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Here we go again! Coalition Government begins planning regime re-write

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The Coalition Government yesterday made important and controversial changes to Planning Policy Statement 3, and so took its first steps towards wholesale reform of the planning system.

Amendments were made in relation to two matters: first, housing density targets and, second, so-called "garden grabbing".

- Insofar as housing density is concerned, the new Government has simply excised a chunk of text from the 2006 version of PPS 3. That text, which appeared at paragraph 47 of the former policy statement, set a "national indicative minimum" housing density for the purposes of policy development and decision-making at 30 dwellings per hectare. Accordingly there is no longer a national indicative minimum, leaving LPAs with a wide discretion to adopt their own policies in this respect, in theory at least.
- As to "garden grabbing" the textual changes are similarly straightforward. Annex B to the PPS has always contained a definition of previously developed land, including a series of exceptions - one of which is a list of specified uses in built up areas, such as parks. The amended version adds a new exception to that list - "private residential gardens" - the effect of which is to remove the policy support for development on such land.

These amendments follow hard on the heels of the letter sent by new Secretary of State for Communities and Local Government, Eric Pickles, to LPAs at the end of May, announcing his intention to abolish the regional planning regime and inviting reference to the letter itself as a material consideration in planning decisions.

These developments raise a number of questions.

First, the changes themselves come as no surprise. But their timing and the manner of their introduction - so soon



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in the Parliament and following no formal engagement with the industry - will raise eyebrows. Furthermore the new Government's seemingly ad-hoc approach to policy change will raise practical problems for decision-makers. For example, the apparent intention of the changes, taken together with Mr Pickles' letter, is to confer on LPAs wide freedom from regional and central influences in relation to matters such as density. Yet paragraphs 42, 43, 45 and 46 of the PPS, which surprisingly remain unchanged, clearly require LPAs to set density targets in a manner consistent with RSS policies. Drip-fed policy change is unsatisfactory for a number of reasons, not least because it tends to cause confusion amongst those expected to apply it.

Second, and perhaps more important, a reduction in both the density of new development and the volume of residential curtilage development (the latter, incidentally, comprised nearly 25% of all residential completions in 2008) can mean only one thing - a dramatic increase in the pressure on other locations including, plainly, green belt and greenfield sites.

In the circumstances these policy amendments, made as they are in isolation of any comprehensive reform to ensure the delivery of much-needed housing, will appear to many as populist and poorly formulated.

Further, the combined effect of these recent pronouncements on density, curtilage development and regional planning is to confirm suspicions that this Government has so far failed fully to grasp two important facts - first, that the housing shortage is a deep and pressing one; second, that responsibility for addressing it cannot realistically be left to local planning authorities alone. To refer instead, as Decentralisation Minister Greg Clark's press-release explaining the changes does, to the proposition that "gardening can improve self-esteem" appears not merely to assume an enthusiasm for a green-fingered culture that is simply not evident to many in the industry, but more importantly suggests a surprising approach to the prioritisation of this Government's objectives.

Finally, Mr Clark's indication that "this is just the start of wholesale reform I want to make to the planning system" will strike fear into the hearts of many in the industry who have, in recent years, been forced to grapple with one reform after another, and who see many of the Conservative Party's Green Paper reform proposals as ill-conceived and threatening to the efficient operation of the system and the delivery of essential development. One can only hope that, at some point before it is too late, the Government demonstrates a fresh willingness to engage with an industry that has, in the last decade or two, contended with more than its fair share of "reform", and is thus in a strong position to contribute constructively as a new and inexperienced Westminster team embarks on yet another episode of wholesale change.

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