

# CONSULTATION PAPER ON PLANNING POLICY STATEMENT 1: CREATING SUSTAINABLE COMMUNITIES

**Report By: Chief Forward Planning Officer**

## Wards Affected

County Wide

## Purpose

To consider the Council's response to the above consultation paper published by the Office of the Deputy Prime Minister.

## Financial Implications

None at present however there are likely to be resource implications as the authority implements the new guidance in their exercise of their statutory planning duties.

## Introduction

The Office of the Deputy Prime Minister is now inviting comments on a draft of a new Planning Policy Statement (PPS1) to replace PPG1: Policy and Principles. Draft PPS1 follows on from the Government's intention to reform the planning system. The draft therefore supports the reform programme and, in particular, the Government's objectives for planning culture change, by setting out its vision for planning and the key policies and principles which should underpin the planning system.

PPS1 is guidance to support the duty in Clause 38 of the Planning and Compulsory Purchase Bill. That being the preparation of regional and local plans with a view to contributing to the achievement of sustainable development. Annex B reflects the Government's proposals contained in the Bill. The final version of PPS1 will include any changes made by Parliament.

## Summary of Draft PPS1

The draft statement is built around three themes:

- Sustainable development – the purpose of the planning system.
- The spatial planning approach.
- Community involvement in planning.

Planning shapes the places where people want to live and work and the country we live in. The Government believes that planning should do this in ways which are sustainable and will meet the needs of future generations as well as our own.

The key policy messages being:

- The need for planning authorities to take an approach based on integrating the aims of sustainable development.
- The need for positive planning to achieve sustainable development objectives and proactive management of development, rather than simply regulation and control.
- The need for plans to set clear visions for communities and help to integrate the wide range of activities relating to development and regeneration.
- The need for the planning system to be transparent, accessible and accountable, and to actively promote participation and involvement.

## **Sustainable Development**

Government has set out four aims for sustainable development to be tackled in an integrated way. They are:

- Maintenance of high and stable levels of economic growth and employment.
- Social progress which recognises the needs of everyone.
- Effective protection of the environment.
- The prudent use of natural resources.

### **Sustainable Economic Development**

Planning authorities should have regard to the importance of encouraging industrial, commercial and retail development if the economy is to prosper and provide for improved productivity, choice and competition particularly when technological and other requirements of modern business are changing rapidly. Authorities should also be sensitive to local economy changes and the implications for development and growth. Authorities should actively promote and facilitate good quality development, which is sustainable and consistent with their plans.

### **Social Inclusion**

Regeneration of the built environment alone cannot deal with poverty, inequality and social exclusion. These issues can only be addressed through the better integration of all strategies and programmes, partnership working and effective community involvement. Planning policies should promote development that builds socially inclusive communities, including suitable mixes of housing. Policies should ensure that the impact of development on the social fabric of communities is considered and taken into account. They should address accessibility for all to jobs, health, housing, education, shops, leisure and community facilities taking into account the needs of disadvantaged groups.

### **Protection and Enhancement of the Environment**

The condition of our surroundings has a direct input on the quality of life. Planning can not only protect the environment but, through positive policies on issues such as design, conservation and the provision of open space, can maintain and improve the local environment and help mitigate the effects of declining environmental quality. Policies should provide a high level of protection for our most valued designations, habitats and natural resources.

**Prudent Use of Resources**

Resources should be used in ways that do not endanger the resource or cause serious damage or pollution. Developments need to make more efficient use or reuse of existing resources rather than consuming new resources. Policies need to promote the development of renewable energy resources and require energy efficiency measures to be included within developments.

**Delivering Sustainable Development**

Planning policies should seek to achieve where appropriate the following specific objectives for sustainable development and sustainable communities:

- **Promoting urban and rural regeneration** to improve the well being of communities, promoting mixed use, high quality and safe developments that offer new opportunities for residents.
- **Promoting regional, sub-regional and local economies** by providing a positive planning framework for sustainable economic growth.
- **Promoting communities which are inclusive, healthy, safe and crime free** whilst respecting the diverse needs of the communities.
- **Bringing forward sufficient land of a suitable quality in the right locations** to meet the expected needs for housing, industrial development, retail and commercial development to provide for growth and consumer choice acknowledging accessibility, sustainable transport needs and infrastructure provision.
- **Giving high priority to ensuring access for all to jobs, health, education, shops, leisure and community facilities.** Ensuring that new development is so far as reasonable located where everyone can access services by other modes rather than rely on the car but acknowledging the limited potential for doing so in rural areas.
- **Focussing developments that attract a large number of people, especially retail development, in existing centres** to promote their vitality and viability, social inclusion and more sustainable patterns of development.
- Recognise the need to enhance as well as protect **biodiversity**, the need to address the causes and impacts of **climate change, pollution and waste and resource management impacts** even to the extent that some environmental detriment has to be accepted.
- **Promote the more efficient use of land** through higher density and mixed use. Actively seeking to get vacant and underused previously developed land and buildings back into beneficial use thus achieving Government targets.
- **Reducing the need to travel** and encouraging public transport provision to secure more sustainable patterns of transport.

Planning authorities should take account of the following principles when considering the weight to be placed on any particular sustainable development objective. Policies should:

- **Recognise the needs and broader interests of the community** to secure a better quality life for the community as a whole.

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Further information on the subject of this report is available from C Botwright on (01432) 260133

- **Be drawn up over appropriate time scales**, and should not focus on the short term, ignoring longer term impacts and needs. Planning authorities would need to consider both whether policies have short term benefits which may have long term costs, but also whether short term detriments which are capable of being mitigated, may be offset by longer term benefits which are realistically achievable.
- **Not impose disproportionate costs**, either in terms of environmental and social impacts, or by constraining unnecessarily otherwise beneficial economic or social development. In drawing up policies authorities should have regard to the resources likely to be available for implementation and the costs likely to be incurred. They should be realistic about what can be implemented over the period of the plan.
- **Take account of the range of effects**, both negative effects on environment as well as the potential positive effects of development in terms of economic benefits and social well being. Effects will need to be properly identified and assessed through the sustainability appraisal process, incorporating strategic environmental assessment, taking account of the current state of the environment in the area and any existing environmental problems relevant to the plan.
- **Be properly based on analysis and evidence**. Where there is uncertainty, policy makers will need to exercise and demonstrate soundly based judgement, taking account of other principles.
- **The process for developing policies should take full account of the need for transparency, information and participation**. Principles for community involvement in planning are set out later in the PPS.
- **Recognise that the impact of proposed development may adversely affect people who do not benefit directly**. In this respect authorities can use the new proposals for the planning charge set out in the Planning and Compulsory Purchase Bill to ameliorate such impacts.

### **Sustainable Development and Design**

High quality design ensures usable, durable and adaptable places and is a key element in achieving sustainable development. Planning policies should promote high quality design for new development areas and individual buildings in terms of functionality and impact over the lifetime of the development. There should be no acceptance of ill-conceived designs which do not make places better for people. Design policies should encourage developments which:

- Are appropriate to their context in respect of scale and compatibility with their surroundings.
- Secure positive improvement to the streetscape or place where they are located.
- Create safe environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion.
- Make efficient and prudent use of natural resources.
- Address the needs of all in society, including people with disability.

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Further guidance on design issues is set out in Annex C of the PPS.

## Spatial Planning

The new system of Regional Spatial Strategies (RSSs) and Local Development Documents (LDDs) will adopt a spatial planning approach. Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. That will include policies which can impact on land use, for example by influencing the demands on or needs for development, but which are not capable of being delivered solely or mainly through the granting or refusal of planning permission and which may be implemented by other means. Where other means of implementation are required these should be clearly identified in the plan. Planning policies should not replicate, cut across, or detrimentally affect matters within the scope of other legislative requirements, i.e. Building Regulations.

Spatial plans should:

- **Set a clear vision for the future pattern of development, with clear objectives for achieving that vision and strategies for delivery and implementation.** Planning should lead and focus on outcomes. Plan policies must be set out clearly, with indicators against which progress can be measured. Plans should guide patterns of development and seek proactively to manage changes to the areas they cover.
  
- **Consider the needs and problems of the communities they cover and how they interact,** and relate them to the use and development of land. They should cover not only what can be built where and in what circumstances, but should set out also how social, economic and environmental objectives will be achieved through policies in the plan.
  
- **Help to integrate the wide range of activities relating to development and regeneration.** Plans should take full account of other relevant strategies and programmes and where possible be drawn up in conjunction with them. They should work alongside urban and rural regeneration strategies, regional economic and housing strategies, community development and local transport plans. Planning authorities should consult closely with the bodies responsible for those strategies to ensure effective integration. LDDs provide the means of taking forward those elements of the Community Strategies that relate to the physical development and use of land in the authorities area.

The RSS and LDDs that are the Development Plan Documents form the framework for taking decisions on planning applications for planning permission. Decisions have to be taken in accordance with the Development Plan unless other material considerations indicate otherwise. Planning permission is required for certain defined development so only policies which can be implemented through the granting of planning permission can form the framework for decisions under Clause 37 of the Planning and Compulsory Purchase Bill.

## Community Involvement in Planning

Planning must work as a partnership and involve the community to deliver sustainable development in the right place at the right time. Planning affects everyone and all those involved in the system have a role to play in delivering effective and inclusive planning. Under the new Bill, planning authorities will be required to prepare a Statement of Community Involvement, in which they will set out their policy on involving their community in preparing Local Development Documents and on consulting on planning applications.

Government is committed to a planning system which is:

- **Transparent** so that information about plans, policies and development proposals is easily understood and accessible.
- Promotes **participation and involvement** with clear opportunities for people to make their views known and to participate fully.
- **Accessible**, by reaching out to groups that have, historically, not engaged easily with the planning system.
- **Accountable with opportunities for redress** so that decision makers are clearly identified, and there is protection against unreasonable decisions through the judicial review process.

Sustainable development needs the community to be involved with developing the vision for their areas. Communities should be able to contribute to ideas about how that vision can be achieved and have the opportunity to participate in the process for drawing up specific plans or policies and to be involved in development proposals. Local authorities through their Community Strategies and Local Development Documents, and town and parish councils through parish plans have a key role to play in leading the processes for community involvement in their areas.

### Principles of Community Involvement in Planning

Planning authorities should build a clear understanding of the make up, interests and needs of the community in their areas. The 'community' will be made up of many different interest groups. Some will be well established and represented but others may be less well equipped to engage with the process. An inclusive approach is needed to ensure that all groups have the opportunity to participate and are not disadvantaged in the process. Identifying and understanding the needs of groups who find it difficult to engage with bureaucratic processes such as the planning system is essential.

Effective community involvement require processes for:

- Notifying and informing communities about policies and proposals in good time.
- Enabling communities to put forward their own ideas and participate in developing proposals and options, rather than simply comment once these are fixed.
- Consultation on formal proposals.

- Feedback.

It is not sufficient to provide information only or consult on proposals that have already been developed to the point where it is difficult to take other views on board.

Planning authorities should adopt the following principles for community involvement:

- **Community involvement that is appropriate to the level of planning** with different arrangements dependent on the planning process involved built upon a clear understanding of the communities needs.
- **Front loading of involvement** so that community involvement policies provide opportunities for participation in identifying issues and debating options from the earliest stages confirming to people that they have the potential to make a difference and sense ownership of local policy decisions.
- **The methods used to encourage involvement and participation should be relevant to their experience** confirming that there is no 'one size fits all' solution if genuine dialogue is to be established and maintained.
- **Clearly articulated opportunities for continuing involvement** allowing communities to see how ideas have developed at the various stages with effective feedback. A 'tick box' mentality, which regards community involvement as simply a process step to be ticked off is not acceptable.
- **Transparency and accessibility** so that people know when they will be able to participate, and the ground rules for doing so with the planning system extending out to difficult to reach groups.
- **Planning for involvement** to be planned in from the start of the process for plan preparation or consideration of significant development proposals to enable timely involvement taking account of how this fits with other involvement processes particularly in respect of Community Strategies. Project plans should avoid unnecessarily long, drawn out processes.

## Analysis of Implications

As at present PPS1 sets out the Governments high level policy objectives for planning with a framework for specific policies to be addressed in other thematic Planning Policy Statements. In particular it deals with the way in which sustainable development objectives should be covered and follows the changes to planning dealt with in the new Bill.

The requirements of sustainable development are not new and are already embodied within regional planning guidance (RPG11), existing local plans and the emerging Unitary Development Plan where further modifications have strengthened the Plans resolve. The principles of sustainable development are also set out in the visions of the Herefordshire Plan which have been developed by the Councils partner organisations in the Herefordshire Partnership and have informed the UDP. Finally, and as part of the UDP process the Plan is the subject of Sustainability Appraisals to ensure it is environmentally sustainable and that sustainability infuses the whole plan process. Under the current planning process the principles and requirements for sustainable development and sustainable communities are well entrenched. Such a sound base bodes well to continue into the new arrangements.

Turning to spatial planning, the new system aims to promote greater integration between the various strategies produced by local authorities and other agencies and the land use planning system. Regional Spatial Strategies will require officer and member involvement and should include representations from community and interest groups. To date issue based studies have been prepared mainly by authorities and bodies either for resource implementation or for the purpose of regional planning guidance. This will now need expansion and diffused to the local level and communities with assurances that the studies inter-relate, inform and complement each other. At the local level the same inter relationship is required. Strategies with a spatial component would include the Herefordshire Plan and the Local Transport Plan whilst the local development framework will contain a portfolio of local development documents that will provide the LPAs planning policies for the area.

Finally, Government are requiring earlier and more community involvement with policy formulation from local up to regional level and in consideration of significant development proposals. Such involvement especially from groups difficult to reach, should be planned in from the start of the process. As part of the new arrangements it is proposed that a Local Development Scheme will inform people of which documents are to be prepared, including timetables of the various stages of preparation. The new system also proposes a requirement of a Statement of Community Involvement aimed to produce consensus, so far as possible, on the form and content of any documents the LPA are preparing.

A community that acknowledges the issues, knows more about requirements and constraints and with an involvement that is part of the process will gain a sense of ownership and will reduce conflict and confrontation when policies and proposals are unveiled. Consequently community involvement and general consensus will reduce unresolved issues at Inquiry. Finally, and to be credible the timetable for the process including arrangements for community involvement needs to be focussed, relevant and achieved.

## Conclusions

The PPS and for the planning system to enshrine sustainable development is acknowledged and generally welcomed. Such principles are already well established within the emerging UDP. In respect of spatial planning and community involvement, much has already been done to ensure a sense of ownership and an integration of strategic policies following collective visions and aims for Herefordshire through a partnership approach. In relation to the new planning arrangements currently being proposed through the Bill, these will be confirmed and clarified to Members at a later date to fully appreciate the implications particularly at the local level.

## RECOMMENDATIONS

**THAT the Cabinet Member (Environment) be recommended that the points summarised in this report forms the response of Herefordshire Council to be submitted to the Office of the Deputy Prime Minister.**