

South Downs National Park Public Inquiry

(Re-opened)

Planning in the National Park

Proof of Evidence

By Tony Struthers MRTPI

May 2008

My name is Tony Struthers. I gave evidence to the re-opened Inquiry on Petersfield¹ on behalf of the Petersfield Society and Petersfield Town Council under the umbrella of the South Downs Campaign on 16 April 2008.

My Biography is reproduced at Appendix A.

As someone who has been active in planning all my working life I was concerned to read your comments on development control and the potential impact of the load on the NPA². I note that at the time you wrote your interim report the estimated load was 4,500. The latest estimate by the local authorities, though still in excess of 4,000, has fallen by 10%³. I cannot verify the figures you have been given since the method by which they were collected is not apparent. In my view this is wrong, the methodology should have been explained.

I am writing this short paper of my own accord though I am conscious that the Petersfield Society, as a member of the South Downs Campaign (SDC), agrees with the SDC's view that development control should largely be delegated to the existing planning authorities⁴. However, there are alternatives as to how this can be achieved and I felt that this is worth exploring and that it might be useful to you to have the view of a former senior planner and RTPI President on how it could work.

I start from the premise that whatever the boundary of the PSDNP, planning powers will lie with the PSDNP National Park Authority (NPA) under the terms of the Environment Act 1995.

One option is to allow the local planning authorities (LPAs) to have responsibility for development control decisions but for the NPA to retain a call-in power for planning applications of "general significance" as is the case with Cairngorms National Park in Scotland. In this case there is a Development Control Protocol that sets out the arrangements as agreed between the CNPA and the 4 Local Authorities and the criteria for Call-in. It is voluntary agreement but is subject to review on formal basis and can be amended by agreement. There will be a quinquennial re-assessment "under the normal arrangements for review of Non-Departmental Bodies". A similar Call-in

¹ #1147/10/1

² CD #3 paragraphs 3.73 to 3.77

³ CD #3, Annex C, paragraph 1.33

⁴ 3275/38/1, section 7.2

system was used between the Regional Councils, such as Strathclyde and the districts in Scotland before the last reorganisation of local government.

A second option is to allow the LPAs to take decisions on the minor applications and for the National Park to take decisions on all the others. This arrangement would mean a greater workload for the NPA and a set of clear and unambiguous definitions of the planning applications that it would wish to decide. However, it can work successfully as was the case in Greater Manchester with the Trafford Park and Central Manchester Development Corporations. As the Director for Development Services for the City of Salford, I undertook a delegation arrangement with the Trafford Park Development Corporation. The UDC set clear guidelines and criteria for their planning policies, which we then operated as the LPA for the City of Salford for decisions on minor applications. For major applications the UDC was the decision taker, but even then the procedures and close working relationships meant that we worked to a common agenda. If there was a difference of view, then we were able to resolve this through discussion and consultation.

In respect of Petersfield, I monitor the planning applications for the area on behalf of the Petersfield Society. There are perhaps only 2 or 3 a year that we need to make representations on, that are contrary to policy. In other words the vast majority of planning applications are within the policies of the Local Plan and these are dealt with by the planning officers under delegated powers. Very few applications now go to the Planning Committee. This is now the norm with Development Control decisions and it seems to me that the South Downs National Park Authority would operate in the same way, through a set of policy guidelines and a framework within which decisions would be made.

The advantage of delegation arrangements is that decisions are taken locally and that the NPA is not over burdened by a huge workload. It would retain the best traditions of locally based democracy and allow accountability at the local level. The alternative is for the NPA to be responsible for all decisions on planning applications but I consider that because of the scale of the PSDNP if all such decisions were centralised, it would soon lead to cynicism and a very quick loss of confidence in the PSDNP by the local community.

I think it important to identify the key planning issues for an incoming NPA. In this part of the crowded South East of England facing the prospect of substantial growth, it is the PSDNP's place and role in the regional spatial planning picture which is critical to the effective delivery of planning policies. In addition, its Management Plan will ensure the conservation and enhancement of the protected landscapes. The NPA should be concentrating on delivery at this strategic regional or sub-regional level because unless it can achieve this it will fail.

In this respect, I heartily endorse Professor Tregay's perceptive comments in his proof of evidence⁵ about the planning context of a PSDNP and the role he recognises for a town like Petersfield as a Gateway Town planned with that purpose in mind. This fits exactly into my own experience of planning and is what would be expected from the Local Development Framework Core Strategy. It is in keeping with best planning

⁵ #1147/16/1

practice and fits the concepts emerging from the work of ‘Petersfield Tomorrow’ (the Market Town Health Check for Petersfield) which is the community planning work undertaken by local people being developed as part of EHDC’s Community Strategy and Local Development Framework. Our work, which has been based on widespread consultations with local people including surveys, exhibitions and events fits exactly with Professor Tregay’s ideas. So from both ends of the spectrum, top down and bottom up, the message is consistent.

If the NPA is to deliver at this level it must have responsibility for planning policy. We have to be conscious of the fact this National Park does not fit the usual expectations of a National Park not because of the number of planning applications it would have to deal with, but because of its length and the differing pressures on it across that area. This applies whether it is a chalk only National Park or one containing the Western Weald, the principle is the same.

It seems to me therefore, that the NPA should be concerned with setting a robust policy framework to deliver an effective core strategy underpinned by a strong evidence base. For example, it needs to have a sensitivity analysis for its various landscapes rather like the one used by Lancashire County Council. That way, it can ensure that it can play its part in delivering, for example, climate change mitigation, in a manner that protects the most sensitive landscapes. I should add that it would be positively advantageous to a NPA to have the Wealden landscapes forming part of the PSDNP because that would provide it with more options.

Beyond that, the NPA must not try and impose uniformity: that would kill the local cultural variety that is a key to the PSDNP’s character. It should involve local communities at all levels in drawing up guidelines that will deliver local distinctiveness within the framework of the core policies. I would envisage, for example, that our work on Petersfield’s Town Design Statement (part of the Market Town Health Check - “Petersfield Tomorrow”) will be developed in partnership with East Hampshire District Council, the Petersfield Town Council and the local community and that this would eventually be approved as a Supplementary Planning Document and be adopted by the NPA to guide future development in Petersfield.

This to my mind is the key; that the NPA works through partnerships and with the local communities of the South Downs. If it were to work in isolation, this would not only result in poor planning decisions but it would quickly disconnect the Park Authority from the local community and mean that it would fail to deliver an effective planning regime or a PSDNP that met local aspirations.

My other concern is that if the LPA’s lose the majority of their planning powers, they will also lose staff and this that this will put at risk the planning service as a whole, not just in the area covered by the PSDNP but in those parts of Districts outside the National Park. As a result their ability to engage with the PSDNP will also suffer, if they do not have well qualified and experienced staff.

So where does this leave the issue of 4000+ development control decisions? To my mind, delegated to the local planning authorities, but with an adopted Scheme of Delegation that sets out clearly how decisions are to be made and the procedures to be used from either of the options that I have set out above. The precise arrangements

that will be needed are not essential to the principle. However, there will need to be an agreed mechanism for monitoring and review and it may be that the NPA will need some reserve powers, if for any reason these arrangements fail to work.

It is worth noting that in this part of the world there are a host of local groups as well as town and parish councils that assiduously monitor what is happening in planning. So community involvement is already an implicit part of the existing processes and the monitoring of the effectiveness of such a Scheme would, in any case, be undertaken by all those concerned on a regular basis.

I do not see this as a neat solution to a difficult problem: I see it more as a mechanism for keeping the NPA and the local authorities and communities engaged with each other and working together to deliver national park purposes. In the 21st century that is the way forward, not overburdening a NPA with unnecessary detail that could easily sink the whole ship and that could be dealt with perfectly well by someone else.

Appendix A

Biography of Principal Witness

Tony Struthers

I hold a B.A. and a Diploma in Town Planning and am a Fellow of the Royal Society of Arts. I am a member of the Royal Town Planning Institute and was awarded the O.B.E. for services to regeneration in 1999.

I am the former Deputy Chief Executive and Director of Development Services for Salford City Council; before this I was Deputy County Planner for West Midlands County Council; Assistant County Planning Officer with Merseyside County Council and Assistant County Planning Officer and Research Officer with Hampshire County Council. I was President of the Royal Town Planning Institute in 1997-98.

I have over 40 years experience in town and country planning including local and strategic plan preparation, adoption and implementation.

Since my retirement, I have been active locally in community and planning issues - I was Chairman of the Petersfield Society 2003 - 7, initiated the Market Town Health Check for Petersfield and am currently involved in preparing a Town Design Statement for the town. I am Chairman of Community First East Hampshire and am Deputy Chair of the East Hampshire Local Strategic Partnership. I am a Volunteer for Planning Aid.