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LONDON PLANNING OFFICERS' ATTITUDES TOWARDS RECENT PLANNING REGULATION CHANGES

JUNE 2013

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INTRODUCTION

On 31 March 2012, the National Planning Policy Framework (NPPF) came into effect. The 65 page document replaced over 1300 pages in various planning policy statements and planning policy guidance notes. The NPPF was first announced on 20 December 2010 by the then minister for decentralisation and planning, Nick Clegg. His aim was to consolidate all policy statements, circulars and guidance documents into one single, concise document, the NPPF. The NPPF has met with a number of criticisms in the past. Two main points of criticism were the vagueness of its language and the over-emphasis on economic development to the detriment of environmental conservation.

Planning officers in London have had a chance to work with the NPPF for over a year now, and the question is how they perceive the effects the framework has on the planning process in their borough. Has the NPPF made the planning process simpler and easier to understand, or do the vague terms lead to uncertainty and arbitrary decisions?

The NPPF has not been the only significant change in planning regulations in recent years. The 2011 localism act allows for communities to organise and come together into so-called neighbourhood forums. These forums can exert a certain amount of influence during the process of deciding which development types should be promoted in their community. More and more communities are applying to be appointed as neighbourhood forums in London and it is therefore worth finding out if planning officers welcome these developments in neighbourhood planning.





A survey has been constructed to poll the attitudes of planning officers working in London boroughs. Questions are:

- 1.** Do you feel that the introduction of the NPPF has been beneficial to the planning process in your borough?
- 2.** Do you think the presumption in favour of development as anchored in the NPPF could harm the built environment in your borough?
- 3.** Do you think the definition of sustainable development in the NPPF will help protect the environment?
- 4.** Do you believe transferring certain planning powers to local communities through neighbourhood forums and neighbourhood plans is beneficial to the planning process in your borough?

A total of 34 officers from 20 London boroughs have participated in this survey. The results are presented and analysed below.

QUESTION 1

Out of 34, nine participants believe the introduction of the NPPF has had beneficial effects on the planning process. 7 participants are unsure, and the remaining 18 believe the NPPF so far has had no beneficial effects on the planning process in their borough.

The most common reason given by participants who believe the NPPF has been beneficial, is the fact that it has introduced some much needed simplicity into the planning process. This matches one of the main reasons why central government introduced the NPPF in the first place. Another reason mentioned is that the NPPF allows for a planning authority to take a more pro-active stance towards promoting or controlling development.

Various reasons are brought forward by participants who believe adoption of the NPPF has not yet been beneficial. According to some participants, the NPPF has simply not changed much. One important factor which is London-specific is the existence of the London Plan. Planning policies of the London





boroughs need to conform to the London Plan. The NPPF and the London Plan cover much of the same ground, and as the latter is an older and more established framework, the former's importance is comparatively reduced.

The simplification of the planning process comes with adverse consequences, as pointed out by some participants. The language used throughout the NPPF is called "imprecise", which can lead to uncertainty amongst planning authorities in the development management process. One officer indicated that the use of vague terms could lead to a system of "planning by appeal", as national planning policy fails to provide detailed requirements and standards.

QUESTION 2

The participating officers seem to be less sure about the second question. Out of the 34 participants, 10 believe the presumption in favour of development will in no way harm the built environment in their borough. A smaller number, 6 out of 34, see a distinct possibility that the built environment will be negatively affected. One of these six pointed out the specific role of local plans: the lack of a local plan could potentially leave a borough open to unwanted development.

But the majority of participants (18 out of 34) are not sure what the effects of the presumption in favour of development will be. Some of those participants again point out that the language of the NPPF is unclear. As such the influence of the NPPF on the built environment will depend largely on the interpretation by the various authorities.





QUESTION 3

The vague text of the NPPF also shapes participants answers to the third question – whether the way sustainable development is defined in the NPPF can help protect the environment. 10 of the participants do believe the environment is in safe hands with the NPPF. One of the reasons put forward is actually the fact that the text of the NPPF is vague; it provides planning authorities with a flexible approach to development management and is therefore a powerful tool to protect the environment. One participant interpreted the definition in such a way that the advantage of the balance of economic development and environmental protection lies with the latter. Interestingly, other participants actually feel that the focus rests too heavily on economic development, and therefore answered “no” to the third question. In total, 12 participating officers believe sustainable development will come at the cost of the environment under the regime of the NPPF.

All other participating council officers (12 out of 34) are not sure how the NPPF will impact the environment. The most common reason mentioned for this uncertainty is – again – the vague language of the document. How well the environment is going to be protected seems to depend to a large extent on how planning authorities interpret the text of the NPPF.

QUESTION 4

The fourth and final question is not about the NPPF, but as explained in the introduction, about the Localism Act. The answers presented here show clearly that most participating officers do not see any benefit of neighbourhood planning. Only 4 out of 34 participants believe neighbourhood planning will have a positive effect on the planning process in their borough.

Six participating officers are not sure about the effects of neighbourhood planning.

All other participants (24) believe neighbourhood planning will not be beneficial to the planning process. Those 24 participants put forward a





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number of different reasons as to why they believe neighbourhood planning is not beneficial, the chief of which will be discussed below.

The most common reason put forward is the fact that neighbourhood planning might raise false expectations within local communities where the actual power of neighbourhood forums and plans is concerned. Communities who are interested in neighbourhood planning tend to assume that becoming a neighbourhood forum will grant them the power to stop unwanted development in their community, but this is not true. Rather the opposite is the case: neighbourhood planning allows communities to determine desired development types.

Another reason commonly referred to by participants is the amount of work and effort that is involved for neighbourhood forums. Some participants believe the way the system is set up will favour wealthier demographics over the more deprived ones. Wealthier communities tend to have more time and resources they can invest in neighbourhood planning, compared to more deprived areas. This argument was put forward generally by officers from more deprived boroughs in London.

But council officers do seem to value the contributions local communities can make to the planning process. These communities, however, already make themselves heard through public consultations and various lobbying activities. In fact, one participant explained the planning system is set up in such a way that the authority is obliged to take into account the interests of all parties involved, which obviously includes the local community. Granting to local communities could mean the tipping of the balance in favour of the communities. To preserve this balance, another officer suggested that resources be allocated to efforts to improve public consultations and not to neighbourhood forums.





CONCLUSION

What conclusions can be drawn from this brief survey? On the whole, participating council officers are not convinced that the introduction of the NPPF has so far led to any favourable results in their boroughs. This is not to say that the NPPF has made things worse: for a majority of the council officers, it remains business as usual.

The vague language of the NPPF seems to leave participating officers uncertain of the extent to which the document can help protect the built/natural environment, as issues are left to the interpretation by the individual planning authorities. Whether or not priority will be given to environmental protection may depend on internal factors at play within a particular authority.

Finally, a vast majority of the participating planning officers do not see the benefits of neighbourhood forums at all.

