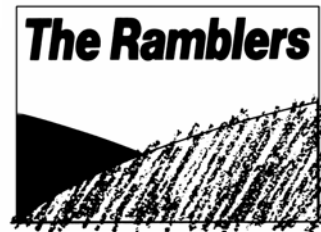
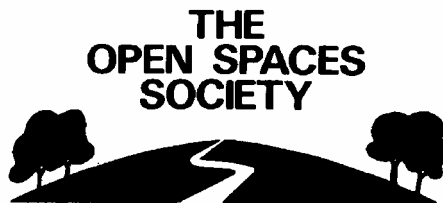


**Draft Planning Policy Statement 12: Local
Development Frameworks**
A response from Wildlife and Countryside Link



Draft Planning Policy Statement 12: Local Development Frameworks

A response from Wildlife and Countryside Link

Wildlife and Countryside Link (Link) has expressed a number of key concerns over the planning reform agenda and continues to believe that the provisions of the Planning and Compulsory Purchase Bill do not deliver the clarity and purpose which the planning system requires in order to achieve its objective of regulating the use of land in the public interest. The reform of the local plan process was not founded on any evidence-based analysis of the existing system. The reform package seeks to make structural changes to the Local Plan Framework when the problems of the system were largely managerial, cultural and financial. As a result, we believe that the new system is overly complex. This will lead to greater costs, less efficiency and will create a real barrier to encouraging greater participation in the land-use planning system. However, we recognise that much of the procedural content of PPS 12 is enshrined in the Bill itself and is not open to significant change through guidance. We have therefore restricted our comments to a number of key concerns that are within the scope of PPS 12.

Link brings together voluntary organisations concerned with the conservation, protection and enhancement of wildlife and the countryside. Our members practise and advocate environmentally sensitive land management and food production and encourage respect for and enjoyment of natural landscapes and features, the historic environment and biodiversity. Taken together, our members have the support of almost 7 million people in the UK, have a turnover of over £700 million and manage over 398,000 hectares of land. This response is supported by the British Mountaineering Council, Butterfly Conservation, the Council for British Archaeology, the Council for National Parks, Friends of the Earth, the Herpetological Conservation Trust, the Open Spaces Society, the Ramblers' Association, the Royal Society for the Protection of Birds, the Wildlife Trusts and the Woodland Trust.

Content and scope of the PPS

Link believes that PPS12 must stress the fundamental role of Local Development Frameworks in the delivery of sustainable development, with cross reference to the definition in the forthcoming PPS1. Too great an emphasis is placed on the delivery of strategic economic development needs compared with the needs of landscape, biodiversity, cultural heritage and environmental protection, which must be integrated fully with economic objectives if sustainable development is to be achieved. The PPS should emphasise the vital importance of the LDF in meeting the major challenges of issues such as climate change.

While we recognise the rationale behind the government's intention to produce shorter PPSs, we are concerned at the absence of some of the more useful features of PPG12 in the draft PPS – for example, a table listing the policy areas which development plans should address. There are a number of sections where greater detail (or at least clear cross referencing of topical PPSs) would be useful – e.g. on the designations which LDFs must reflect in the proposals map (paragraph 2.2.15).

While we feel that the need to achieve sustainable development must be stressed throughout the PPS, we are concerned in particular that only passing reference is made to the historic environment and the role that planning plays in protecting it.

Chapter 1 – Development plans in the planning system

The spatial planning approach

Link agrees that the spatial planning approach is crucial, and we are pleased to see the requirement in paragraph 1.3.1 that the spatial plan should be concerned with environmental and social, as well as economic matters. However, we consider the concept of 'balancing competing demands' to be an outdated one, and believe that paragraph 1.3.1 should require the integration of these three factors. Guidance should also make clear that concepts such as environmental capacity and environmental justice are at the heart of decision-making over the future of our localities. We also welcome the requirement that Local Development Documents should give spatial expression not only to planning matters but to the community strategy and other strategies with a spatial element, including biodiversity strategies.

Chapter 2 – plan content and level of detail

The role of Local Development Frameworks in delivering sustainable development should be explicitly stated in this section.

Core strategy

Paragraphs 2.2.3 and 2.2.4 suggest a disproportionate focus on delivering strategic economic development needs without an explicit requirement that the implications of development must be addressed through consideration of the needs of natural and cultural heritage. We consider the needs of the environment merit adequate consideration in the core strategy.

Area Action Plans

We welcome the proposals for Area Action Plans for areas of conservation as well as areas of change. More should be made of opportunities to enhance areas of importance or potential importance for landscape, biodiversity and areas of built and buried heritage, as well as simply protecting them. AAPs should be encouraged not only for areas which are currently biodiversity rich but also for areas which could be set aside for habitat creation, particularly where habitat re-creation and enhancement can repair fragmentation caused by past development. In addition, Link would like PPS12 to recognise that our marine heritage is under development pressure every bit as threatening as that impacting on terrestrial and built heritage, and to encourage the production of AAPs for coastal and estuarine areas.

The Statement suggests that AAPs should either preserve "or" enhance an area (see paragraphs 2.2.12, 14 and 15). Link believes that it is not enough merely to preserve our natural and cultural heritage. Willingness to condone preservation, without maintenance and renewal, has resulted in a slow degeneration of heritage features. Plans should always demonstrate how heritage will be preserved "and" enhanced or restored.

PPS12 should also make clear the value of local designations for nature conservation and landscape protection. These designations are vital in giving expression to the community's aspirations for sustainable development.

Proposals Map

PPS12 should supply more information on the designations to which the proposals map should refer (i.e. reference to International/European designated sites should be made alongside that of national and local sites), or should clearly cross-refer to PPSs 9, 15/16 and accompanying documents.

Chapter 3 – the development plan process

We welcome the commitment to meaningful community involvement, processes for which will be laid out in the Statement of Community Involvement. (SCI) However, the final PPS 12 must deal with the following issues:

- Provide an indicative list of minimum requirements for SCIs
- Make clear that it is vital that an SCI is adopted prior to the adoption process for Local Development Frameworks.
- Provide guidance on the legal status of SCI in relation to development control (or make clear in what document this issue will be clarified).
- Provide clear guidance that the complexity of the new system is a potential barrier to participation and ensure local authorities reduce complexity wherever possible. For example, PPS 12 should make clear that it is desirable to have got all local development plan documents through the same process at the same time. Such an approach should be enshrined in the Local Development Scheme.
- Require local planning authorities to commit to imaginative communications strategies to sell the importance of the local planning framework. In particular PPS 12 should acknowledge the immensely confusing series of acronyms surrounding the new Local Plan Framework and encourage local authorities to employ plain English. (this would also be desirable in the contents of PPS 12)
- Provide further guidance on how the requirements of continual review and three-year replacement can be squared with quality participation. In particular on how participation fatigue can be avoided for all parties.

Chapter 4 – Preparation of a local development document (LDD)

4.3 Production – SA and SEA

In the sub-heading, Strategic Environmental *Appraisal* should be changed to Strategic Environmental *Assessment*

We understand the reasoning behind the proposal that the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) should be integrated. However, SA and SEA are very different processes and we are concerned that the SEA process should not be watered down.

Clarification is needed as to the timing of the SEA/SA in relation to consultation on the Local Development Document. We believe that completed SEA/SA are essential to allow the public to take properly informed views on the LDD. As such, the apparent suggestion in paragraph 4.3.3 that consultation on the LDD should take place while SEA/SA are being carried out is unacceptable.

Link is concerned that paragraph 4.3.4 is weak, in that:

- i. it states only that local planning authorities should 'have regard to' a number of other documents and

- ii. it fails to list the legislation which must be considered in drawing up the Local Development Documents, for example European directives such as the Habitats Directive and the Birds Directive, and national nature protection legislation and heritage and landscape legislation.

Legislative requirements should be included in this or a separate list, and it should be made clear that Local Planning Authorities must *comply with* these requirements, rather than merely *have regard to* them.

We endorse the criteria for assessing the soundness of the plan, in particular that it should

- be founded on a robust and credible evidence base
- have taken proper account of the views of the community
- have been prepared following the proper procedures including SA/SEA

It is not clear whether Supplementary Planning Documents should be subject to SEA, or only to SA. We believe they should be subject to SEA. (Figure 4.2).

Review and monitoring

We welcome the proposed review process to assess progress in relation to the local development scheme. Updating of the scheme (paragraph 4.8.2 point iii) should not suggest targets should be dropped or revised downwards if they have not been met on time – revisions should ensure the necessary changes to meet the targets are put in place.

We welcome the proposal that Local Planning Authorities should produce annual monitoring reports, and agree with the principle that different tiers of local government should work together to avoid duplication.

Monitoring of biodiversity and the cultural heritage of an area should be included as part of this process to ensure that policies to protect *and enhance* areas of conservation importance are being fulfilled.