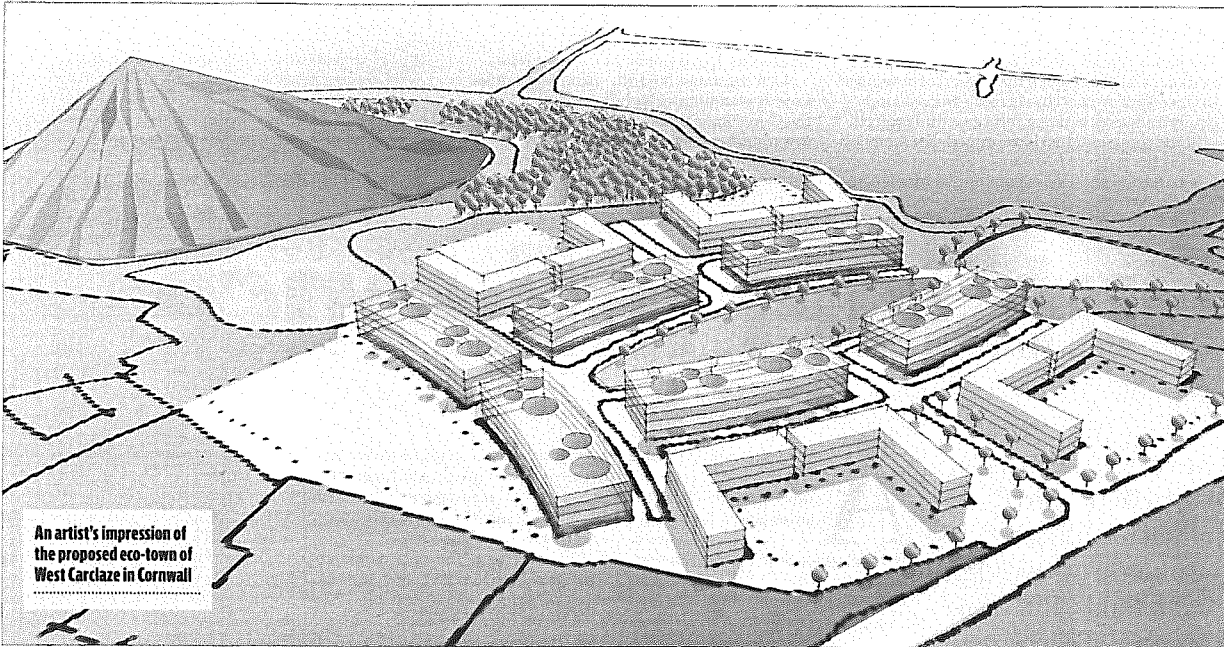


PROPERTY



An artist's impression of the proposed eco-town of West Carclaze in Cornwall

Talked out

Government pledges to involve local communities in the planning system are little more than lip service, if the latest planning bill is anything to go by, warns Claire Dutch

The Government has, in its raft of planning reforms in recent years, gone to great lengths to stress that community involvement is a fundamental tenet of the town and country planning system. This principle is enshrined in its *Planning Policy Statement 1*, which states: "More effective community involvement is a key element of the Government's planning reforms."

However, a scratch beneath the surface of some of the Government's recent and proposed planning reforms reveals that, in reality, the level of community involvement actually proposed falls significantly short of the Government's stated aspirations.

One example is the planning bill. Currently before the House of Lords, this proposes one of the most significant changes to the planning system seen in recent years. The proposal is for major infrastructure projects – such as airports, nuclear power stations, etc – to be decided by an independent Infrastructure Planning Commission (IPC). The Government will publish national policy statements (NPSs), which will establish the national case for various types of infrastructure development.

The Government's intention is that an NPS will be specific in that it will endorse, for example, certain types of technology, the need for certain types of infrastructure and even, in some cases, specific locations for such infrastructure. Where an application for development is consistent with the NPS,

the IPC will be bound to follow the policy in the NPS and will only be entitled to refuse an application in limited circumstances.

Although there will be public consultation on the NPS, the reality must be that the community will not be spurred into action to respond to general governmental policy set out in a draft NPS until a concrete proposal comes forward in their local area – by which time it will be too late for the community to challenge the principle of the proposal.

Furthermore, there will not automatically be a public inquiry into the proposed infrastructure project – an inquiry being the traditional forum for communities to have their say on proposals under the present system. The IPC will decide whether an inquiry is to be held and, as many of the important issues (need, location, technology) will already have been decided by the Government in the NPS, there will be a loss of local democracy and the ability for the public to meaningfully participate will be limited.

The 'public inquiry', if it is held, will be scaled back and there will be limited opportunities for the cross-examination of witnesses. One commentator recently likened public participation in the new system to the equivalent of a 'karaoke session'.

It could be argued that a similar 'lip service' approach to public consultation has been adopted in relation to eco-towns. The Government has announced its shortlist of 15 sites, rejecting 42 others in the process. And although a consultation paper on the way in

which eco-towns are to be brought forward has been belatedly issued, there has been no public consultation on the criteria adopted by the Government to shortlist sites. More importantly, there has been no consultation on the policy to develop eco-towns in principle, which is remarkable given the considerable impact the creation of a new town will have on the local community. A judicial review claim has recently been lodged in the High Court against the Government's lack of public consultation on this issue.

The recent publication of *Planning Policy Statement 12* could also be interpreted as a bid to relax consultation requirements. The Government has modified the overcomplicated local development framework process and has abolished the 'preferred options' stage. Instead, local authorities are given broad discretion to decide what consultation to carry out. Although these changes are seen as a positive step towards speeding up decision-making, they arguably reduce the opportunity for the local community to influence planning policies, particularly when such policies are at an embryonic stage.

Perhaps the main obstacle that has thwarted the Government's aims for increased community involvement is that recent changes have made the planning system so complicated and convoluted that it has become very difficult for the lay person to understand and get involved. The Government must be more creative in its measures to enable the public to feel it can fully participate.

Despite the Government's stated commitment to creating a more inclusive planning system, its recent actions could be interpreted as a shift in the other direction. If the Government really is committed to community engagement being at the heart of the planning system, its actions must speak louder than its words. ■

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