

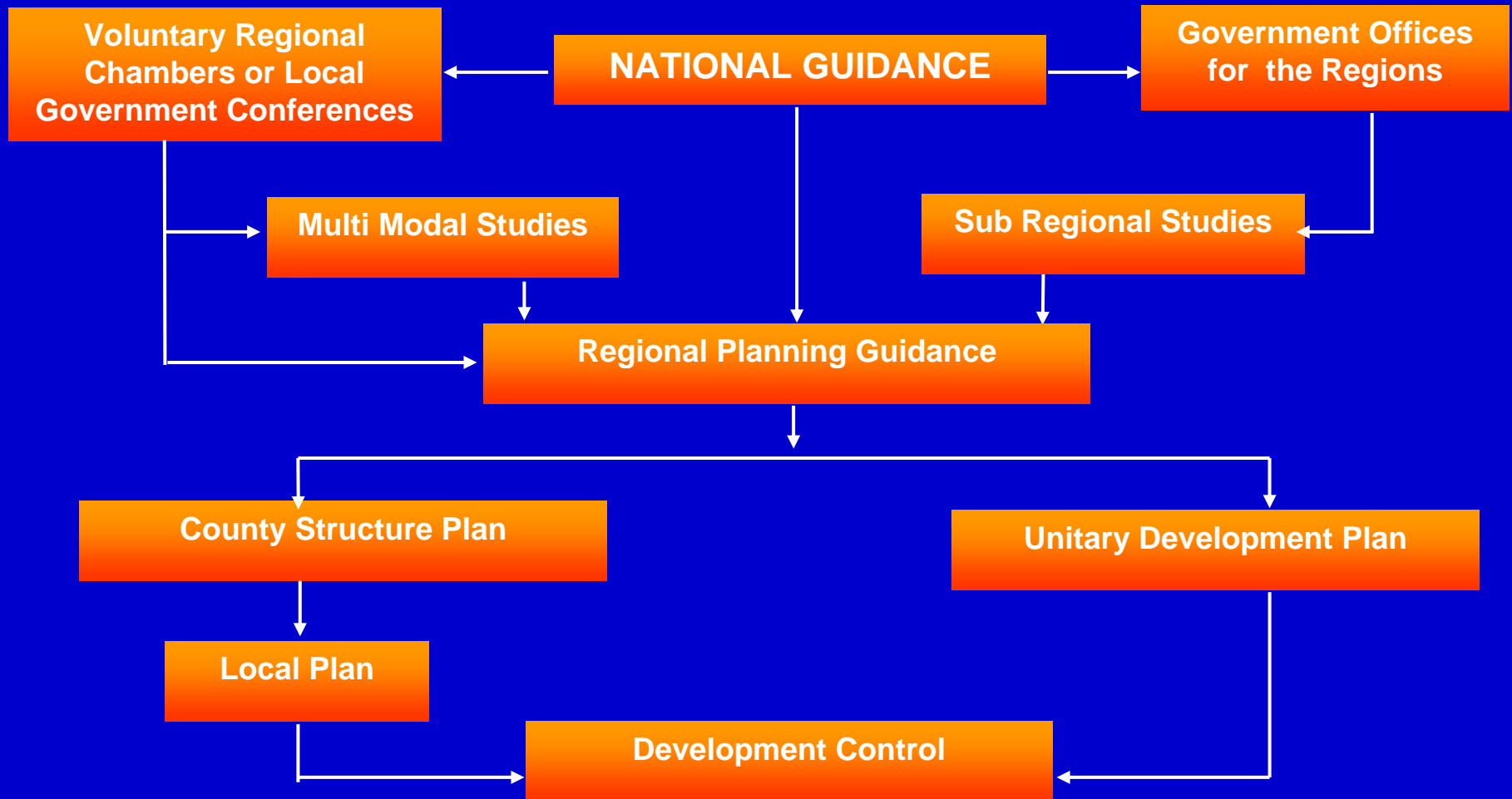
The Implications of Changes to the Planning System

by Colin Bell

AGENDA

- Apologies
- Planning and Compulsory Purchase Act 2004
- Plan making and the role of front loading
- Spatial planning
- Planning for sustainable development
- Soundness

THE 1990 PLANNING SYSTEM



THE JOURNEY

- “Planning: Delivering A Fundamental Change”
(Green Paper, Dec 2001)
 - More responsive & flexible planning system
 - More predictable & fairer planning system
 - A faster system
 - Improved public consultation
 - Sustainable development
 - Spatial planning

THE PLANNING & COMPULSORY PURCHASE ACT 2004

- Royal Assent 13 May 2004
- A legislative framework for sustainable development, spatial planning and community involvement
- Makes changes to:
 - plan making
 - development control
 - compulsory purchase and compensation
 - Crown immunity

OUT GO (in stages):

- Structure Plans
- Unitary Development Plans
- Local Plans

IN COME:

RPB, RSS, SDS, SRS
LDS, LDF, LDD, DPD,
SCI, SEA, SPD, AAP

Or, to quote Baroness Hanham:

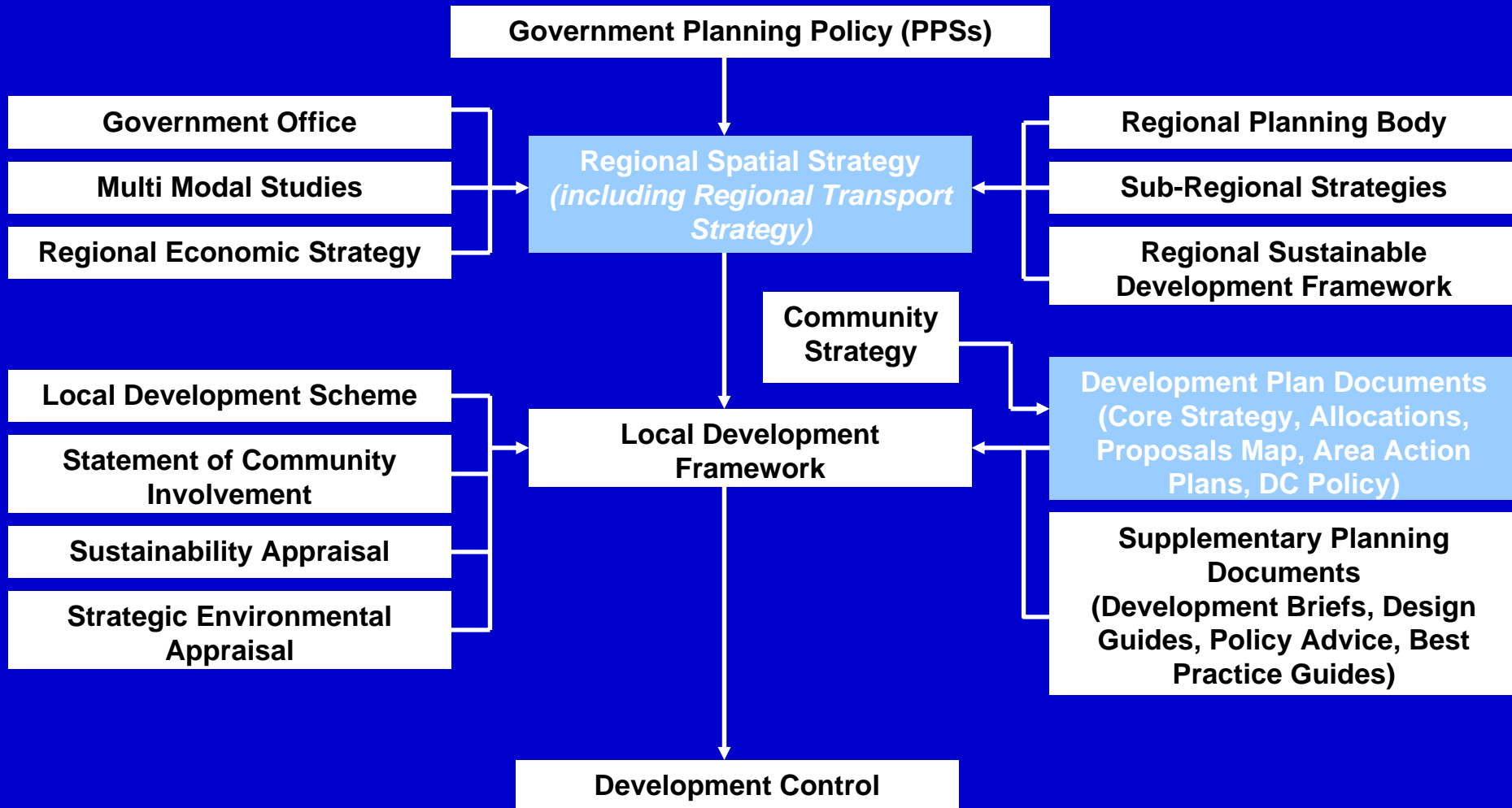
“the LDF shall be set out in an LDS, comprising LDDs, some of which are DPDs, namely the CS, AAPs, and a proposals map.

Other documents will be LDDs, but not DPDs, namely SPDs and the SCI, although the SCI will be treated as a DPD - sometimes.

These documents will require SA and may need SEA. The DP will be the DPDs plus the RSS or SDS.”

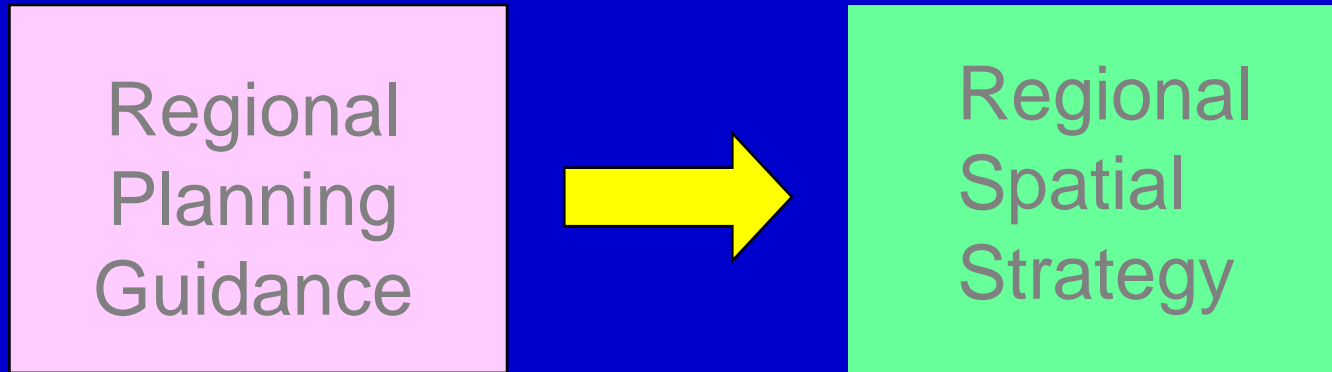
(Hansard)

THE PLANNING SYSTEM UNDER THE 2004 ACT



The Development Plan

REGIONAL PLANNING



The difference between RPG and RSS:

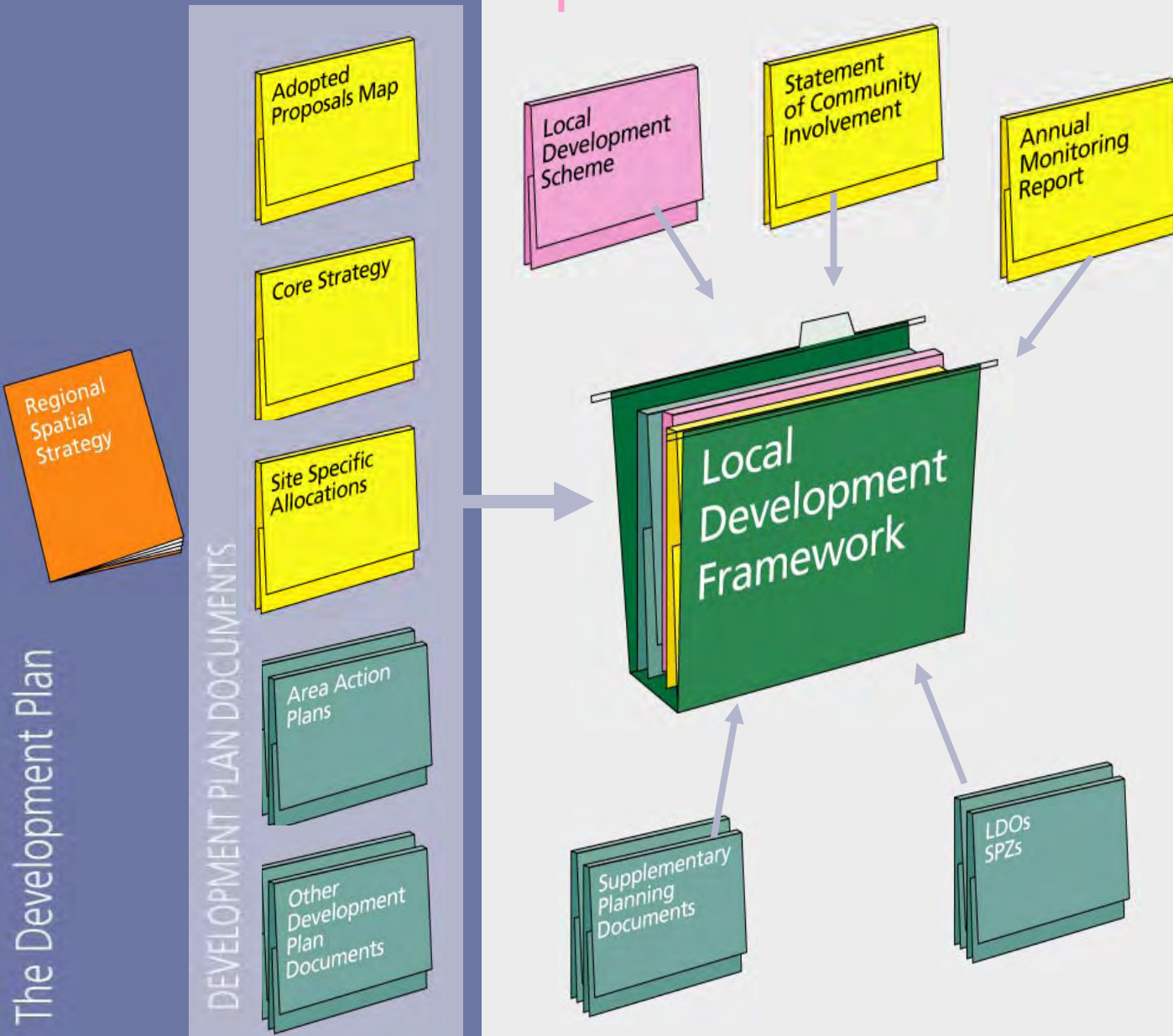
- RSS has statutory status
- RSS is part of the Development Plan
- LDDs to be in general conformity with RSS

The Local Development Framework

Source: ODPM

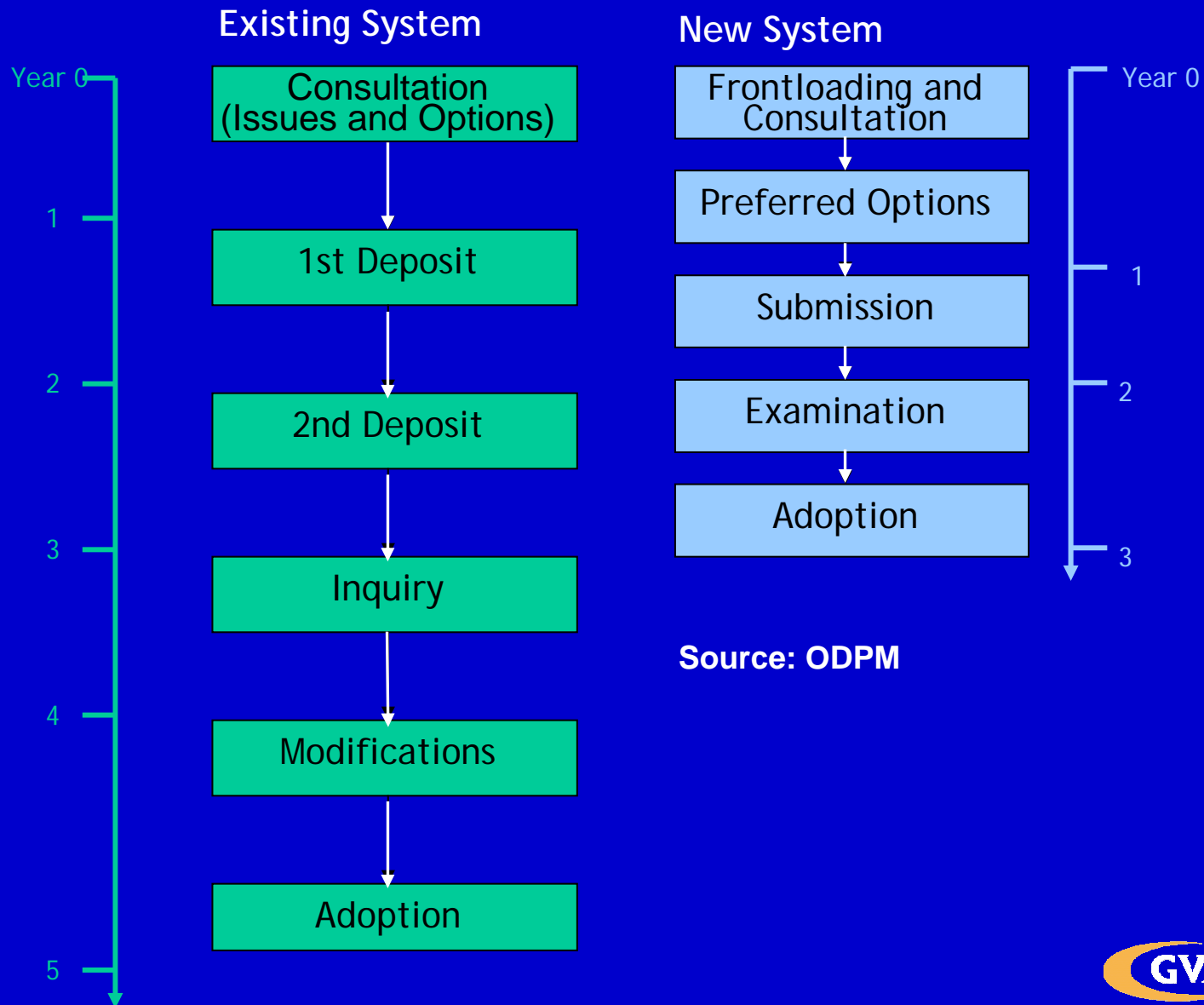
The Development Plan

DEVELOPMENT PLAN DOCUMENTS



KEY	
Yellow box	Required
Green box	Optional
Pink box	Project Plan

PLAN PREPARATION PROCESS



SPATIAL PLANNING

- The Government's interpretation:

“... an approach ... which 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 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.” (extract from PPS1 para 30)

SPATIAL PLANNING AND DEVELOPMENT PLANS

- 2004 Act reinforces the plan-led system
- but Clause 38(6) says

“when determining applications for planning permission, the local authority must have regard to the provisions of the development plan, so far as they are material, and when regard is to be had to the plan, the application must be determined in accordance with it, unless material considerations indicate otherwise.”

PLANNING FOR SUSTAINABLE DEVELOPMENT

- Social cohesion and inclusion
- Protection and enhancement of the environment
- Prudent use of natural resources
- Sustainable economic development

FRONT LOADING

Plan making needs you and it needs you now!

Early engagement in the development plan process fosters:

- good relationships
- joined up thinking
- sound strategies and allocations
- more predictable development control

SOUNDNESS

- A guiding principle for Panels and Inspectors
- A sound RSS or DPD will show “*good judgement*” and be “*able to be trusted*”
- “*A development plan document will be sound if it meets the following tests vii. the strategies/policies/allocations represent the most appropriate in all the circumstances, and they are founded on a robust and credible evidence base.*” (paragraph 4.24 PPS12)

A Venn diagram consisting of two overlapping yellow ovals on a blue background. The left oval is labeled 'town planners', the right oval is labeled 'transport practitioners', and the overlapping area in the center is labeled 'Delivering sustainable development and sustainable communities'.

town
planners

Delivering
sustainable
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and
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communities

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