

HAPPY NEW YEAR:

A New Planning Newsletter from GL Hearn

Welcome to GL Hearn's new Planning Newsletter. We will be publishing 'forward planning' biannually to provide you with an update on the latest news and developments in the ever changing planning system.

2006 saw local authorities continue to struggle to come to terms with the demands of the new(ish) planning procedures with many authorities falling behind schedule in the preparation of their new, and supposedly programmed managed, Local Development Frameworks. Before the year closed the Government unwrapped a whole host of new publications; the last weeks of

2006 saw the publication of Kate Barker's much anticipated review, new national guidance on housing and a number of consultation papers about responding to climate change to name but a few.

In this first edition of 'forward planning' we review some of the key documents from the plethora of reviews, statements and consultation papers in circulation towards the end of 2006 and give an opinion as to what it all means for the planning system in 2007. We would be pleased to discuss any specific issue in detail with you and would welcome any general comments you may have on the first edition of 'forward planning'.

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BARKER REVIEW OF LAND USE PLANNING: *Headline Stuff*

"Planning review takes aim at red tape"
Mirror.co.uk 5 December

"Brown's economist calls for homes and shops to be built on the green belt"
The Times 6 December

The Barker Review of Land Use Planning prompted an extraordinary media interest in Planning - you will have seen the headlines and some of the recommendations:

- Economic development to be a higher priority
- A review of the green belts
- Remove the 'needs test'
- A charge on vacant and derelict land
- A new Independent Planning Commission to determine major infrastructure applications
- More Urban Development Corporations
- Review directions and reduce the number of call-ins by 50% by 2008-09
- Reduce amount of national policy - quarter the number of pages
- Half the time to produce new Development Plan Documents
- Substantially reduce information required to support planning applications
- Raising planning fees - pay for a premium service
- Offer direct community goodwill payments on a voluntary basis to facilitate development

But what is it all really about?

We live and work on a small densely populated island that is experiencing population and economic growth at the same time as an increasing recognition of the threats of climate change and damage to the environment generally. That inevitably leads to tensions.

Whilst the Review says it is about delivering better economic growth in the context of sustainable development, in our view economic growth is the overriding interest. That is perhaps not surprising, although commissioned by the Chancellor and the Deputy Prime Minister; Ms Barker is of course an economist. The Government will publish a White Paper in "Spring 2007" in response to the Review (see Lyons Inquiry on page 2). Taken together with the new PPS3 (see page 2) that is concerned primarily with delivery, could this be the start of a new, more pro-development era? The Government is asking for views on the final report until 7 March 2007.

LYONS INQUIRY INTO LOCAL GOVERNMENT

*...and planning and
transport and skills*

Sir Michael Lyons Inquiry into the role, function and funding of local government was due to be completed in December 2006.

The Inquiry has been widened however, on the request of Gordon Brown and Ruth Kelly, to make appropriate recommendations to Government in light of the Barker Review, together with the recent reviews on transport and skills by Sir Rod Eddington and Sandy Leitch respectively.

This will mean a 'short extension' to the Inquiry and the final report is now expected around the time of Budget 2007.



CLIMATE CHANGE AND ALL THINGS GREEN

A number of documents were published in December 2006 by the Government in response to climate change and its rapid promotion up the political agenda.

Supplement to Planning Policy Statement 1: Planning and Climate Change - Consultation

A supplement to PPS1 has been published for consultation until 8 March 2007. The supplement attempts to explain how planning will help create places with lower carbon emissions and make places more resilient to the effects of climate change.

Planning Policy Statement 25: Development and Flood Risk

Against a background of more prevalent freak weather and flooding in the UK, and climate change generally, the new PPS25 reaffirms the Environment Agency as the key body in dealing with flood risk and increases their influence on the planning system. A new structure of referral procedures and required assessments is established.

Building a Greener Future - Consultation

Published for consultation until 8 March 2007 the document sets out the Government's thinking on reducing the carbon footprint of new housing. Proposes a timetable for revising the Building Regulations so as to achieve 'zero carbon' new housing in England and Wales.

Mandating Water Efficiency in New Buildings - Consultation

A consultation until 8 March 2007 about making minimum standards of water efficiency performance mandatory in all new homes and commercial development.

PLANNING POLICY STATEMENT 3: *HOUSING*



The final version of the long awaited PPS3 was published in December 2006 setting out the Government's new policy for housing.

Greater flexibility is given to Local Planning Authorities in deciding on the location and density of new housing. Local Development Framework's will need to identify locations and sites that will deliver a 15 year supply of housing land.

The new policy puts a greater emphasis on the provision of family housing together with providing a mix of market and affordable housing (that will be sought on more sites than hitherto). A new definition of affordable housing is given that excludes low-cost market housing. A recurring theme of the PPS is the emphasis to be placed on the quality of design of housing and neighbourhoods.

In general, the policy seeks to ensure delivery by introducing a more market-responsive and less prescriptive approach to meeting housing need in terms of location, density and mix. At the same time it builds in measures to achieve security of supply underpinned by a sound evidence base.

The PPS formally becomes operative on 1 April 2007, although it may be regarded as a material consideration before that date.

PLANNING GAIN SUPPLEMENT & CHANGES TO PLANNING OBLIGATIONS

Planning Gain Supplement (PGS), a tax on the uplift in the value of land upon grant of planning permission, will not now be introduced before 2009. The Government are however seeking comments on 3 consultation papers relating to the new system until 28 February 2007:

1. Proposed changes to the planning obligation system - the Government have already said that PGS would mean planning obligations were scaled back and this consultation looks exclusively at how planning obligations would operate if PGS was introduced
2. A technical consultation on the proposed framework for administering PGS
3. Valuing planning gain - provides further explanation, and seeks views on, valuations that will be needed to administer PGS.

CITY DEVELOPMENT COMPANIES



The Government are currently consulting (until 7 March 2007) on the role and function of US inspired City Development Companies (CDC's).

The Government sees sustained economic growth as the reason for recent progress in cities; the role of CDC's is to drive the economic transformation needed to make our cities truly competitive globally. No single approach is proposed and the Government does not intend to specify which cities or regions should be focused on.

CDC's would not be given statutory powers such as

planning or compulsory purchase. A private sector style entrepreneurial approach is hoped to lead to a more responsive interaction with business, developers and investors. CDC's are also hoped to reduce the number of players in the economic development arena.

The bringing together of economic development agencies at the local level is sensible. Seeking to employ private sector approaches to public sector problems is not new. But will CDC's really have the teeth to deliver global competitiveness?

WHAT DOES IT ALL MEAN FOR 2007 & BEYOND?

What is on the Government's planning agenda for 2007?

Climate Change & Sustainability

Streamlining the System

Economic Development & More New Housing

We think there is an acceptance that the last reforms of the planning system have not improved efficiency and that a lot more needs to be done; Kate Barker is certainly of that view. The Barker Review, taken together with the new PPS3 and Mr Brown's increasing influence potentially points towards a more pro-development and pro-delivery era. Improving efficiency and delivery are not mutually exclusive.

But what about the climate change agenda and an increasingly aware, informed and vocal public? Does the Government hope to deliver more value through the development process, the quid pro quo being that developers seriously address climate change? Is the Government's real interest economic growth with nothing more than politically correct lip service paid to environmental issues? Or is this a tension still to be resolved?

The latter is probably closest to the truth in our view. At GL Hearn we have long recognised these tensions, and the implications for your business, which is reflected in our strength and expertise in planning and development. Speak to us to find out what all this means for you and your business and how we might help.

Wishing you a happy and prosperous 2007 from all at GL Hearn.

PLANNING & DEVELOPMENT SERVICES

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- Environmental Impact Assessment

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We endeavour to keep our mailing lists up-to-date. If you would like to be removed from the list, or you have a colleague who would like to receive future issues of 'forward planning', please email planning@glhearn.com with details.

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