

achievable legacy reforms



Planning policy and practice is falling apart: the admin system is broken; council planning officers are too often disrespected and committee decisions are often wilfully irresponsible; there is a mass migration of planners to the private sector; the Planning Inspectorate (PINS) is overwhelmed and inconsistent; and populist planning reform proposals in the Levelling-up and Regeneration Bill are nearly as impractical and divisive as those in the late, unlamented *Planning for the Future* White Paper produced by Boris Johnson's first government in 2020/21. Oh, what a mess!

But at the lectern in Downing Street on 25 October 2022, fresh from his audience with King Charles III, the new UK Prime Minister, Rishi Sunak, made a short speech including these words: 'This government will have integrity, professionalism and accountability at every level.'¹ He also said that he was going to deliver on his party's winter 2019 manifesto—but that was a mis-step.

His legacy on planning for the 2024 general election could be some relatively peaceful reforms that could pave the way onwards and upwards. The 2019 manifesto is not a sound foundation. It was produced in a hurry after horrid years: Cameron's Brexit referendum period, with its unstable result in June 2016 of 51.9% in favour; Theresa May's attempts at implementation; and the Conservative Party's choice of Boris Johnson as PM to take over and deliver. Finding continued Parliamentary deadlock tedious, Johnson called a snap general election held on 12 December 2019, using the slogan 'Get Brexit Done'. The 2019 manifesto referred to by Sunak is that one.

Johnson and his analysts ran an effective election campaign, and he was home as PM, and now with a thumping majority of 80 seats. Presumably Rishi Sunak now reaches back to that manifesto for legitimacy. That was the last time we, the people, were able to vote for a Prime Minister.

Unfortunately, the 2019 manifesto had no paragraphs dealing with the structural flaws in the planning system *at all*. The house of town and country planning has many mansions so, yes, we are interested to read that the sale of council houses would continue (a discredited policy of Margaret Thatcher's because such homes meet an essential human need and are not replaced); and that more houses for sale would be built 'to bring down prices' (not on the scale we produce them!).

Another re-treaded policy was the Towns Fund, which would enable '100 local authorities' to use their scant resources to bid for money for regeneration (a path well travelled, often benefiting towns in marginal constituencies). Another promise that 'a town' (*sic*) would, after yet another competition, have electric buses was far too little, far too late (by January 2021 it was announced that this 'could be' Coventry and Oxford, 'subject to successful business cases'²); and the promise of more devolution in England, mentioning the Northern Powerhouse, Western Gateway and Midlands Engine, increases the fog over accountability. There are now so many forms of local governance, some opaque and unaccountable and overlapping in territory and fields of interest, that it needs its own edition of *Lonely Planet*.

However, the Big Idea in the 2019 manifesto which did touch the world of planning head on, but without saying so, was 'levelling up'.³ Proposed investment would be used 'prudently and strategically to level up every part of the United Kingdom, while strengthening the ties that bind it together'. With everything spent in 'the North' now being badged as part of levelling up, the Bill is still in Parliament as this piece is written, and maybe we will see backbench amendments to what the TCPAs Hugh Ellis has called 'undemocratic' and 'frankly nutty' proposals such as street votes on planning applications, but don't hold your breath.

That noise to one side, the big consensual planning reforms that we needed urgently in 2019 and which are still needed, and which would be legacy material if under way by 2024, include the following:

- Preparation by the government of a national **spatial** strategy for England. National Policy Statements (NPSs) state the government's



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We need a spatial framework for each area, nested within the bigger picture a national spatial strategy for England

position on different types of infrastructure, but have no integrated spatial expression⁴ and are not in the public consciousness. The strategic planning space is mostly inhabited by rules and insinuations from unaccountable organisations and silo quangos, unmoderated by any attempt at a planning balance. We need a national design—a guiding diagram—for our national space.

- The resumption of government responsibility for the preparation of regional or sub-regional spatial planning strategies looking 25 years ahead **in areas of major growth or decline**. That is the level at which the national design is followed through in strategic terms. The need did not go away when the Cameron/Clegg coalition government of 2010 set about abolishing the system. It was far from perfect—the Public Examinations had degraded to become bossy Q&A sessions with planning inspectors, with minimal discussion—but everyone is lost without it.
- Reform Local Plan-making by stripping away the accretion of the consultant-fest of detailed requirements and processes that has occurred,

concentrating instead on the primary tasks—which are, first, to design a spatial framework for the area (nested within the bigger picture); second, to set out the local rules of engagement for those who are now to be encouraged to invest; and, third, to identify major public infrastructure thresholds and how in broad terms they are to be crossed.

A *coup de grâce* would be to rid the Public Examination stage of the sacred mystery of the 'test of soundness' gifted to us in the Cameron/Clegg National Planning Policy Framework (NPPF) in 2012, and allow inspectors to be planners and recommend improvements to draft plans, having held constructive public discussion of the evidence that has been laid before them. Pre-abolition, we fretted over whether an inspector's recommendations should be binding or, as was then the case, a matter for the plan-making authority to accept or decline with reasons. Democratic accountability suggests that the decision to accept an inspector's recommendation should rest with the elected

local authority so long as there is the right of legal challenge to stop egregious political games. It's real people's lives, homes and jobs, folks!

- Revert to the pre-abolition method for agreeing housing need in the regional or sub-regional area. It has to be a horse-deal—planning is an art and a science. A system based on intelligent estimates informed by the best available data at the time and moderated after public discussion, and then kept under review, is the only way forward outside a totalitarian state. The search for a 'standard formula', as if planning was just another algorithm, was a waste of time. It was a lash-up to cover a void left by the abolition of strategic planning.

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- Require all new public green spaces to be placed within not-for-profit stewardship, with endowments sufficient to enable maintenance in perpetuity. Current practice is for developers to covenant property-owners to pay for maintenance for ever. It is an extra tax on home ownership, and leads to low standards.⁵
- Reverse the uncontrolled conversion of offices, industrial units, warehouses and shops to residential use. This has been madness. If the freedom is to be given, the Local Plan is the place to justify where and why and on what terms.
- Radically reform public transport services throughout non-metropolitan areas. Public-transport-oriented development cannot happen if there isn't any.

Profound planning reforms are needed. They all deal with the management of space, which is a contentious matter for which the defusing processes of planning were invented. The path we are on leads to deep political trouble at the heart of society. Conflict becomes exposed and inflamed. It is to be hoped that Rishi Sunak, guided by the seasoned political operator Michael Gove at the

Department for Levelling Up, Housing and Communities, will see advantage in dealing with them now. They are inescapable.

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Notes

- 1 'Rishi Sunak's first speech as Prime Minister: 25 October 2022'. Prime Minister's Office, Oct. 2022. www.gov.uk/government/speeches/prime-minister-rishi-sunaks-statement-25-october-2022
- 2 'Coventry and Oxford set to be UK's first all-electric bus cities'. News Story. Department for Transport, 6 Jan. 2021. www.gov.uk/government/news/coventry-and-oxford-set-to-be-uks-first-all-electric-bus-cities
- 3 Wikipedia tells us that Boris Johnson gave a speech fleshing out the policy on 15 July 2021, saying 'we don't think you can make the poor parts of the country richer by making the rich parts poorer'. He included social and quality of life issues such as fighting gang crime, obesity, mental health, uneven life-expectancy, and excessive elective surgery waiting times. Neil O'Brien MP (Oadby and Wigston) was the Prime Minister's levelling-up adviser, producing a detailed report for the think-tank Onward in September 2020 setting out the case for levelling up: *Measuring Up for Levelling Up* (www.ukonward.com/wp-content/uploads/2020/09/Measuring-up-for-levelling-up-2.pdf). He is influential, so look him up. The 2020 HM Treasury Spending Review announced a £4.8 billion Levelling Up Fund for interim capital investment in local infrastructure. Local authorities were ranked into three tiers by need, and invited to submit project bids by June 2021. The first round focused on transport projects, town centre and high street regeneration, and cultural investment. Two other funds are considered within the interim levelling-up agenda: the Community Renewal Fund, which replaces the European Structural and Investment Funds for skills, employment, local businesses, and communities, and a £3.6 billion Towns Fund for 101 towns. The 2021 Queen's Speech announced that the government will 'level up opportunities across all parts of the United Kingdom, supporting jobs, businesses and economic growth and addressing the impact of the pandemic on public services'. The policy was first trailed to include: investment in towns, cities, and rural and coastal areas through the use of local growth deals; giving those areas more control of how investment is made; levelling up skills using apprenticeships and a £3 billion National Skills Fund; helping the farming and fishing industries; and creating up to 10 Freeports to help deprived communities
- 4 They relate to England. For the list of the current 11 NPSs plus a draft one, see <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/national-policy%20statements>
- 5 See D Lock: 'Fleecehold — creeping forward on stewardship'. *Town & Country Planning*, 2019, Vol. 88, Feb., 48–51