..	..	..
Merton	10	5	50	20	80	175	89	51	70	30
Newham	7	5	71	86	14	109	54	50	87	13
Redbridge	5	-	-	60	40	115	25	22	76	24
Richmond	5	3	60	60	40	172	110	64	53	47
Southwark	53	36	68	81	19	301	188	62	79	21
Sutton	14	10	71	57	43	130	64	49	76	24
Tower Hamlets	..	..	..	..	..	..	..	..	..	..
Waltham Forest	..	..	..	..	..	..	..	..	..	..
Wandsworth	26	17	65	69	31	512	416	81	79	21
Westminster	15	13	87	67	33	408	326	80	68	32

Source: Source: DCLG (www.communities.gov.uk)

.. incomplete data

Planning applications

In the December quarter 2009, district planning authorities in England received 111,500 applications for planning permission. This represents a slight increase of just less than 0.5 per cent compared with the corresponding quarter in 2008. The largest decreases compared to the same quarter the previous year were in the North East (6 per cent) and Yorkshire and the Humber (4 per cent) whilst the largest increase was in the South East (4 per cent).

Planning decisions

District planning authorities determined 105,300 applications in the December quarter 2009, 9 per cent lower than in the same quarter last year. All regions, including National Park authorities, saw a decrease in the number of applications determined compared to the December quarter 2008. The largest decreases were in Yorkshire and the Humber (15 per cent) and the East Midlands (12 per cent). The lowest decrease was in London (6 per cent).

Applications granted

85 per cent of all decisions in the December quarter 2009 were granted, an increase of 3 percentage points when compared with the December quarter 2008. Approval rates across the regions ranged from 79 per cent in London to 92 per cent in the North East. These percentages represent a 3 percentage point increase in the approval rate for authorities in London and a 2 percentage point increase in the approval rate for authorities in the North East when compared with the same quarter a year ago.

Residential and householder decisions

Decisions made on householder developments were down 10 per cent from 52,500 in December quarter 2008 to 47,100 in the December quarter 2009 and accounted for 45 per cent of all decisions. Decisions on applications for residential developments decreased from 15,600 in the December quarter 2008 to 12,600 in the December quarter 2009, a decrease of 19 per cent.

In the December quarter 2009, authorities granted 78 per cent of



Planning Decisions, by development type and speed of decision (DCLG new Table 7[YE]) Year ending 31 December 2009

London Boroughs	Total major decisions	Number granted	Percentage granted	% within 13 weeks	Total Minor decisions	Number granted	Percentage granted	% within 8 weeks	% over 8 weeks	Total other decisions	Number granted	Percentage granted	% within 8 weeks
London	1,373	1,030	75	71	19,473	14,695	75	79	21	47,243	29,408	79	88
Barking and Dagenham	12	12	100	50	197	140	71	87	13	429	302	83	93
Barnet	75	56	75	88	904	670	74	91	9	2,662	1,518	80	93
Bexley	26	24	92	69	328	255	78	80	20	1,173	836	83	93
Brent	39	30	77	77	474	338	71	80	20	1,929	1,122	82	89
Bromley	82	60	73	77	643	471	73	67	33	2,044	1,318	78	82
Camden	42	31	74	79	836	716	86	65	35	1,835	1,162	85	76
City of London	9	9	100	22	197	190	96	88	12	247	239	98	89
Croydon	62	27	44	58	888	642	72	77	23	1,532	911	76	87
Ealing	50	40	80	54	475	341	72	75	25	2,224	1,058	72	88
Enfield	18	13	72	61	641	397	62	89	11	1,620	883	75	97
Greenwich	50	35	70	78	412	351	85	80	20	897	562	75	85
Hackney	53	44	83	68	655	492	75	79	21	671	347	68	87
Hammersmith and F	31	25	81	23	439	378	86	81	19	1,270	1,018	88	86
Haringey	21	16	76	67	406	260	64	79	21	1,251	754	77	86
Harrow	40	32	80	60	478	273	57	77	23	1,571	807	71	93
Havering	28	17	61	67	415	306	74	81	19	1,355	926	80	94
Hillingdon	57	41	72	75	471	301	64	77	23	1,756	868	67	93
Hounslow	41	28	68	63	311	205	66	73	27	1,704	898	73	84
Islington	32	26	81	81	646	503	78	83	17	1,215	953	85	92
Kensington and Chelsea	22	20	91	77	798	693	87	93	7	1,668	1,305	88	92
Kingston upon Thames	23	13	57	78	301	185	61	66	34	1,061	580	73	90
Lambeth	63	36	57	95	787	444	56	91	9	1,238	555	61	97
Lewisham	28	20	71	57	639	541	85	78	22	963	679	87	82
London Thames Gateway UDC	..	..	..	..	..	..	..	..	..	..	..	..	..
Merton	48	39	81	71	371	245	66	74	26	1,317	738	77	89
Newham	36	32	89	94	394	272	69	92	8	641	333	70	96
Redbridge	25	14	56	72	403	234	58	69	31	2,015	972	70	88
Richmond upon Thames	20	14	70	60	856	716	84	73	27	2,304	1,389	82	89
Southwark	87	64	74	78	693	513	74	78	22	793	428	69	88
Sutton	38	31	82	63	297	212	71	80	20	900	537	76	89
Tower Hamlets	..	..	..	..	..	..	..	..	..	..	..	..	..
Waltham Forest	..	..	..	..	..	..	..	..	..	..	..	..	..
Wandsworth	43	33	77	79	787	672	85	80	20	1,588	1,220	91	90
Westminster	74	67	91	77	2,213	1,933	87	76	24	3,975	3,336	87	81

Source: Source: DCLG (www.communities.gov.uk)

.. incomplete data

major residential applications and determined 68 per cent within 13 weeks. Also 70 per cent of minor residential applications were granted and 74 per cent determined within 8 weeks (Table 8).

Local Authority performance (Table 7)

The December quarter 2009 saw 235 authorities (69 per cent of all authorities) make at least 60 per cent of their decisions on major applications within the 13 week period; 296 authorities (87 per cent) made at least 65 per cent of their decisions on minor applications within the statutory 8 week period; and 291 authorities (86 per cent) made at least 80 per cent of their decisions on other applications within the statutory 8 week period.

In the year ending December 2009, the percentage of authorities meeting the target on major applications was 76 per cent (256 authorities) and for minors 86 per cent (293). The percentage of authorities meeting the target for other applications was also 86 per cent (293). ■

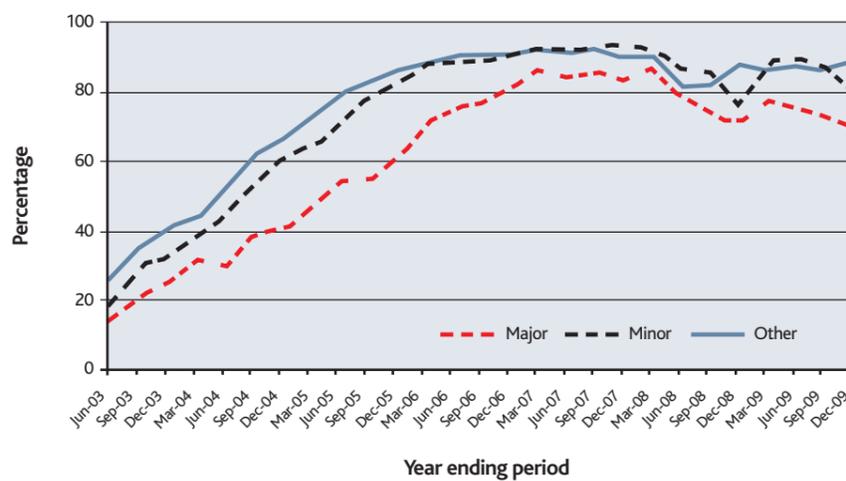


FIGURE: Percentage of district level authorities meeting the performance targets



BRIEFING: LOCAL DEVELOPMENT FRAMEWORKS

London is finally getting its act together on LDFs

Although the implementation of new Local Development Frameworks has been slow in London, a corner has been turned, argues the Chief Planner Steve Quartermain



While the LDF system has received a lot of negative press over the last few years, a positive picture is now emerging across the country and especially in London where 52% of Core

Strategies have reached the publication stage or beyond.

Before we consider the progress on LDFs in more detail, we should remind ourselves of the problems that LDFs were designed to address.

Under the previous system by 2001, over 10 years after the Town and Country Planning Act introduced statutory development plans, 17% of English councils still did not have a plan in place and delays of up to eighteen months could occur between the public inquiry and adoption by the council.

Therefore, most practitioners felt that:

- Plans were often out of date;
- The process was lengthy and costly;
- It was inflexible;
- It was legalistic and it excluded people (especially those without resources); and
- It took a regulatory, rather than a spatial planning approach.

As a result of this a number of what remain very sound principles were established to inform the new system:

- It should be front-loaded – the engagement and the evidence should be gathered up front, not left to the inquiry;
- Examinations should address the plan as a whole – not just the issues raised by competing barristers;
- Plans should be based on evidence not assertion; and

- The system should be flexible – every area should have a long term vision (core strategy) but the LA should decide what areas and issues to address in more detailed plans – which could be updated without reviewing the whole plan.

In common with many authorities outside the capital, London has found the new system a challenge.

For the first two or three years after the 2004 Act it was clear that there was a genuine lack of understanding about the new system. Most of the early timetables for delivery proved to be over-optimistic, and authorities struggled with the principles of front loading.

It is reported that London's progress was also hindered by a number of factors including:

- Poor development of spatial options/alternatives;
- Difficulty in articulating a spatial strategy (leading to lack of local distinctiveness);
- Poor coverage of delivery issues, including infrastructure planning, risks and contingencies;
- Inclusion of too many, negative, old-style development control policies; and
- Lack of engagement with key stakeholders (engaging stakeholders has not been an easy process and has required education of stakeholders too).

However, there is a feeling that we have turned a corner in London now in terms of both understanding the LDF system and progress on Development Plan Documents.

Four Core Strategies have been adopted in London and another 12 DPDs have been found sound, including seven Area Action Plans that will help to deliver thousands of homes for Londoners.

Considerable progress was made on Core Strategies in the last few months of 2009 through to February 2010 and we now have one Core Strategy awaiting adoption, two awaiting Inspectors' Reports, two submitted and another eight published (with all but one of these due for submission before the local elections in May).

By the end of 2010 88% of London Core Strategies will be published, submitted or adopted. This represents encouraging and significant progress.

Why are we seeing this progress now?

There is now a better understanding of what is required by the new system by all the bodies involved in LDF preparation;

The 2008 amendments to PPS12 and streamlined regulations introduced more flexibility to the system;

Visits from the Planning Inspectorate to 25 Boroughs which have built the confidence of planning officers;

Close working between GOL and the Boroughs; and Networking/learning opportunities provided by forums like the ALBPO (hosted by GOL) and the Planning Advisory Service.

However, there remain some causes of delay. Lack of resources is an ongoing problem. In common with authorities across the country, many councils in London are feeling under increasing pressure (both within planning departments and in relation to infrastructure delivery). This seems likely to continue. There are also some newer causes including:

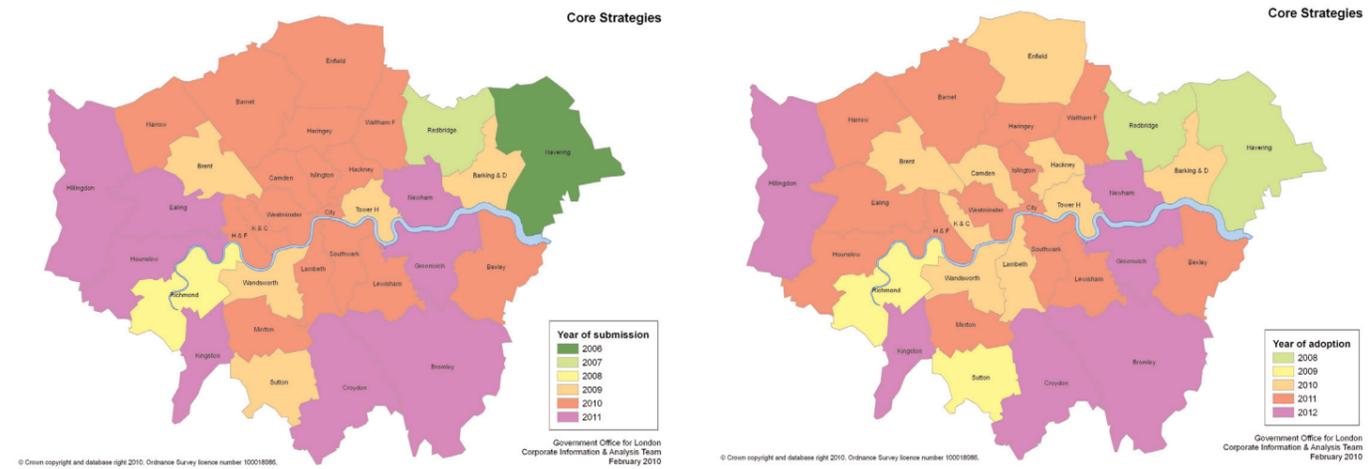
Politics: The forthcoming elections are now more frequently being given as a reason for delay. But tough decisions need to be taken in order to prepare effective LDFs. This will hopefully be a temporary issue.

Review of the London Plan: The Draft Consultation London Plan was published in October 2009 and is being cited as a cause of delay in LDF progress by some councils. The London Plan Examination in Public is scheduled for June-October 2010.

For those still working on their LDFs there are a number of things worth remembering:

1) Keep your evidence base proportionate

The message from Government and PINS is that you should have evidence that is relevant to



ABOVE: London boroughs map showing year of adoptions of Core Strategies

ABOVE: London boroughs map showing year of submission for Core Strategies

support decisions in plans. PINS state in their Learning from Experience document, endorsed by Ministers and published in Sept 2009, that: 'Evidence should be proportionate and should inform what is in the plan rather than being collected retrospectively in an attempt to justify the plan. The inspector will only delve deeply if the plan cannot be justified because the evidence seems to be absent, flawed or out-dated.'

2) Emerging government and regional policy should not be a cause for slowing down plan preparation

We have introduced new planning polices since 2004. However, all new policy has had clear instructions on implementation. For example, the advice contained in the letter to Chief Planning Officers (June 2009) following publication of the UK Climate Projections (UKCP09) stated that 'publication of the new projections in themselves should not require regional and local plan-making to be slowed down or decisions on planning applications to be deferred. You will of course want to appreciate the full possibilities offered by UKCP09 in reviewing and updating plans'.

Similarly the current review of the London Plan is no reason to delay progress.

3) Infrastructure Planning is not an exact science

There have been great improvements in local authorities understanding of infrastructure planning but it is often the case that there is less information available when DPDs are being prepared than is ideal (PPS12). Make the best use of the information that is available through engagement with key

stakeholders and ensure that proper provision is made for uncertainty.

4) Do not fear the tests of soundness

Many DPDs have now been found sound. If a soundness risk is identified in your plan you need not go back to the beginning, unless there is a fundamental flaw. The streamlined 2008 Regulations allow councils to take mitigating action and propose changes to the published document, consulting on them with the relevant parties. The original document and representations would then be submitted, alongside an addendum of changes and any further representations. Alternatively, for more extensive changes, a further round of engagement with statutory agencies might be needed. This need not create long delays to submission.

5) And next...the Community Infrastructure Levy

The CIL Regulations will, subject to approval, come into force on 6 April 2010. Local authorities can choose to introduce CIL to fund infrastructure in their areas, but the proposed charges must be set out in a legal document (a charging schedule) which, like DPDs, will be independently examined to ensure that it is evidence based and appropriate for the local area.

The Mayor of London will have the power to set a CIL charge to deliver key infrastructure needed to support implementation of the London Plan, including Crossrail. In developing details of CIL and how it will be applied in London, we will be working with the Mayor, boroughs and other partners to establish an effective and cooperative framework for the application of the CIL.

In conclusion, it is worth highlighting that plan

making is a challenging, but also very rewarding, area of local government. It requires:

- Long-term thinking – when so much is focused on the shorter term administrative/political timetables;
- Evidence-based policy – always talked about but too rarely delivered in other policy areas;
- Joined-up thinking – also always talked about but rarely delivered, planning brings together public services, economic development, social policy, infrastructure, environmental protection etc – no one has a wider scope;
- Proper engagement with communities – not lip service; and
- Local vision – you cannot cut and paste a plan, it has to be unique.

We think that the principles underpinning the current system are the right ones. There are now lots of places that have done it, and we have started to highlight this in the Government's Plan Making Manual, hosted by the Planning Advisory Service. There is good practice and we must learn the lessons from these places, where they thought it was worth doing – it was not just an imposition – and Planning punched its weight in the local authority.

The boroughs that have progressed started from what they wanted to achieve, used the flexibility that exists to do 'their plan'; and sometimes took risks. Other boroughs should look to these lessons with confidence and make LDFs work for their area. Let's continue to build on the good progress that is being made in London. ■

Steve Quatermain is the Government's Chief Planner



BRIEFING



Andy Rogers: *Reinventing the wheel*

The Conservatives' proposals for reforming the planning system are a bit Alice-in-Wonderland

Consider these statements: 'The system itself is in need of reform...people feel they are not sufficiently involved in decisions that affect their lives. The planning system needs fundamental change...' And 'The planning system is broken...we need a planning system that enables local people to shape their surroundings...' And 'There might be things you would alter in a perfect world, but you'd have to balance that against the aggravation that change causes...Constant reorganisation can be totally counterproductive.'

A clue about the origin of these statements is in the description of the planning system as being 'broken' (as allegedly is Britain). In fact the first comes from the introduction to New Labour's 2001 green paper *Planning: delivering a fundamental change*; the second from the Conservative's 2010 green paper *Open Source Planning*; while the third is a line from my

column in the last PiL and is a quotation from Ed Vaisey's article in the current *Art Quarterly*: Vaisey is shadow Arts Minister.

So here is another teaser. Which of the above set of aspirations includes what can (arguably) be taken as a fair description of the planning system as it exists today: '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?'

The answer is, this is not an aspiration in 2001 for Labour's revisions to the system, but in fact the Tory's own 2010 description of what they call Open Source Planning.

Perhaps it would have been better if they had stuck to the computer analogy used in the

phrase 'a radical reboot' and called it 'open system' planning – which my dictionary defines as a computer term meaning 'a network system complying with a set of standards allowing general accessibility' – rather than open source, a main principle and practice of which is that the end-product (and source-material) is available at no cost to the public. At least those who are computer-literate would know what they are talking about. 'When I use a word,' Humpty Dumpty said in a rather scornful tone, 'it means just what I choose it to mean – neither more nor less.' (I have long maintained that Lewis Carroll's Alice would be perfectly at home in the modern world of planning.)

I make no excuse for dipping further into the Conservative's green paper in the same (somewhat acerbic) mood. '...allowing neighbourhoods to keep some of the money contributed by developers to councils at the

LETTERS

The truth about London

I have just read your article [see Editor's note below] on Jan Gehl's critique of central London. Unfortunately his reports on central London and Mayfair shout YOU ARE NOT LOVED to the unfortunate residents who are ignored in his designs.

Nowadays one expects the urban design process to include all stakeholders from the pre-design stage onwards, but for Jan Gehl they are invisible.

I know, as I live in a social housing estate that Gehl thinks is the ideal location for an 'oasis of calm', a kind of floodplain to relieve the overcrowding on Oxford Street. He can hardly have failed to notice the incredibly high noise pollution levels in the locality, from Oxford Street traffic – what made him think it is alright to add crowd noise as well?

Some of my neighbours have failing eyesight; currently they can walk safely on pavements to traffic lights that get them to essential food shops. Another of the reasons they, and mothers of young children, need the pavements along the streets where we live is that we are also the servicing area for deliveries and waste collections for Oxford Street and other shops, restaurants and cafes.

Vans and waste vehicles of all sizes squeeze along our side streets, some having to reverse in or out – try being near-blind and having to step out into a 'shared surface' street full of those.

His report made no suggestions of any urban design that could mitigate the impact of his proposals on residents, let alone any that would improve the area for them. There is no change in mind-set – as usual the 'liveability' for social housing residents is being ignored by the decision-makers. There is nothing civilised about it. ■

V St Clair, London W1

ED NOTE: Planning in London has a long shelf-life! Jan Gehl's article appeared in PiL50 published in July 2004. Our new index on the Archive page of the website allows readers to search out articles since 1992 and to purchase copies of them.

CLIPBOARD

New landmark for Brick Lane Mosque

There's a new landmark on the East End skyline outside the Grade II* listed Brick Lane Mosque on the corner of Brick Lane and Fournier Street, E1 – a building that charts the demographic changes in this part of the East End, having been a church and a synagogue before becoming a mosque in 1976.

The stainless steel structure, designed by DGA Architects, is made up of eight drum-like sections of filigree stainless steel in a mirrored finish to form a delicate pattern. On top of these drums sits a stainless steel spire with a crescent light-fitting. The whole structure is grounded on a reconstituted stone plinth.

The eye-catching illuminated steel tower, together with eight stainless steel information display boards that shed light on the history of the area, form the first phase of Tower Hamlets Council's initiative to create a Brick Lane Cultural Trail – but could include new arches in similar materials to frame the route. ■

time when planning approval is given [through the Tory's own version of CIL?] ...will generate real cash for local communities [as opposed to unreal cash?], be a real incentive for local people to welcome new homes and new businesses, and be a powerful symbol of the new collaborative approach we want to take to development'. To summarise: if only this could work. As the White Queen says 'Why, sometimes I've believed as many as six impossible things before breakfast.'

It is when the practical details are considered that the smiling Cheshire cat begins to disappear. It is one thing to put a Duty to Cooperate on authorities and applicants, but quite another to formulate fair and reasonable sanctions if it is not followed.

While deploring 'today's centralised, bureaucratic planning system' the paper proposes 'that individuals and businesses have the right to build homes and local buildings provided that they conform to national environmental, architectural, economic and social standards'. Is this not the system we have now or have I missed something?

The Tories' green paper continues: '...only radical reform will allow us to address the

many flaws in the current planning system... [and] revoke the Regional Spatial Strategies, in whole or in part, prior to primary legislation'.

I do wonder whether the paper's authors have considered the policy void that arose – and that has contributed to the current failures of the system – when the 2004 planning Act abolished structure, local and unitary

'The rule is, jam tomorrow and jam yesterday – but never jam today.'

Lewis Carroll, *Through the Looking-Glass*

development plans, to be replaced with Local Development Frameworks. Most of these are still not in place six years later. And where are the resources for producing authorities' new Local plans – to be formulated to yet another set of criteria, drawn up using 'collaborative democratic methods' going to come from.

Another aspiration is the freeing up of the Use Classes Order to allow Flexible Zoning in much the same way as is permitted by the current (unused) Local Development Order legislation. Except that the system 'will allow

councils to retain control over changes of use when this is deemed to be...

The March Hare advises that 'you should say what you mean', to which Alice responds: 'I do ...at least I mean what I say – that's the same thing, you know.' But of course as this paper shows, it isn't: 'Why, you might as well say that 'I see what I eat' is the same thing as 'I eat what I see'', adds the Mad Hatter. You might as well say 'to freely change use' is the same as 'to retain control'.

And as for the idea that planning appeals will only be allowed when 'the decision reached is in contravention of the local plan', any local plan that is so prescriptive that it has no flexibility or scope will stifle innovation and change completely.

So, is the Tory green paper up to the job of producing a planning system that *really* works, or is it just more of the same old 'aspirational' change like that included in Labour's green paper of 2001? As the Red Queen remarked: '...here, you see, it takes all the running you can do, to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that.' I'm not sure that the Tories are running nearly fast enough. ■



ABOVE: DGA Architect's minaret for Brick Lane Mosque

Conservatives energy policy gets ICE support

'The Conservatives Energy strategy Rebuilding Security could pave the way for the creation of a resilient, low carbon energy network to ensure security of supply in future', says Tom Foulkes, director general of the Institution of Civil Engineers.

'However, the fluctuating price of carbon has to-date discouraged private investment in low carbon alternatives and severely hindered progress towards a low carbon economy. A fixed floor for carbon pricing will build market confidence, encourage investment and hopefully kick start the industrial transformation we so desperately need, he says.

'Clearly, transforming the energy sector in this way will require massive investment in new and upgraded infrastructure. A Green Investment Bank will go along way towards attracting private investment in the development of new technologies but there remains a need for a secure method of funding for the long-term investment in energy infrastructure.

'ICE has been calling for the creation of a National Infrastructure Investment Bank or

similar, as a way of attracting the large volumes of private capital needed to deliver projects like this that will play a critical role in meeting low carbon aims. Such a funding unit has attracted support from across the political spectrum as it would ensure essential infrastructure continues to be built, without putting undue strain on the public purse.' ■

Hackney gets top housing grant

Hackney has been allocated £6.26million in the second round of HCA funding, fourth highest highest sum in the country, the top allocation for the capital, and nearly a quarter of the London total of £28.69million awarded to 15 boroughs.

The Council is to build a total of 87 units on the Bridge House and Alexandra National House estates, as part of the wider Estate Renewal Programme.

Hackney is also participating in the Mayor of London's pilot of Delegated Delivery, which aims to give local authorities greater responsibility to direct housing investment and delivery in their areas. ■

BRIEFING: MIPIM 2010

Housing high up the agenda at MIPIM

London mandarins Sir Simon Milton and Peter Bishop had to defend London's housing policies in Cannes this year, reports Chris Bown



Whatever the colour of the new government, there are growing concerns it will have to address the thorny issue of publicly supported housing in London. The issue was debated extensively

at a MIPIM conference session, which raised as many questions as answers.

The issue was prompted by a claim from deputy mayor Sir Simon Milton that a new air of pragmatism has descended on local government planners: 'We are increasingly recognising that the kinds of expectations that you might have had a few years ago about what a development could sustainably deliver through section 106 simply isn't reasonable any more, and so we are going to have to rethink that.'

But this claim was swiftly rebutted by a developer in the audience, who said he saw 'precious little evidence' of this change on the ground. Milton said while local authorities were not all necessarily on the same page, the recent Brent Cross approval – which will deliver a significant package of 106, but as little as 15% affordable housing – was an indication of change. 'That's an example of a very big scheme where we are demonstrating a more flexible approach.'

'There's been an interesting drift over the last 20 years in London, around the use of section 106,' said Peter Bishop, deputy chief executive of LDA. 'When the initial negotiations happened to provide affordable housing through the planning system, it was also backed up by a considerably higher degree of state investment in affordable housing.'

'There's a problem with the section 106 regime at the moment, that even in a relatively healthy market, the burdens of secondary education, affordable housing, transport provision and other things, and then other planning policies, can make it difficult to develop anything.'

Milton thought there were other issues. It wasn't a planning issue as there are outstanding permissions for thousands of new homes across the capital. It was the absence of finance. 'Until the banks start lending again – not recklessly, as they did once – but not as rigidly as they seem to be doing at the moment, then it's hard to see that situation changing significantly.'

He scored a political point: 'If you look at what is different now compared to 20 years ago, it is the dropping away of public sector investment in housing. One of the most remarkable statistics is that for every year of John Major's government, more housing was built than in any year of the new Labour government, with the exception of 2008.'

'And that is because national government priorities moved away from things like housing and transport, to health and education. That was a political choice – it was one that got them elected three times in a row – but let's not now start crying 'what's happened to housing', it was a conscious decision made by government in what it felt was the national interest at the time.'

Bishop added: 'I think there's a separate issue here, a question about whether it is up to the private sector to provide affordable housing. But the one thing I would argue from a planning perspective is affordable housing is also about building mixed and sustainable communities.'

'One of the huge strengths of London is at a neighbourhood, district, even street level, we have achieved a social mix which gives London a degree of robustness that a lot of other cities are losing. As a planning reason, in terms of providing the range and mix of housing, that policy is absolutely right.'

For the wider housing market, the demise of the housebuilder model opens up opportunities, according to Yolande Barnes, head of residential research at Savills.

'Probably what we have to start looking at is models of delivery and the role of the private sector. The mayor mentioned the market has improved. Well, London's land economics have got a lot better in the last couple of years and we're just starting to

see situations where people are in a position to take forward development.'

'There's a very big picture here, regarding delivery. I don't believe prescriptive regulation of any kind, or even guidance, which has a tendency to become regulation, is the way forward. The thing that interests me is that, over and over again, we see the market works when it comes to sustainability. All these aspirations – more green space, larger space standards – do pay off, but I think we have to realise they pay off over the long term and this is where the whole PRSI (Private Rented Sector Initiative) and the issue of land ownership become so interesting.'

'I think what we've got to get away from is the short-term business model of the average house-builder developer, and look at the longer-term investment in 'whole place'.

'The role of the public sector going forward is actually to help the private sector to those longer term, more holistic partnering and long term business models,' said Barnes.

Fill your wallets for the great LDA sell-off

The London Development Agency is promising to bring forward many more sites for the private sector to take on, and to play a much more joined up role in helping ease schemes through planning.

'The LDA has gone through a very interesting process of transformation over the last couple of years,' LDA chief executive Peter Bishop told a MIPIM audience.

'We took a good hard look at our land estate. The LDA had previously seen this as a very, very slow burn. We've changed that. Frankly, in five, six years I don't want to be owning any of the land which the LDA presently owns.

'That's not a fire sale, that's a statement that as a development agency our role is to bring land forward for the private sector to develop.'

Bishop promised to reinvest the takings in infrastructure to the benefit of the capital.

'I think it is absolutely wrong that within that land we have something like £1.5bn locked up. The one

big resource we do have is the ability to unlock some of the money that is tied up in that land, and reinvest it.'

And he undertook to ensure the LDA was active in assembling sites and removing impediments to 'the next wave of development'.

Bishop also said that the LDA is working hard to link up with other public and planning authorities – to the benefit of private sector developers.

'In particular, we are starting to build the relationships with the boroughs to make sure we have a planning regime that is supportive of the kind of development we want.

'We are doing a very intensive piece of work with Newham, for example, to create the planning conditions and the shared vision, so that when we do put our land on the market in the Royal Docks, in south Newham, we have the ability to remove a lot of the uncertainty which dogs the ability for investors like yourselves to bring forward proposals for the future regeneration of London.'

Boris exhorts developers to drive London forward

London's unique feel and its great assets – its parks and intimate city villages – are all thanks to the private sector, which needs to be encouraged.

That was the theme of mayor Boris Johnson as he rallied the UK contingent at MIPIM 2010.

'I detect a much greater optimism here this year than last year,' reported Boris who told his audience he had been for a Chariots of Fire style barefoot early morning run on the Cannes beach.

He pointed to the 'adolescent growth spurts' of the Shard as evidence that London is emerging from recession, and said that the UK should call a snap Olympics a year early in the nearly completed



ABOVE: Milton: recognising boroughs' S106 expectations will have to be adjusted



RIGHT: Boris promises to de-risk LDA land and encourage development

Olympic park – that way we stood the best chance of winning medals.

'Why are the Brits here today, in such overwhelming force? I think it's because, like me, people realise that London presents fantastic opportunities for development.'

'London today has a far smaller population than it did in 1911 – a million smaller – it is smaller than it was in 1939, even 1961,' said Johnson. 'And that is why I see such incredible potential in areas such as Vauxhall, Nine Elms Battersea.'

'It was the private sector that built London, it wasn't the state...it was privately funded developers

and indeed speculators – a wholly good thing. And our job in City Hall is very simple, it is to create the right conditions, the right planning framework... to let you get on with what you do so well.'

The mayor called for the government to approve tax increment financing, to allow the funding of improvements to the Underground system around sites like Battersea power station. He announced the launch of a London-wide housing company into which the LDA will put land holdings. 'We will effectively de-risk land and encourage development, particularly we hope for the private rented sector.' ■

Hair shirts and mineral water on the Riviera

This year's property festival was MIPIM-lite, thinks veteran Canneoise Chris Bown

The international property market, held each March in Cannes, has been a barometer of international property markets.

In recent years, it attracted massive stands with models of ever more fanciful projects from Dubai, amid the excesses of a property market fuelled by a mad lust on the part of the banks to lend.

This year, with attendance at around 18,000 and similar to last year, the market was again a hair-shirt affair. Exhibition space booked was down on even last year's credit-crunch hit event, and while there were more companies and new countries represented, it appeared most British organisations at the event had a reduced headcount.

Notable by their absence, compared with the glory days '08, were the lawyers, architects and other consultants for whom MIPIM 2010 was an expense too far this year. And, with organisers Reed Midem having recently taken £100,000 off Drivers Jonas in a French court argument about 'parasitic' behaviour – they entertained at a cafe in the town, rather than pay the organisers for a stand in the Palais des Festivals – there was justified concern about holding some of the extra-mural activities which have previously characterised MIPIM.

Much less champagne flowed, there were tables every lunchtime at the beach restaurants; and one wag suggested British banks had hired the yachts along the quay – on

which no corporate flags or banners had been hoisted.

For those with a more cosmopolitan attitude, happy to venture abroad rather than simply hanging around on UK stands, there was as ever a plethora of property opportunities, from Libya to Nigeria and other parts of the world, where the downturn has been measured by a reduction in GDP growth into mid-single figures.

Reviewing such booming locations – their populations and average incomes rising steadily – alongside the aspirations of the City, brings the realisation that London will have to work ever harder to retain its competitive edge on the global stage. ■

BRIEFING: THE VIEW FROM LONDON FIRST

Let loose the havoc of undeveloped software



Our regular guest column from Judith Salomon, London First's Director of Planning and Development looks at the Conservatives' Planning Green Paper



On a very wet Monday in the middle of February the Tories launched their long awaited Planning Green Paper. Following months of trailing and leaks it contained few surprises.

Whilst there are some genuinely positive ideas – in particular match funding council tax receipts from new homes for six years to encourage housing development – there are also a number of causes for concern.

One of the most dramatic changes will be the removal of regional plans outside London, and with them regional housing targets. Whether the council tax incentive will be sufficient to ensure housing delivery is yet to be seen, although one can hazard a guess. How the gulf between the national policy framework and local plans is bridged will be a critical issue. Again, this is more concerning outside London, although it will be interesting to see how interregional issues, such as transport, waste and housing, are addressed in the south east.

London, with its democratically elected (Tory) Mayor, is of course different. While regional plans will disappear across the rest of the country, in

London the Mayor may keep his London Plan, with the scope for further devolution being investigated. The two most concerning proposals in the Tories' Green Paper are to allow third party rights of appeal and for Inspectors' reports to cease to be binding on local plans.

Third party appeals, investigated and rejected in 2000, are a recipe for frustration and slowing of the system. Far from providing 'symmetry', they provide the means to hold applicants to ransom. It is now standard practice to engage the local community throughout the application process. Unfortunately, it is not always possible to win them all over. Third party appeals will be a charter for those seeking to frustrate development or gain personally.

They will also end up costing the government dear as the likelihood, as with judicial reviews, is that they will be paid for through legal aid. With the cost borne by the tax payer, there is little to lose for those appealing but much to lose for the planning process and national coffers – at a time when spending needs to be cut.

The relatively recent change making Inspectors' reports binding has been welcome and important; it is a retrograde step to lose this and undermines the point of the Examination process.

The Paper is very green, with much of the detail to follow. Without this it is hard to judge the true extent of the proposed changes; how the proposed

tariff and scaled back S106 differs from the Community Infrastructure Levy, and how the changes to the appeal system will work. A key concern will be how appeals are treated where material considerations support the proposed development which may not be squarely in line with the local plan, which could be very out of date, especially as PPS4 encourages a positive approach in such a case where the benefits of development outweigh any disbenefits. Will these appeals be ruled out? The proposed approach could also prevent appeals on design grounds. Can this be right?

After ten years of planning reform, those who work in the planning system are battle weary. Experience has shown that measures to speed up and simplify planning and make it more transparent can often have the opposite effect. We know as well, that many of the problems are due to resourcing (level and expertise); not an easy issue to resolve in these cashconstrained times, with widespread public sector cuts expected after next months General Election.

The new collaborative and transparent system is described as 'Open Source', likening it to the approach to developing software. For those who have suffered a decade of planning reform, the fear is that it will be akin to letting leash undeveloped software, with the consequent ensuing havoc. ■

London First's election campaign

As the general election date has now been announced for May 6 and the main political parties pound the campaign trail, London First is embarking on a campaign trail of its own – with the aim of influencing the next Government's policies to ensure that London remains globally competitive.

London is one of a small number of truly global cities, and London First's manifesto makes clear the areas where the next Government must act in order to protect and enhance the UK capital's competi-

tive edge. It must support UK growth while balancing the budget; deliver world class transport; enable investment in housing and development; improve employment and skills; and give greater powers to London.

In terms of planning, the next Government's biggest challenge will be to simplify and prioritise policy in order to encourage the development of homes and offices, which are vital to support economic and population growth. London has a

great deal of planning policy from local, London and national government, but too little development.

The Government should look to improve the planning system through operational changes rather than further Planning Acts. It will also require a break from the past, particularly in understanding how the recession and changes in economic activity affect the viability of development schemes.

London First calls for the next Government to scrap the proposed Community Infrastructure Levy,



A business manifesto for London

London's ageing infrastructure is facing increasing demands on it. London First's new Infrastructure Commission aims to identify priorities

While many areas of Government spending are important to economic growth, infrastructure investment is critical.

Much of the capital's infrastructure is ageing, heavily crowded and contains little resilience. London's water is transported through a largely Victorian system and energy supply infrastructure has remained largely unchanged for thirty years. Although major projects such as Crossrail Tube improvements and the London Tideway Tunnels are planned or have been started, more investment is needed.

Demands on infrastructure are predicted to increase dramatically by 2031, with nearly 1.3 million more people forecast to be living in the capital. Journeys on public transport will increase by nearly three million per day as these people commute to work and move around the city. Air travel demand will double, the amount of waste produced will increase by 55 per cent, and water supplies will be more limited – with a deficit rising to 20 per cent from 2 per cent of demand. Alongside this huge increase in demand, climate change and its accompanying carbon reduction targets will increase pressure on systems still further.

The link between infrastructure investment and economic success is clear. Infrastructure raises productivity, supports agglomeration benefits, improves global and national connectivity, enhances competition by lowering transport and communications costs, and supports labour markets by enabling people to travel and connect to work. For London to remain globally competitive, it needs investment in world class infrastructure.

With UK public sector debt forecast to almost

double over the next four years, net investment will inevitably fall. Capital expenditure programmes are often the first victim of fiscal consolidation – on the basis that what people have never had they won't miss – while less productive but politically sensitive programmes survive. It is vital that public investment in infrastructure is effectively prioritised, and innovative funding mechanisms between public and private sectors encouraged, if we are to meet London's future needs.

London First's recently formed Infrastructure Commission, chaired by Martin Stanley of Macquarie Capital Funds Europe, aims to address these issues by determining London's short, medium and long term infrastructure priorities and identifying ways in which they might be met.

The Commission's recent 'Call for Evidence' has attracted a wide range of submissions, from infrastructure customers, providers, regulators and academics – all of whom agree that action must be taken.

Views on how well the planning system enables the swift delivery of infrastructure, how the public and private sectors can work together to find funding solutions, and how providers and investors can work with each other to improve the delivery of infrastructure have provided welcome insight which the expert

Commission will take into consideration whilst developing policy recommendations on how London's infrastructure needs are planned, funded and delivered.

With current infrastructure delivery so fragmented (and delivered by a range of private and public, semicompetitive and monopoly providers

with different financing regimes), a policy framework which incentivises joined-up working could be incredibly powerful. Meeting London's long term infrastructure requirements needs a strategic and co-ordinated approach that considers all of the factors that currently impact life in the capital.

The UK is clearly lagging behind other countries. Many are investing heavily in infrastructure, adopting a centralised and coherent approach.

Australia has Infrastructure Australia, which oversees infrastructure prioritisation, and the Building Australia Fund, to fund and deliver major projects. Japan, Canada and South Korea have umbrella departments that oversee infrastructure development.

The UK government has only recently established Infrastructure UK to provide advice on national infrastructure requirements. We clearly have some way to go to insure that London has the infrastructure network it needs in order to compete effectively with other world cities.

Although London is not an easy space to work in and improving infrastructure will be difficult to achieve, both politically and economically, it is not impossible. London's many layers of government make for political complexity and the timings involved in building and planning infrastructure add to these problems. However, by working with both London and central government and agencies such as Infrastructure UK, London First aims to ensure that the capital has the right underpinnings, through transport, telecommunications, energy, water and waste management, to continue to compete effectively as a world-leading city in which to do business. ■

instead favouring the improvement of S106.

This could be done by establishing policy through the development plan, clearer prioritisation of requirements, greater use of formulae and standard charges, greater use of standard clauses in S106 agreements, and earlier negotiation on major projects as part of pre-application discussions. Authorities' use of independent consultants should be encouraged and training for members and officers in viability testing provided.

New development should also be incentivised by enabling local authorities to retain the council tax and business rates it generates.

For housing, the Government needs to allow

more flexibility for the London Homes and Communities Agency to innovate when investing; reconsider how REITs can more successfully support private investment; ensure housing policy is based on more robust evidence of actual demand; and consider tenure reforms to maximise the value of London's social housing stock.

The other four areas of the manifesto set out a raft of measures, all of which are fundamental to the UK's future competitiveness. Meeting the economic challenge: difficult tax and spend decisions should be based on supporting, or doing the least damage to, long-term economic growth. Developing world class transport: committed

investment for London's transport infrastructure must be maintained, road congestion tackled, and airports improved through passenger-centred regulation underpinning expansion. Improving employment and skills: Government should provide real financial incentive to educational institutions to get students into employment, financially support employers taking on apprentices and a greater role for business. It must also ensure that immigration controls don't prevent businesses from accessing the global talent they need. Greater devolution: London needs greater local accountability, greater financial and policy autonomy. ■

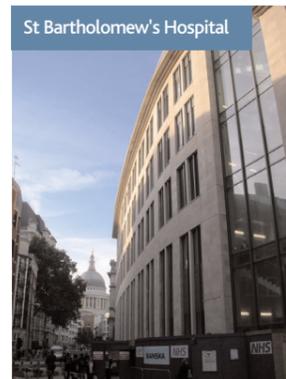




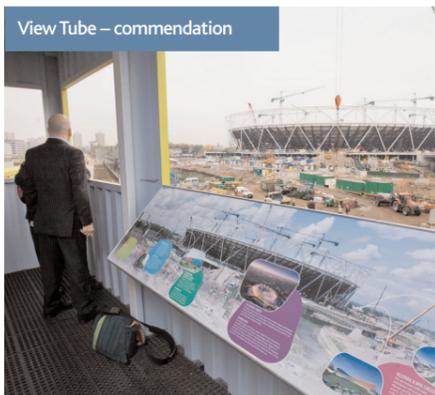
BRIEFING: LONDON PLANNING AWARDS 2009/2010

Regent Street wins the crown

The Crown Estate's Regent Street Vision won this year's London Planning Awards, hosted by London First, the Mayor, London Councils and the RTPI at City Hall.



ABOVE FROM TOP LEFT CLOCKWISE: Barking Town Square, won Best New Public Space award, sponsored by Lovells; Royal Arsenal Riverside, won Best Historic Building Management Award, sponsored by English Heritage, St. Barts was commended in this category; while Ponders End Framework for Change won the Best Conceptual Project, sponsored by Berwin Leighton Posner.
BELOW FROM LEFT TO RIGHT: Cass Business School for City University was commended in the Best Built Project category (sponsored by GVA Grimley), centre, A view, a brew and a loo – a viewing platform over the Olympics site, was commended in this category, while Loxford Polytechnic in Redbridge won the best Community Scale Project award, sponsored by Land Securities.





Crown Estate's Regent Street Vision

LEFT: Regent Street.
BELOW LEFT;
Bermondsey Spa and
BELOW RIGHT,
Highbury Square



Bermondsey Spa



Highbury Square



THE WINNERS:

The Mayor's Award for Planning Excellence went to the **Crown Estate's Regent Street Vision**. This Vision has provided a long term strategy to re-invigorate this important and internationally renowned street, carefully managing the historic buildings and places, whilst building in much improved environmental performance.

Furthermore this strategy has demonstrated that it is based in reality: 10 redevelopments have been completed and the impressive current development at the southern end of Regent Street is testament to the Vision's ambition.

Best Built Project (sponsored by CB Richard Ellis)
Highbury Square, Allies and Morrison

Best Built Project – Community Scale Scheme (sponsored by Land Securities)
Winner: Loxford Polyclinic, London Borough of Redbridge

Commended: Viewtube (A View, a Brew and a Loo), Olympic Delivery Authority

Best Conceptual Project (sponsored by Berwin Leighton Paisner)
Ponders End Framework for Change, Enfield Council

Best New Place to Live
Joint winners
Bermondsey Spa Regeneration, Southwark, by Levitt Bernstein Associates Ltd
and St James Quarter Regeneration Area, by Savills

Best New Public Space (sponsored by Lovells)
Barking Town Square, London Borough of Barking and Dagenham

Best Built Project – Five Years On (sponsored by GVA Grimley)
Winner: Swiss Re Headquarters, 30 St. Mary Axe, Foster + Partners
Commended: Cass Business School, City University London

Best Historic Building Management (sponsored by English Heritage)
Winner: Royal Arsenal Riverside, by Berkeley Homes (Urban Renaissance) and LDA
Commended: St. Bartholomew's Hospital, Barts and The London NHS Trust

