

Planning Reform and implications for strategic planning

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Why bother with strategic planning?

- (1) It provides a high level investment framework that aligns spatial priorities with economic, infrastructure, environmental policies and priorities. It is **not a big local plan**.
- (2) It offers a **bigger spatial canvas** and therefore **more choice** of where to direct development and greater opportunity to deliver sustainable growth – as opposed to ‘least worst’ which is happening in many places.
- (3) It acts as the **essential pivot for translating national priorities** at a local level (e.g. tackling climate change, levelling up regional disparities).
- (4) It helps **manage some critical functional relationships and components of ‘place’** which cover or impact on more than one LA boundary at different spatial scales (and with significant overlap)– sub-regional, regional and national e.g.
 - Housing market areas
 - Economic functional areas
 - River catchments
 - Environment designations/ constraints
 - Green Belt
 - Minerals movements
 - Waste management
 - Strategic transport (roads, rail, freight)

Why Bother?



Strategic planning reforms – the headlines

Strategic matters are to be managed through:

- A new flexible **policy alignment test** to replace the statutory Duty to Cooperate – what role will the Gateway Checks and Local Plan Commissioners have in this?
- Continuation of existing provisions for **combined authority spatial development strategies**.
- New **spatial development strategies prepared jointly by two or more LPAs** covering issues ‘of strategic importance to that area’ - will replace joint strategic plans
- Powers for the Secretary of State to **direct the preparation of a joint local plan** (not clear if this will also apply to joint SDS).

Some initial thoughts... the good news

- Move away from 'planning by numbers' back to a plan-led system.
- Joint SDS likely to offer a much better option than joint strategic plans.
- New checks in plan-making process could help frontload the problem solving before examination.
- More flexibility for 'Examiner' to recommend modifications to ensure the plan is sound.
- The Gateway Checks and LP Commissioner could have a vital role in speeding up plan-making and ensuring key matters are properly addressed before examination.
- Stripping out DM policies will make LPs much more focused on vision and strategy.

The Government will be ...

“taking steps to ensure that the Planning Inspectorate, when it is reviewing a local plan and deciding whether it is sound, does not impose on local communities an obligation to meet figures on housing need that cannot be met given the environmental and other constraints in particular communities”.

Secretary of State, Michael Gove, June 2022

Some initial thoughts... the bad news (and grey areas)

A plan-led system needs plans in place and the proposed reforms **do not provide an effective way of resolving key strategic matters** in many parts of England because:

- Strategic planning will become completely voluntary and **it is not clear what sticks and carrots (if any) are going to be used** to incentivise strategic cooperation and sanction those that don't cooperate effectively (especially now no legal test or 5YLS tests).
- **Successive Secretary of States have shown reluctance to intervene in plans** - powers to direct the preparation of a joint plan have never been used (they have existed since 2018) but new LP Commissioners could become the main mechanism for intervention (one step removed from SoS).
- Whilst joint SDS may offer a better alternative to JSPs, **there needs to be very strong incentives for LPAs to work formally on an SDS and robust governance structures** underpinning them if they are to grapple with some difficult decisions (note: joint committees for purposes of plan-making to be taken forward but not clear if can be used for joint SDS and still can't include both CC and UA).
- Strategic matters by their very nature impact on more than one LPA and it is **not clear how an Inspector would be able to fix strategic failures at examination** through modifications if they have no powers over adjoining LPAs – this is why DtC could not be fixed retrospectively.
- **Joint (LPA) SDS will not be allowed in areas covered by a combined authority (or in Greater London)** – even though only one CA is currently preparing an SDS, there is flexibility for this to change at some point through re-negotiated devolution deals. This means that this option will not be available in most of the major city regions where a more effective approach to strategic planning is urgently needed.

Some initial thoughts... the bad news (and grey areas)

Metro Mayor/ Combined Authorities	(Strategic) Spatial Planning Powers
Cambridgeshire & Peterborough MCA	The MCA has powers to prepare a non-statutory spatial framework but no longer being prepared Cambridgeshire and Peterborough devolution deal - GOV.UK (www.gov.uk)
Greater London Mayor	The London Mayor has powers to prepare a statutory spatial development framework (The London Plan) - The London Plan London City Hall . Clause 85 of the LURB proposes changes to the Mayor's Spatial Development Framework to bring it into line with other combined authority SDS.
Greater Manchester MCA	The MCA has powers to prepare a statutory spatial framework but the MCA has prepared a joint local plan instead in order to amend Green Belt boundaries and allocate sites The Plan - Greater Manchester Combined Authority (greatermanchester-ca.gov.uk)
Liverpool City Region MCA	The MCA has Powers to prepare a statutory spatial development strategy which is currently being prepared SPATIAL PLANNING Liverpool City Region Combined Authority (liverpoolcityregion-ca.gov.uk)
North East CA (non-mayoral)	None
North of Tyne MCA	None
South Yorkshire MCA	Although the MCA has powers to prepare a non-statutory spatial framework , these have not been implemented.
Tees Valley MCA	None
West of England MCA	The MCA has powers to prepare a statutory spatial development strategy –work initiated but has now been abandoned Spatial Development Strategy - West of England Combined Authority (westofengland-ca.gov.uk)
West Midland MCA	None
West Yorkshire MCA	The MCA did agree to prepare a statutory spatial development strategy in initial Devolution Agreement Government postponed conferment of powers in March 2021 pending outcome of planning reforms Addendum to the West Yorkshire devolution deal - GOV.UK (www.gov.uk)

Some initial thoughts... the bad news (and grey areas)



A significant lost opportunity for using strategic planning effectively to support levelling up:-

“...A well-directed spatial strategy would address two market failures at source – the first affecting left-behind places, the second afflicting well-performing places....That is the essence of levelling up.”

Conclusions

- The proposals for strategic planning (on paper) represent an improvement although still significant level of details unknown, especially role of Gateway Checks and LP Commissioners.

BUT

- In practice this may end up weakening the current system – a plan-led system needs plans in place and unless there is an effective mechanism to deal with some of the key (controversial) strategic matters, it is unlikely to speed up plan-making.
- No real link with levelling-up as strategic planning will not be mandatory in priority areas and difficult to see how take-up of either CA or LPA SDS will be incentivised.



Thank you!

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