

RAYNSFORD REVIEW

CONSULTATION RESPONSE OF THE INLAND WATERWAYS ASSOCIATION

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Introduction

The Inland Waterways Association is the membership charity that works to protect and restore the country's 6,500 miles of canals and rivers. IWA is a national organisation with a network of volunteers and branches who deploy their expertise and knowledge and work constructively with navigation authorities, government and other organisations – particularly the Canal and River Trust. The Association also provides practical and technical support for restoration projects directly through its expert Waterways Recovery Group, through its Honorary Consultant Engineers and Planners, or via its website which contains a wealth of planning information and a Restoration Hub.

IWA and its Branches and Members continuously engage with the Planning system in relation to all development which directly or indirectly affects the use and management of the inland waterways network. The Association therefore has a deep and on-going interest in the future of Planning.

Response

We welcome the Review of the Planning system and believe that it is capable of being improved for the wider benefit of the country, stakeholders, and local communities. Whilst it is right to start at “first principles” by seeking consensus on the purpose of Planning, we consider that “first principles” should also include the following:

- 1. The most appropriate geographical administrative areas to operate the Planning system.**
- 2. The means by which Spatial Planning can embrace both Physical, Social and Economic Planning; and**
- 3. The measures necessary to make the Planning system more democratic.**

We believe that these issues are fundamental to any review (and reform) of the Planning system – and we set out reasons for stating so below.

- 1. The most appropriate geographical administrative areas to operate the Planning system.**

England suffers from a Planning system operated by different types and sizes of Local Authority – single tier London Boroughs and Unitary Authorities, non-Metropolitan Boroughs and Districts responsible for some Planning functions, plus Counties which may or may not be unitary authorities. For any organisation or firm that operates nationally within England - the system is confusing not least because many policies and standards vary from one authority to another. The split of local government services between County Councils and District

Councils, for example, makes the development process especially cumbersome and inefficient - requiring cross-boundary rather than cross-office consultation. Highways, Education, Health and Social Services in particular are operated separately from where most planning decisions are taken and yet are often key issues affecting development projects and related community investment decisions.

Similar problems arise in relation to Local Plans prepared by a plethora of different types of Local Planning Authority and which require complex interaction and consultation with higher or lower tier authorities, with other bodies and departments responsible for the distribution and delivery of public services and community investment, as well as with neighbouring authorities.

The fragmented and disparate division of Planning services between different types of Local Authority on the one hand and separation from the bodies responsible for community investment and infrastructure on the other is a source of inefficiency and confusion that needs to be addressed. The operation of the Planning system would, in our view, operate far more effectively if there was a standardised Local Planning Authority in the form of a Unitary Authority.

2. The means by which Spatial Planning can embrace Physical, Social and Economic Planning.

The enforced abandonment of Regional Plans and their replacement by National Policy and Guidance (the NPPF and NPPG) and Local Enterprise Partnerships (LEPS) represented a major setback for the co-ordination of Spatial Planning for areas larger than individual Local Planning Authorities. The “duty to co-operate” (not a “duty to agree”) introduced by the NPPF in 2012 in terms of the preparation of Development Plans is a poor substitute for a co-ordinated strategy taking account of physical, social and economic influences which transcend Local Authority boundaries.

Transportation Planning, for example, is often beyond the control of Authorities preparing their Development Plans, with highways the responsibility of Highways England or Local Highway Authorities with their own investment programmes drawn up at the macro-level. Rail investment decisions are similarly taken at the national level.

National and Regional Planning should provide the bedrock on which Development Plans are prepared. The absence of a strategic framework at national and regional levels to provide an initial reference point for Spatial Planning taking account of physical, social and economic influences hinders the delivery of effective Development Plans by Local Planning Authorities.

3. The measures necessary to make the Planning system more democratic

Whilst there is a strong commitment for transparency and public consultation within the current Planning system, there is widespread dissatisfaction with the Planning processes in both the fields of Development Control and Development Plan. This goes beyond the inevitable disappointment when decisions do not reflect the views of affected parties and stems from a wide range of different perceptions or experiences of the Planning system. We touch on some examples below.

Ignorance or late awareness of what is happening: the level of publicity and the dissemination of information relating to Planning Applications and Development Plans differs widely. IWA encourages its Branches to take ‘watchdog’ action without which it is likely that development affecting the waterways would not be detected. Mandatory standards could be introduced to define the minimum level of publicity or consultation required of Local Planning Authorities.

Addressing Planning Committees and Councils: standards vary in terms of the duration of the amount of time made available and time limits for individual speakers. Limiting the number of speakers causes tensions and feelings of frustration. The operation of this important part of the decision-making process needs review and guidance.

Erratic decision-making: where planning decisions by Planning and Local Plan Committees or Sub-Committees are referred to Full Council, they are sometimes overturned – sometimes covertly reflecting political allegiances - causing confusion and resentment. Whilst this may be an unavoidable part of the process, it is not acceptable when the Members of Planning and Local Plan Committees or Sub-Committees are trained and the majority of Council Members are not. There is a need for a review of the level of Planning training undertaken by Members and all Members taking Planning decisions should be trained.

Conclusion

By indicating some additional “first principles”, IWA hope that the views expressed will contribute to the “Propositions” set out in the interim report and ultimately assist in the formulation of much-needed reforms to the Planning system.

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