



*People • Planet • Prosperity*

28<sup>th</sup> March 2006

## **Barker Review of Land Use Planning: Call for Evidence**

A response from the Sustainable Development Commission

### **1 Introduction**

#### **1.1 The Sustainable Development Commission**

We welcome the opportunity to respond to the call for evidence for the Barker Review of Land Use Planning.

The Sustainable Development Commission (SDC) is the Government's independent advisory body on sustainable development, reporting to the Prime Minister and the First Ministers of Scotland and Wales. Through advocacy, advice and appraisal, we help put sustainable development at the core of Government policy. The 2005 UK Government Sustainable Development Strategy (UK SDS), *Securing the future*<sup>1</sup>, charges the SDC with the role of 'watchdog' for sustainable development. The SDC will officially take up this role from April 2006.

#### **1.2 Structure of response**

Our response to the call for evidence comprises three sections:

- First, we examine the relationship between sustainable development and planning, how it is integrated into the current planning system, and how the UK Government's five sustainable development principles provides a framework for policy-making;
- Second, we discuss two broad concerns arising from the Barker Review's call for evidence. These are: that the terms of reference are not based on a full understanding of sustainable development; and that it is too early to assess the full impact of the new planning system;
- Third, we consider some of the specific issues and challenges that we believe the Review will need to take into account in order to make its analysis complete.

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<sup>1</sup> HM Government, *Securing the future: delivering UK sustainable development strategy*, March 2005.

### 1.3 Summary of main points

Our key points are:

- The planning system is a key mechanism for delivering sustainable development. In short, planning for sustainability should promote the highest quality development and most beneficial land use changes, in the most appropriate locations at the most appropriate time, and in the public interest. It should assess and provide for *needs* rather than just meet demands. Conversely, it should prevent inappropriate, poorly located, poor quality or unnecessary development. Sustainable planning should result in a net *improvement* in places;
- Sustainable development is now embedded in the new planning system, with PPS1 as the overarching guidance for integrating sustainable development into planning processes. The SDC was supportive of the reforms in the Planning and Compulsory Purchase Act in respect to sustainable development and development plans, although regretted that they were not stronger.<sup>2</sup> In any case, any weakening of these reforms would be a serious blow to the goal, agreed across Government in the UK SDS, of delivering sustainable development;
- The SDC recommends that the Barker Review: recognises that sustainable development is the core principle underpinning planning; recognises that sustainable development and planning are inextricably linked; and uses the UK Government's five sustainable development principles as its framework;
- One of our major concerns is that the Review's call for evidence paper is not based on a full understanding of sustainable development: sustainable development is about integrating, not balancing, economic, social and environmental needs. The Review should therefore be based on the understanding that land use decisions should be integrated and are not about balancing or 'trading-off' 'competing' demands and needs. Ultimately, sustainable economic development must be compatible with living within environmental limits;
- The SDC urges the Review to be cautious when assessing the impact of the new planning system on the economy and on sustainable development as a whole, as new reforms will take time to take effect;
- The Review will need to take full account of the importance of the planning system in protecting and enhancing the environment, and the beneficial effects that this has on the economy and society;
- The Review aims to assess ways of further improving the efficiency and speed of the system. In any case, speeding-up planning should not occur at the expense of good planning or sustainable development. It is also essential that the interests of local communities (e.g. through consultation, planning enquiries, etc) are not overridden in the quest to improve speed and efficiency. The Review should also consider the evidence that rigorous pre-application processes can help to speed up planning applications;

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<sup>2</sup> SDC, *Shows promise. But must try harder*, April 2004.

- The Review questions whether planning authorities have the skills and resources required to help promote sustainable economic development. This should be broadened to examine whether planning authorities have the skills and resources to help promote sustainable development;
- 'Joining-up': the Review should take into account the Government's response to the SDC's *Next Steps* report, especially in relation to strategy integration. At the local level, the SDC recommends that the five sustainable development principles, applied at a local level, should be used as the basis for both Local Development Frameworks and Sustainable Community Strategies. This should provide a solid basis for more coherence between the two;
- The Review should assess how climate change issues can be addressed through the planning system. Although the ODPM published advice on planning for climate change in September 2004<sup>3</sup>, it is not addressed specifically through the planning system;
- The Review should take into account the effects that land use planning has on transport, and how this in turn relates to the economy, climate change, public health and sustainable development in general;
- The Review should also consider how land use planning affects public health, for instance, the links between open space and health.

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<sup>3</sup> ODPM, *The Planning Response to Climate Change: Advice on Better Practice*, September 2004.

## 2 Sustainable development and planning

### 2.1 The relationship between sustainable development and planning

Sustainable development and planning are inextricably linked. For the UK Government, “the goal of sustainable development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life, without compromising the quality of life of future generations”.<sup>4</sup>

The planning system, which determines the location and form of development, is a key mechanism for delivering sustainable development. It affects the use of resources, especially land, but also key ‘life support’ systems, such as water, biodiversity, and air quality. It also determines the spatial distribution and intensity of activities that have wide-ranging and lasting social, economic and environmental impacts.

Sustainable development should therefore be the overarching and integrating concept in the planning system. In particular:

“The planning system must provide a framework for redirecting our to economies to enable all people to meet their basic needs and improve the quality of life. Planning policies and planning processes (plans and planning application decisions) should result in widely accepted change and improvement to our quality of life. Land use decisions should ensure that natural systems, resources and the diversity upon which people depend are maintained *and wherever and whenever possible enhanced*, for both our immediate benefit and for that of future generations.

In short, sustainable planning should promote the highest quality development and most beneficial land use changes, in the most appropriate locations at the most appropriate time, and in the public interest. It should assess and provide for *needs* rather than just meet demands. Conversely, it should prevent inappropriate, poorly located, poor quality or unnecessary development. Sustainable planning should result in a net *improvement* in places”.<sup>5</sup>

Planning for sustainable development has the following general features:

- deals with development and land use change
- takes a long term view – setting a vision for future generations
- provides integrated, joined-up development decisions and land use solutions
- promotes social progress in the public interest, including through effective public involvement, participation and mediation
- achieves effective environmental protection and environmental enhancement, and

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<sup>4</sup> HM Government, *Securing the future: delivering UK sustainable development strategy*, March 2005, p16.

<sup>5</sup> SDC, *Planning for sustainable development*, 2003.

- promotes resource efficiency and reduced demand for consumption.

## 2.2 The new planning system and sustainable development

As the Barker Review's call for evidence paper recognises, "Sustainable development is the core principle underpinning planning". Sustainable development is now embedded in the new planning system through the Planning and Compulsory Purchase Act 2004<sup>6</sup>, and through Planning Policy Statement 1 (PPS1), published in February 2005.<sup>7</sup>

Clause 39 of the Planning and Compulsory Purchase Act includes a statutory duty on regional and local plan-makers to exercise their functions "with the objective of contributing to the achievement of sustainable development".<sup>8</sup> In this respect, plan-makers must have regard to PPS1, which sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

The SDC was supportive of the reforms in the Planning and Compulsory Purchase Act in respect of sustainable development and development plans, although regretted that they were not stronger.<sup>9</sup> In any case, we would be concerned that any weakening of these reforms would be a serious blow to the Government's goal of delivering sustainable development.

Likewise, there are other elements of the planning system that are important to sustainable development and the SDC would be concerned if they were weakened in any way. These include:

- PPS 6: Planning for town centres
- PPS 9: Biodiversity and geological conservation
- PPS 10: Planning for sustainable waste management
- PPS 22: Renewable energy
- PPS 25: Flood management
- Requirements to use sustainability appraisal tools.

## 2.3 The UK Sustainable Development Strategy

In March 2005, the UK Government and the Devolved Administrations published *One future – different paths*, the UK's shared strategic framework for sustainable development. This was launched in conjunction with the UK SDS.

The shared framework and the UK SDS both commit the UK Government to putting sustainable development at the heart of policy. The UK SDS was agreed across Government and all departments have a responsibility for its delivery through their policy development, outlined in their own Sustainable Development Action Plans (SDAPs).

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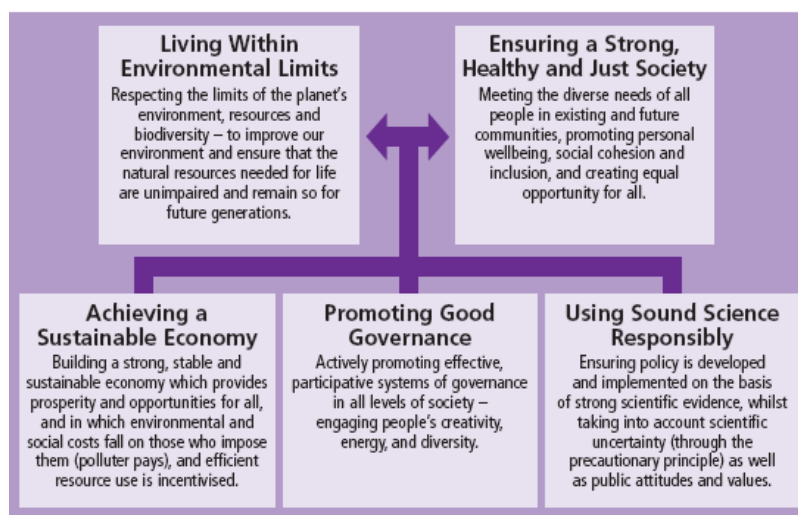
<sup>6</sup> HMSO, *Planning and compulsory purchase act 2004*, 2004.

<sup>7</sup> ODPM, *Planning policy statement 1: delivering sustainable development*, February 2005.

<sup>8</sup> HMSO, *Planning and compulsory purchase act 2004*, 2004, Clause 39.

<sup>9</sup> SDC, *Shows promise. But must try harder*, April 2004.

A set of five principles for sustainable development were agreed in the UK SDS and there is a requirement that a policy “must respect all five principles” for it to be considered sustainable. Moreover, the UK SDS commits the UK Government to using the principles as “the basis for policy in the UK ... to achieve [its] goals of living within environmental limits and a just society, and [it] will do it by means of a sustainable economy, good governance, and sound science”.<sup>10</sup>



## 2.4 Sustainable development and the Barker Review

It is vitally important that sustainable development forms the basis for the Barker Review of Land Use Planning. In short, this is because:

- Sustainable development and planning are inextricably linked;
- Sustainable development is the core principle underpinning planning; and
- The UK Government is committed to using its five sustainable development principles as the basis for policy.

The SDC recommends therefore that the Review:

- Recognises that sustainable development is the core principle underpinning planning;
- Recognises that sustainable development and planning are inextricably linked; and
- Uses the UK Government's five sustainable development principles as its framework.

<sup>10</sup> HM Government, *Securing the future: delivering UK sustainable development strategy*, March 2005, p17.

### 3 The Barker Review: comments on the overall approach

We have two broad areas of concern in relation to the Review and its call for evidence paper: the level of understanding of sustainable development, and the timing of this Review.

#### 3.1 The understanding of sustainable development

We have outlined above the importance of sustainable development in the planning system, how it is integrated into the current planning system, and how it should be applied at the policy level.

One of our major concerns is that the Review's call for evidence paper is not based on a full understanding of sustainable development, especially in relation to the planning system.

The Review's terms of reference, for example, are to consider how planning policy "can better deliver economic growth and prosperity alongside other sustainable development goals".

Furthermore, Annex 1 questions whether "the current system achieve[s] the right balance between economic and other goals, such as the regeneration of areas and the promotion of social cohesion, improving the quality of design of buildings and urban environments, and the protection and enhancement of our natural and historic environment".

Yet sustainable development is about 'integrating' social, environmental and economic objectives. This is different from delivering these objectives 'alongside' each other, or 'balancing' them, as if they are separate from each other. Our 2003 commentary on sustainable development in planning sets out why:

"Land use planning decisions must be **integrated**, so that they promote economically, socially and environmentally beneficial development (wherever possible), whilst rejecting the 'balance' and 'trade-off' that has often resulted in poor quality development and seen the diminution of environmental and social assets in the past. Where genuine win-win-win solutions are possible they should **always** be strived for. Where they are genuinely not possible, then the economic, social and environmental consequences of any development choice must be fully assessed and understood (e.g. through sustainability appraisal and Strategic Environmental Assessment) and those consequences must be fully taken account of in reaching decisions".<sup>11</sup>

The UK Government also recognises the importance of integration:

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<sup>11</sup> SDC, *Planning for sustainable development*, 2003.

“For the UK Government and the Devolved Administrations, that goal will be pursued in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment; and a just society that promotes social inclusion, sustainable communities and personal wellbeing. This will be done in ways that protect and enhance the physical and natural environment, and use resources and energy as efficiently as possible”.<sup>12</sup>

**The Review should therefore be based on the understanding that land use decisions should be integrated and are not about balancing or ‘trading-off’ ‘competing’ demands and needs. Ultimately, sustainable economic development must be compatible with living within environmental limits.**

Furthermore, the Review wishes to look specifically at how the planning system impacts on economic growth and employment. We are not opposed to this; ‘achieving a sustainable economy’ is one of the five principles of sustainable development. However, **the Review should recognise that within a sustainable development framework, a sustainable economy is a means to achieving the UK Government’s goals of living within environmental limits and a just society.**

### **3.2 Too early to assess the new planning system?**

The UK Government has spent five years reforming the planning system since it published its planning Green Paper *Planning: Delivering a Fundamental Change* in December 2001. As discussed above, for example, the Planning and Compulsory Purchase Act 2004 reformed local and regional plan-making so as to embed sustainable development into the system.

As the CBI recognise, “it inevitably takes [time] for reforms to take effect ... In some areas, therefore, it is too early to make definitive judgements about the impact of the reforms”.<sup>13</sup>

**The SDC urges the Review to use caution when assessing the impact of the new planning system on the economy and on sustainable development as a whole, as reforms take time to take effect.**

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<sup>12</sup> HM Government, *Securing the future: delivering UK sustainable development strategy*, March 2005, p16.

<sup>13</sup> CBI, *Planning reform: delivering for business?*, December 2005, p2.



## 4 The Barker Review: specific issues and challenges

There are a number of specific issues that the Barker Review will need to take into account in order to make its analysis. These are particularly important if the Review is to take full account of sustainable development.

### 4.1 Planning and productivity

The Review aims to examine the relationship between planning and productivity.

However, it is not clear that the planning system is a key factor in supporting economic growth and productivity. Significantly, a report from the Select Committee of the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions found that there was no conclusive proof that planning and productivity in the UK are linked:

“Our evidence shows that planning is not a significant factor in determining productivity, even in the retail sector. Skills, innovation and investment are most important”.<sup>14</sup>

At the same time, the SDC believes that an effective, integrated planning system, with sustainable development as its focus, is critical to creating the social and environmental conditions in which economic growth can flourish. Under the current system, environmental protection and economic development should, and often does, go hand-in-hand. According to the IUCN, for example, the use of wildlife or wildlife resources in the UK contributes £4.8 billion to GDP and supports over 35,000 full-time jobs.<sup>15</sup>

In making its considerations, the Review will need to take these points into account.

**In particular, the Review will need to:**

- **Establish conclusive proof that productivity and planning are in fact linked; and**
- **Take full account of the importance of the planning system in protecting and enhancing the environment, and the beneficial effects that this has on the economy and society.**

### 4.2 Speed

The Review aims to assess ways of further improving the efficiency and speed of the system.

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<sup>14</sup> Select Committee of the ODPM: Housing, Planning, Local Government and Regions Committee *Planning Competitiveness and Productivity*, 5 February 2003.

<sup>15</sup> IUCN, *Use of wild living resources in the UK*, 2005.

The SDC recognises that issues of speed and efficiency are important. In principle, we are not opposed to speeding up planning decisions. However, there is a potential conflict between speeding up planning and decision-making processes, on the one hand, and achieving integrated, win-win-win outcomes on the other. Our experiences have shown that in practice, most win-win-win solutions require extra effort by all parties, although the reward is often a better quality of development for all, including the landowner, client, user and general public/community.

**In any case, speeding-up planning should not occur at the expense of good planning or sustainable development.**

It is also essential that the interests of local communities (e.g. through consultation, planning enquiries, etc) are not overridden in the quest to improve speed and efficiency

**The Review should also consider the evidence that rigorous pre-application processes can help to speed up planning applications.**

Good local engagement, for example, can increase levels of public support for planning applications. In Swaffham, Norfolk, effective local engagement by Ecotricity led to overwhelming support for their proposal to build a wind turbine, which paved the way for a smooth application.<sup>16</sup>

Would clear 'pre-application' criteria for developers, that have sustainable development as their basis, help to simplify and speed up the process, as well as introduce greater certainty and predictability for developers?

### **4.3 Capacity**

The Review questions whether planning authorities have the skills and resources required to help promote sustainable economic development.

As we have already discussed, achieving a sustainable economy is a means to achieving wider sustainable development goals. Planners and the planning system are key to delivering sustainable development. The essence of our approach is to ensure that land use planning decisions should be fully informed by sustainable development principles. To make fully informed, integrated, decisions, planners need not only skills in relation to the economy but in relation to all aspects of sustainable development.

**The Review should therefore broaden its scope and examine whether planning authorities have the skills and resources to help promote sustainable development.**

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<sup>16</sup> SDC, *Wind power in the UK: a guide to the key issues surrounding onshore wind power development in the UK*, May 2005.

For example, sustainability appraisal is relatively new in planning, and there is still a need to build capacity for this amongst planners.

#### 4.4 'Joining-up'

The Review questions whether the planning system is sufficiently 'joined-up' with other related aspects of government policy.

In particular, whether Regional Economic Strategies (RESs) are sufficiently aligned with Regional Spatial Strategies (RSSs). The SDC would not be opposed to stronger interaction between the two, as long as sustainable development framed them both. Ideally, an overarching regional strategy, with sustainable development at its core, would inform both the RES and the RSS. The SDC's *Next Steps* report on the Regions recommended that regional strategies should be better integrated, with a clear overall purpose "to contribute to achieving the goal of sustainable development by ensuring that regional strategies take a long-term, cross-cutting approach".<sup>17</sup> We understand that the Government's response to our report, due to be published in April, will address the issue of strategy integration.

**The Review should therefore take into account the Government's response to the SDC's *Next Steps* report, especially in relation to strategy integration.**

At the local level, the ODPM's recent consultation paper, *Local Strategic Partnerships: Shaping their future*, highlighted the disconnect between land use planning frameworks and Community Strategies.<sup>18</sup> Feedback that the SDC has received from local practitioners supports this conclusion.

Local plan-makers are already required to exercise their functions with a view to contributing to the achievement of sustainable development through the Planning and Compulsory Purchase Act 2004.

**The SDC recommends that the five sustainable development principles, applied at a local level, should be used as the basis for both Local Development Frameworks and Sustainable Community Strategies. This should provide a solid basis for more coherencies between the two.**

#### 4.5 Climate change

Climate change is one of the UK SDS' four priority areas for action on sustainable development and is recognised by the Prime Minister as "the most serious global environmental threat".<sup>19</sup> The long-term costs of climate change will impinge on the economy as well as the environment and society. There will be serious

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<sup>17</sup> SDC, *The Next Steps: an independent review of sustainable development in the English regions*, November 2005, p38.

<sup>18</sup> Community Strategies will become Sustainable Community Strategies following a commitment in the UK SDS.

<sup>19</sup> HM Government, *Securing the future: delivering UK sustainable development strategy*, March 2005, p3.

economic costs in mitigating and adapting to climate change, and a number of industries might be particularly affected, including the insurance and agricultural industries.

**The Review should therefore assess how climate change issues can be addressed through the planning system. Although the ODPM published advice on planning for climate change in September 2004<sup>20</sup>, climate change is not addressed specifically through the planning system.**

In particular, the Review should:

- take into account the Government's preparations for a new PPS setting out how it expects participants in the planning process to work towards the reduction of carbon emissions in the location, siting and design of new development<sup>21</sup>;
- consider how the planning system could better support the renewables sector, including onshore wind;
- consider whether regional carbon reduction targets might stimulate regional economies to address climate change through the planning system; and
- take into account the long-term economic and social costs of adapting to climate change.

#### 4.6 Transport

The transport sector is currently the second largest source of UK end user greenhouse gas emissions. As emissions from all other sectors are set to decline, transport emissions are forecast to continue to increase. Land use planning can have a significant impact on carbon emissions. Emission reductions of 16% could be achieved through a combination of land use planning policies and transport measures.<sup>22</sup> This includes the use of maximum parking standards, altering development patterns to encourage the provision and use of public transport and walking/cycling facilities, and increased development densities. For example housing densities in proposed growth areas need to be at least 50 dwellings per hectare in order to justify the provision of comprehensive services.<sup>23</sup>

Improved land use and transport planning has economic benefits in terms of:

- reductions in traffic congestion. Estimated to currently cost £20 billion year and could increase to £30 billion by 2010.<sup>24</sup>
- increased physical activity. Inactivity is estimated to cost the NHS £8.2 billion per year.

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<sup>20</sup> ODPM, *The Planning Response to Climate Change: Advice on Better Practice*, September 2004.

<sup>21</sup> See HM Government, *Climate Change: the UK Programme 2006*, March 2006, page108.

<sup>22</sup> Department of the Environment, Department of Transport (1993) *Reducing Transport Emissions Through Planning*. HMSO.

<sup>23</sup> Power A., Richardson L., Seshimo K., Firth K., and others (2004) A framework for housing in the London Thames Gateway. LSE Housing and Enterprise LSE Cities

<sup>24</sup> Goodwin, P. (2004) *The economic costs of road traffic congestion*. Discussion paper. The Rail Freight Group, London, UK.

- reductions in air quality pollutants. Road transport produces nitrogen dioxide, particulates and carbon monoxide, which are all associated with respiratory problems. Nationally the cost of pollution-related emissions is between £17-60 million.<sup>25</sup>
- reduction in road accidents. In 2004 there were 207,410 road accidents involving personal injury. In cost benefit terms the value of prevention of these accidents is estimated to be £12.9 million.

**The Review should take into account the effects that land use planning has on transport demand, and how this in turn relates to the economy, climate change, public health and sustainable development in general.**

#### **4.7 Public Health**

The Review should also consider how land use planning affects public health. Public health in turn, has significant economic costs<sup>26</sup> and impacts. For instance:

- The decline in physical activity levels is one of the greatest threats to public health at this time. This has been hastened by loss of public open space and planning which has separated residential, business and retail developments and made access to these often dependent on car ownership;
- With an ageing population and larger numbers of people living in single person households it will be even more important to ensure the development of sustainable communities which comprise residential, business, retail and leisure facilities. Such communities should make active travel options a realistic choice for old and young alike and reduce car dependency;
- To encourage activity and leisure and reduce stress, a high value should be placed on maintaining open space for amenity in all large planning applications. Studies have shown that this is good for health and productivity;
- Public transport access should be a key consideration in planning applications.

### **5 Looking ahead**

The SDC would welcome the opportunity to engage with the Barker Review team to flesh out the issues we raised in this paper and ensure that the Review maximises its potential to contribute to the Government's sustainable development goals.

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<sup>25</sup> King's Fund (2002) Claiming the Health Dividend – unlocking the benefits of NHS