

Consultation response

To: Planning for a Sustainable Future

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Executive Summary

pteg supports the objectives and many of the initiatives proposed in the White Paper. When taken together with the draft Local Transport Bill and the Sub-National Review the White Paper offers significant scope for bringing transport and land-use planning closer together at sub-regional and local authority level. In doing so it provides a major opportunity to promote the creation of sustainable communities, contribute to carbon reduction and make best use of strategic assets.

In particular, **pteg**:

- **Supports the proposals to simplify and speed-up the planning process for national infrastructure projects, including the production of national policy statements, and the role of the proposed national commission.**

It will be important to ensure that PTEs are able to contribute to, and influence, both the relevant national policy statements and, where there are implications for transport provision in the city regions, the major infrastructure projects that arise from them. There will also be a need for clarity on the definition of projects of national significance vis-à-vis those of sub-national significance. It is also vital that there is integration across the different national policy statements, within the context of a more coherent national policy framework for spatial planning.

- **Welcomes the prospects of a simplified consents regime for projects of sub-national significance and for the devolution of the approval process for such schemes.**

There would be significant merit in simplifying the consents regime for projects of sub-national significance by removing the current requirement to gain a number of different consents for a single project. However, any simplification of the consents regime should seek to retain the aspects of current consent regimes that work well. There is also potential for greater clarity on the scope of the General Permitted Development Order (GPDO) for rail projects.

One of the objectives of the White Paper is to ensure that planning decisions are taken at the most appropriate level. There would be considerable advantages in ensuring that decisions on cross-boundary schemes are taken at sub-regional level, thereby reducing the complexity, delay and risks associated with gaining approval from multiple local authorities.

- **Supports the proposed reform of the system for producing Local Development Documents and for the handling of planning applications, and believes these reforms should incorporate measures to improve the integration of transport and land-use planning.**



These reforms provide an opportunity for bringing transport and land-use planning together to promote sustainable patterns of development. In particular:

- PTE/As) should be involved early in the process for producing Local Development Documents
- PTE/As should be statutory consultees for relevant planning applications
- Local Transport Plans (LTPs), and successor Integrated Transport Strategies (as proposed by the draft Local Transport Bill), should have an enhanced role in the planning framework
- safeguarding of alignments and facilities which may be required for future public transport developments should be strengthened
- measures to ensure the capturing of planning gain contributions for integrated transport measures should be enhanced.



Introduction

pteg represents the six English Passenger Transport Executives of England which between them serve eleven million people in Tyne and Wear ('Nexus'), West Yorkshire ('Metro'), South Yorkshire, Greater Manchester, Merseyside ('Merseytravel') and the West Midlands ('Centro'). Strathclyde Partnership for Transport ('SPT') and Transport for London ('TfL') are associate members – however their views may not necessarily correspond with those expressed in this consultation response.

The PTEs are the driving force behind the development of public transport in some of Britain's largest City Regions. Their responsibilities include:

- producing the strategies for the development of local public transport networks
- planning and managing local rail services (in partnership with the DfT)
- planning and funding socially necessary bus routes
- working in partnership with private operators to improve bus services—for example through bus priority schemes
- running concessionary travel schemes—including those for older, disabled and young people
- investing in local public transport networks—including new rail and bus stations
- developing and promoting new public transport schemes—like light rail and guided bus networks
- providing impartial and comprehensive public transport information services—including by phone and internet
- managing and maintaining bus interchanges, bus stops and shelters.

In some cases PTEs are the operators of public transport, such as the Tyne and Wear Metro and some ferry services. However, most public transport in PTE areas is operated by private companies.

The PTEs have a combined budget of more than a billion pounds a year, and are funded by a combination of local council tax and grants from national government. They are responsible to Passenger Transport Authorities (PTAs), made up of representatives of local councils in the areas they serve.

Background

The Planning White Paper's five core principles are:

- that planning must be responsive, particularly to longer term challenges such as increasing globalisation and climate change, and properly integrate economic, social and environmental objectives to deliver sustainable development
- the planning system should be streamlined, efficient and predictable

- there must be full and fair opportunities for public consultation and community engagement
- the planning system should be transparent and accountable; and
- planning should be undertaken at the right level of Government – national, regional and local.

pteg shares those aspirations and believes that - taken together with the Draft Local Transport Bill and the sub-national review – the Planning White Paper offer an opportunity to ensure:

- a more cohesive and coordinated approach to land use planning and transport provision in the major city regions outside London which in turn would contribute to wider Government objectives for the sustainable and equitable economic growth of city region economies
- a more streamlined and transparent planning and approval process for major sub-regional transport schemes.

The draft Local Transport Bill aims to reform the arrangements for local transport governance in the major conurbations, to ensure strong local leadership and a coherent approach to transport across individual local authority boundaries and across different transport modes. It will also require PTE/As to produce a long-term Integrated Transport Strategy for the city region, backed up with implementation plans in place of the current LTP system. The new Integrated Transport Strategies present a major opportunity to ensure better harmonisation between strategies for planning, economic development, environmental quality, land use management and performance management.

At the same time the sub-national review proposes a more focused approach to regional planning through a single regional strategy.

More read across between the Draft Local Transport Bill, the Planning White Paper and the sub-national review offers the prospect of much more effective integration of land use and transport strategies.

Sustainable transport is of vital importance in supporting the Government's climate change agenda. The White Paper states that development plans should:

“deliver patterns of urban growth that help secure the fullest possible use of sustainable transport and, overall, reduce the need to travel. New development should be located to reduce as far as practicable its direct carbon emissions and those it generates through the transport activities of its occupiers and users”.

To achieve this in the city regions the White Paper needs to ensure that the enhanced role for strategic city region transport authorities (and their integrated transport strategies) envisaged by the draft Local Transport Bill is reflected in their status within the planning system.

The Planning White Paper, in its Executive Summary, discusses how improving the provision of local infrastructure is a priority. It recognises that one of the key challenges in planning is improving local and national infrastructure and

acknowledges that people “*expect to be able to travel reliably including by road, rail*”.... and that “*improving infrastructure provision is also vital for unlocking housing growth*”.

The Government acknowledges in the Planning White Paper that: “*Decisions are not always taken at the right level.*”

Two key principles which underpin the Planning White Paper proposals are that the “planning system should be streamlined, efficient and predictable” and that “planning should be undertaken at the right level of government”. The Planning White Paper aims to ensure that decision making is taken at as local a level as possible so that it can fully reflect local circumstances and needs. **pteg** would argue that PTA/Es need more powers relative to infrastructure planning to meet the needs of their communities at the local and city regional level, and greater influence at a regional level.

The Planning White Paper explores how regional planning bodies and local authorities are involved in plan making at the regional level with Regional Spatial Strategies. It recognises the need to collaborate across boundaries, where the development impacts beyond the immediate impact on local communities.

The Planning White Paper also discusses how local authorities need to bring together various local agencies from across the public, community, voluntary and private sectors to work in partnership to achieve local priorities. It explains that local authorities, as the democratically elected bodies with the mandate and influence to form partnerships and ensure that local priorities are delivered, are ideally placed to play a place-shaping role. However in terms of sub-regional transport infrastructure planning and delivery, **pteg** would argue that PTA/Es are rather better placed to fulfil such a role.

The New Local Government Network (NLGN) in its report, “Capital Ideas - Financing Future Local Economic Development” found that the expertise necessary to deliver major regeneration projects is not always present within local authorities. It highlights the need for strong strategic development and planning skills within councils.

pteg believes that PTA/Es’ expertise in transport could bolster these skills. Indeed, the NLGN report found that public agencies and local partners must work closely with local authorities in delivering local investment. **pteg** believes PTA/Es would be better placed to work closely with local authorities if their role in the planning process was more clearly defined and put on a statutory basis.

Indeed, a key theme of the Planning White Paper is the delivery of sustainable communities and the role of transport:

“We believe that the reforms set out in this Planning White Paper will, building on the reforms we have already put in place, make our vision for the planning system a reality, and help deliver a wide range of benefits for individuals, communities, business, society and the environment, including ... better infrastructure so people have access to reliable transport...”

pteg believes that the planning system needs to include a clearly defined strategic and statutory role for PTA/Es, so that they can deliver transport infrastructure in line with the Government's vision for a sustainable transport system.

In developing our response we have taken into account the changing nature of transport governance in the city regions. Government has made clear through the Local Government White Paper, the Eddington Study and the draft Local Transport Bill, as well as through this White Paper, that it sees a clear role for stronger governance at a city region level. In referring to PTE/As we are considering not just what these bodies are at present but what they are likely to become over the next two to three years once the provisions of the forthcoming Local Transport Bill have been enacted. In this way, we have sought to comment in a way that will, to a degree 'future proof' the legislation emerging from this White Paper.

Detailed Response to relevant Consultation Questions

Proposed reforms to the development consent regime for nationally significant infrastructure projects

Main points:

- **pteg supports in principle the package of proposed reforms (National Policy Statements, a single consents regime for schemes of national significance, and Independent Commission to take decisions on nationally significant infrastructure projects)**
- **Measures should be put in place to ensure that PTA/Es are involved in the preparation of National Policy Statements and are consulted by the Independent Commission on planning applications for transport infrastructure of national significance, due to the inevitable linkages of national schemes with regional and sub regional transport infrastructure (for example, surface access to an airport). Ideally this should be achieved by giving PTA/Es statutory consultee status**
- **pteg believes that a single consents regime for sub-national schemes could bring significant benefits, and that approval for sub-regional schemes might best be determined by sub-regional bodies**
- **There is a need to ensure that these reforms link with those proposed in the draft Local Transport Bill and the Review of Sub National Economic Development, which will strengthen the role of PTE/As successor bodies.**

Q1: The proposed package of reforms

pteg believes that the Infrastructure Planning Commission system is a step in the right direction - subject to DCLG) securing a fully open, inclusive and transparent process behind the production of National Policy Statements. The ability of the Commission to independently scrutinise the planning merits of major infrastructure



proposals is welcomed, and its ability to refuse consent, even where the principle of new development is established, is a vitally important aspect in ensuring that the Commission has true independence, power and integrity.

We welcome the prospect of simplification and greater certainty in relation to infrastructure schemes of national significance. However, it will be essential that all relevant parties have the opportunity to be involved in the drafting of these Statements, not least PTA/Es.

At the national level, where applications are being prepared for nationally significant infrastructure projects, the Planning White Paper rightly emphasises the need for effective consultation. Consultation is envisaged at an early stage with local authorities, local communities and key public bodies. There is also a recognition of the need for good consultation at a regional level, with Regional Development Agencies and Regional Assemblies being shown in an indicative list of statutory consultees in the Planning White Paper.

Therefore, under the proposals, promoters of nationally significant infrastructure projects will be required to engage with local authorities on their proposals from an early stage in the process. **pteg** proposes that PTA/Es should also have statutory consultee status.

The draft Local Transport Bill aims to give PTA/Es and local authorities a more effective “toolbox” of policies with which to improve local transport networks. There is merit in ensuring that the draft Local Transport Bill and the proposals of the Planning White Paper are aligned closely. In particular, it is important that the planning reforms acknowledge and support the enhanced status of PTA/Es that is proposed in the draft Local Transport Bill (subject to local agreement and circumstances as part of ongoing city region governance discussions).

PTA/Es are statutory consultees for some regimes, for example Transport & Works Act Orders, but not in relation to development plans, the local development framework or development control matters under the consultation requirements of the General Development Procedure Order 1995, or the Town and Country Planning (Local Development) (England) Regulations, 2004.

Existing informal engagement arrangements, between planning authorities and PTEs, do generally work well. However if PTA/E’s were given statutory consultee status this would give them the legal status they need to underpin local arrangements and agreements between planning authorities and PTEs (on consultation on relevant planning applications on their transport implications). The aim here is to ensure that planning applications with significant transport implications are reviewed and assessed by the sub-regional transport authority who are well placed to advise on how the transport needs of new developments are met in a sustainable way.

We therefore believe that PTA/Es must be statutory consultees for development plans and in the planning application process (at least for applications of a strategic nature).

In advance of the draft Planning Gain Supplement Bill, **pteg** notes that PTA/Es are concerned that they are not always consulted early on in the process of negotiating Section 106 Agreements with developers in relation to proposals which have significant transport implications. This is particularly the case for securing contributions from smaller schemes, even though these schemes have a significant cumulative impact on travel patterns and provision. If the system is to be reformed then PTA/Es could assist Local Planning Authorities to gain the best contribution toward sustainable transport modes either by advising on Supplementary Planning Documents on S.106 Agreements or acting as co-signatories to obligations. Looking ahead there may be merit in re-considering the role of Section 106 Agreements in the context of the potential for the introduction of financial mechanisms that capture increased in land value.

We believe that the role of PTA/Es in the planning process needs to be strengthened and put on a statutory basis.

There may be scope for these powers to be enhanced further in those areas where local authorities chose to pool certain planning responsibilities at sub-regional level as part of wider changes to city region governance. The prospect of local authorities agreeing to strengthen sub-regional level planning powers is set out in the Sub National Review of Economic Development and Regeneration, although this would be subject to further consideration in the light of local circumstances and discussions, and to primary legislation.

In London, TfL has a statutory role to be consulted by borough planning authorities where proposed development materially affects the strategic highway network. In addition the Mayor of London has powers of direction to direct refusal of planning applications that are not in conformity with the London Plan.

Thus **pteg** believes it is important for there to be joined up thinking and synergy between the Planning White Paper and the draft Local Transport Bill so that mechanisms can be put in place to aid better integration of land use planning and transport planning and their decision making processes. The forthcoming Planning Bill needs to take into account possible opportunities presented by the draft Local Transport Bill. For example, the draft Local Transport Bill includes provision to strengthen the powers of PTA/Es in light of local circumstances, and potentially to widen the scope of PTE/A powers to include planning across the transport modes (including highways) and to take both passenger and freight needs into account in its planning role.

National Policy Statements

Q2: Introduction of National Policy Statements

Main points:

- **There needs to be a clear and consistent approach to determining what are matters and projects that are of genuinely national**

significance, and what projects are of regional and sub-regional significance and are therefore best dealt with at sub-national level

- **PTEs should be involved in the production of National Policy Statements, with the status of a statutory consultee**
- **There needs to be integration and coordination between National Policy Statements and also between the National Policy Statements and Planning Policy Statements, within the context of a more coherent national spatial planning framework.**

There is a danger that having a series of "national policy statements" on different issues could complicate matters if they are not carefully linked, ideally to a national planning framework or to a "national spatial strategy". To simplify the situation, we believe that there is merit in having a single "national infrastructure plan" document for England which clearly relates to the national spatial framework.

Such an approach could ensure a more cohesive approach and help to ensure proper consideration of the role of the public and private transport network (that is, surface access) in supporting the delivery of national port and airport objectives, for example.

We are also concerned that there could be a mismatch between some high-level governmental objectives (for instance, to close the economic gap between the north and south of the UK) and the preferred location of new development and infrastructure (typically in the south east and in the defined growth areas). A move towards a national framework could also help ensure that large-scale infrastructure projects are located in a way that supports the full range of PSA targets, including helping to reduce pressure on the overheating and congested south east of the UK.

We believe there is also a need for further clarification about how, given the proposed 'primary consideration' status of National Policy Statements, they will fit with existing national guidance, such as Planning Policy Statements. We are concerned that there is a danger that NPS could cut across agreed sub-regional and regional policies (such as LTPs and successor Integrated Transport Strategies).

Q3: Content of National Policy Statements

Main points:

- **National Policy Statements should include reference to rail schemes of national significance as well as ports and airports.**
- **National Infrastructure bodies should be more proactive at safeguarding alignments.**

If major improvements in integrated transport infrastructure and services are to be delivered then we need to ensure we safeguard appropriate alignments and facilities. The current approach to safeguarding is not sufficiently proactive or strategic. A

clearer lead is needed by national Government to ensure policies and allocations to safeguard integrated transport alignments and facilities are incorporated in plans at regional and sub-regional level. In particular there is a need for:

- National Policy Statements to provide a clear steer on the need for safeguarding routes and facilities for national projects
- Regional Spatial Strategies, and in the future the single regional strategy, to set out relevant policies on safeguarding of key alignments and facilities
- The Integrated Transport Strategies that are proposed to be produced at sub-regional level to provide a strategic framework outlining the specific routes and facilities to be safeguarded
- Development Plan Documents (as part of Local Development Frameworks), including the Proposals Map and Site Allocations Development Documents to include policies and allocations to safeguard alignments and facilities.

In London, the London Plan and the Mayor's Transport Strategy includes policy for safeguard strategic wharf facilities along the River Thames and bus depots (to ensure that they are not redeveloped for other uses and lost as key infrastructure assets). This policy is in turn reflected in the Borough Local Development Frameworks, including in the site allocations.

This is a good example of how to protect assets at a regional level, and could be extended to national infrastructure. In the national infrastructure plan/national policy statements there is a real opportunity to include a safeguarding policy to protect strategic locations related to national infrastructure projects (such as disused rail lines, rail freight terminals, wharf facilities along rivers and inland waterways, ferry/cruise terminals and ship repair facilities - such as slipways, dry docks). By their nature such facilities can only be located in certain places, making it necessary to protect these sites from inappropriate development that may hinder their use for such national infrastructure. This way key national infrastructure assets will be protected, ready to be reactivated in the future.

The national policy statements should also ensure that the surface access implications associated with major infrastructure developments (especially ports and airports) are addressed thoroughly. It will be essential that the need for appropriate upgrades and capacity improvements, on the rail network in particular, is recognised in the policy statements - with an expectation as to whether these improvements will be funded publicly or privately.

We also believe that much greater weight needs to be attached to the transport potential of land in the development plan process via the status afforded to that land within the Local Transport Plan and successor strategies. PPG 13 should also be strengthened to afford greater weight to protecting land which has future potential for improvements to transport networks.

Where safeguarding takes place local authorities need to be confident that they will be supported by Government and national policy with regard to the potential for

blight, and that unreasonable costs will not be awarded to the local authority as a result.

Key infrastructure bodies like Network Rail, the British Rail Residuary Board and the Highways Agency should also be encouraged to be much more proactive in acquiring land with has the potential to support key transport initiatives contained with Local Transport Plans and successor strategies.

This way key infrastructure assets, such as land with existing or future potential can be protected.

Liverpool South Parkway case study

Liverpool South Parkway is a new station which replaces two former local rail stations with a new state-of-the interchange. The Parkway also acts as a railhead for John Lennon Airport as well as the new employment opportunities in the new business parks that have developed around the airport.

Prior to its construction a key piece of land required for the interchange was owned by Liverpool City Council and had been earmarked for the interchange in accordance with Local Transport Plan policies. However, a major housing developer submitted a planning application for the land. Although the Council sought to hold onto the land as long as possible ultimately it was only the remediation work that the site required that deterred the Developer from proceeding with the application. If they had continued with the application it is likely that the Secretary of State would have ruled in their favour – as it was acceptable in amenity terms if not in transport terms. If that had happened the opportunity would have been lost to build what is a highly successful transport interchange, with significant regeneration and environmental benefits.

Q4: Status of National Policy Statements

These would need to be statutory documents and link into the planning framework at the national, regional, city regional and local levels.

Q5: Consultation on National Policy Statements

Main point:

- **PTEA/Es should be statutory consultees for National Policy Statements as the operation of and access to nationally significant infrastructure is often reliant on the regional and sub-regional transport network.**

PTA/Es should be a statutory consultee on relevant planning proposals that have a significant impact on transport-related proposals affecting city regions.

For instance, although airport policy and airport provision is rightly seen as being determined by a national policy statement, and through major infrastructure

proposals - the local and regional 'land-side' transport impacts and implications are considerable. PTE/As will be part of the solution to the local transport impacts and thus need to be able to engage with both general airport policy and specific proposals at an early stage.

We see the anticipated review of the secondary legislation that supports mainstream town and country planning legislation (such as the GPDO and General Development Procedure Order) as a good opportunity to reconsider the role of PTA/Es in the planning process, which is of fundamental importance to the pursuit of our statutory aim of facilitating, integrating and co-ordinating local transport. PTA/Es should be recognised as statutory consultees in the planning process, which is entirely consistent with the principles embodied within the draft Local Transport Bill on the strengthening of the role of PTA/Es and more integrated decision-making, potentially (in those sub-regions where local authorities chose to pool their planning powers) with powers of direction over development, so as to safeguard and promote the interests of the local public transport network.

Preparing applications for nationally significant infrastructure projects

Q12: Consultation by promoters

Main point:

- **PTA/Es should be statutory consultees for applications for national significant infrastructure projects, as the operation of, and access to, nationally significant infrastructure is often reliant on the regional and sub regional transport network.**

We are concerned there is no mention of PTA/Es in the consultation list for these documents. We feel that PTA/Es should be a statutory consultee on relevant planning proposals. We would welcome the opportunity to become more fully engaged in the development and consultation on the national policy statements on infrastructure, in view of the PTA/Es' role in the local transport planning sphere. This is especially important for those consultation processes initiated by promoters (such as port and airport companies), where we would expect to be consulted at the pre-application stage.

Q14: Consulting other organisations

Please see our responses to questions 5 and 12.

Determining applications for nationally significant infrastructure projects

Q20: Scope of the Infrastructure Planning Commission

Main points:

- **There is a need for clarity regarding the definition of a ‘nationally significant infrastructure project**
- **pteg considers that the Planning White Paper provides the opportunity to add clarity to the GPDO as it applies to rail.**

PTA/Es need to become better integrated into the local, city regional and regional planning process but this also needs to happen at the national level if the Government pursues its plans for the Infrastructure Planning Commission. It is unclear what would constitute a national project, nor what would constitute smaller infrastructure projects, but PTA/Es need to be involved by the Infrastructure Planning Commissions for individual projects that affect their areas as appropriate. There needs to be a clear and consistent definition of what constitutes a ‘nationally significant infrastructure project’. This would help ensure that there is no potential for ‘scope creep’ of the Commission and National Policy Statements downwards to cover non-nationally significant schemes. Clear definitions would set clear boundaries and ensure that decisions are taken at the most appropriate level.

We are concerned there should be no perceived bias towards road, port and airport schemes, and would therefore want clear reference to rail and transit schemes in the scope of the Infrastructure Commission where these require infrastructure development.

There is a particularly strong need for rail projects to be included where they are of national significance: rail freight terminals, new high speed rail lines, major inter-regional new build and reopened rail lines (such as the proposed Oxford-Cambridge Line and London Crossrail), major inter-regional rail upgrade projects (such as the West Coast Main Line and the Trans-Pennine Corridor/Woodhead Route), improvements to national hub rail stations and electrification proposals.

We are surprised by the White Paper’s assertion that: *“the current programme of investment and improvements to the rail network is deliverable through the permitted development rights of Network Rail or is of a scale that would be unlikely to require determination by the infrastructure planning commission”*.

We believe that this is rarely the case in practice. For example, Olive Mount Chord (a short length of reinstated railway which provided access to the Port of Liverpool) needed planning permission even though it was on a track bed adjacent to the operational railway.

There remains a considerable problem of inconsistency between local authorities in respect of the interpretation of the GPDO. This can introduce delay and uncertainty into small-scale rail improvements works that accord fully with the provisions of local transport and planning strategies and would have no wider planning ‘footprint’. We seek greater clarity in relation to works that can be carried out as “permitted development” on operational railway land, and more consistent interpretation of the GPDO by local planning authorities. This could be provided through clearer guidance or a practice guide.

We would also look for an extension in the scope of the provisions of the GPDO.

The White Paper offers the opportunity to take a fresh look at the planning framework for inland waterways, ferry/cruise terminals, and ship repair facilities. Some ferry/cruise terminals and ship repair facilities are of national significance, and by their nature can be developed in only a few locations.

There should also be stronger links between the planning and funding processes as it is often the funding process that is critical in holding up delivery of infrastructure.

Q24: Rationalisation of consent regimes

Main points:

- **pteg supports the rationalisation of the consents regime for national schemes but recommends careful consideration of the elements which work well for existing multiple consents, should be researched and applied to the single consent process**
- **There should be a mechanism introduced to speed up consent for schemes of sub regional significance, within the context of the strategic framework that is currently provided by Local Transport Plans and in future their successor Integrated Transport Strategies.**

We welcome and fully support the possible rationalisation of decision-making at a sub-regional level. It is illogical, as acknowledged in the White Paper, that decisions of a local or sub regional significance (for example, the Transport and Works Act Orders for guided bus and light rapid transit systems) should be taken at a national level by the Secretary of State when such schemes have commitment and support at a sub-regional or regional level. In our view it would be a perverse outcome of the Planning White Paper if the approval process for nationally important schemes ended up being less complex and onerous in procedural terms than for regionally and locally significant schemes.

There is a strong argument to be made for the consent system to allow decision making at a sub-regional level for those sub-regional schemes that affect more than one local authority.

This would:

- help avoid the complexity and risk associated with securing consent for one scheme from a range of different authorities
- encourage a more strategic approach to the planning of such schemes
- contribute to the streamlining of the approval process for sub-regional schemes (in line with the streamlining of the approval process for national schemes)
- remove the need for the Secretary of State to become involved in determining the detail and approval for sub-national projects (often a major source of delay in itself).

The enhanced roles of PTE/As proposed in the draft Local Transport Bill - including the production of Integrated Transport Strategies - will also provide a stronger strategic framework for the planning of transport projects at sub-regional level.

This would create a four-tier decision making structure for projects:

- National significance – Infrastructure Planning Commission
- Regional / sub-regional significance – decisions could be taken at the regional / sub-regional level subject to wider reforms of PTE/A and regional / city region governance
- Local significance – local authorities (projects covering just one district)
- General Permitted Development Order (GPDO)

The prospect of unified planning consent mechanisms (for example, unified planning, highways, CPO and listed building consent) for schemes of regional and sub-regional significance has advantages and should be explored by the DCLG. The existing multiple consent system often adds delay, cost and confusion in the promotion of local schemes. In some cases, a range of different consents need to be secured before funding approval for a scheme is granted, but some of these consents become time-expired before the scheme is due to be implemented.

However, if the Government decides to reform regional and sub regional consents regimes it should be borne in mind that that some aspects of existing consent mechanisms do perform well and have benefits.

Harbour Orders and Transport & Works Act Orders can operate well, involving as they do, a high level of scrutiny from the Department for Transport, local stakeholders and the wider community. They also can progress admirably quickly in some circumstances (such as Merseytram Line One in just 14 months) – although such rapid progress is not always achieved.

It is very much in the interest of transport delivery bodies, such as PTA/Es, that the planning reforms retain the advantages of these systems for non-nationally significant projects.

pteg would welcome further discussion and engagement with Government on this issue.

Q25: The Commission's mode of operation

We feel that the democratic accountability of the Infrastructure Planning Commission could be improved by setting up a mechanism via which the Commission can report to and be held accountable by Parliament. This would also sit well with the proposals outlined in the Prime Minister's recent constitutional reform announcement to strengthen the role of Parliament.

We are concerned about the Commission's proposed role in agreeing planning conditions and Section 106 Agreements and other developer contributions for infrastructure projects of national significance. If this is to be the case how are these

to be enforced and by whom? Also such processes need to ensure full engagement and involvement with local authorities and PTE/As.

The Commission's proposed power to amend legislation should be exercised with caution as this may undermine democratic accountability and the role of Parliament. Public trust in the process should be of paramount importance. Also this proposed power could potentially clash with already agreed policies and strategies at the national, regional, sub-regional and local levels.

Q32: Commission's skill set

We would propose that the need for transport expertise should be reflected in the initial appointments to the new Commission.

pteg believes that it is crucial that the Infrastructure Planning Commission includes transport expertise to ensure that proper account is taken of the transport implications of major infrastructure proposals.

Strengthening the role of local authorities in place shaping

Main points:

- ***pteg* welcomes the proposals to strengthen the system for production of Local Development Documents, and believes there is scope for the reforms to the system to emphasise the importance of integration of land-use and transport planning**
- **Guidance and Regulations on the new system need to emphasise the importance of consistency between Local Development Documents and LTPs / future Integrated Transport Strategies, and the importance of PTE/As being involved at an early stage and to be statutory consultees in the production of Local Development Documents**
- **There is scope to strengthen the approach to capturing planning gain contributions to fund integrated transport measures. The production, with PTE involvement, of Supplementary Planning Documents on planning contributions would provide greater clarity and consistency of approach to section 106 agreements to generate funding for integrated transport. There would also be merit in PTEs becoming co-signatories to relevant section 106 agreements and successor mechanisms, similar to the approach in London where TfL are co-signatories**
- **Early PTE involvement in planning policy-making and planning decisions can also provide a more proactive and strengthened approach to safeguarding alignments and facilities for integrated**

transport routes and services

- **PTE/As should be statutory consultees on relevant planning applications. This would strengthen their roles and status in providing strategic advice to local planning authorities on projects with significant implications in relation to integrated transport.**

Q34: Joined up community engagement

We support the objectives of enhancing the transparency and the speed of the planning process, though this should not be at the expense of effective consultation, nor of the need to ensure that the transport needs of new developments are met in a sustainable way.

We welcome the emphasis on a 'town centre first' approach for development, as this will promote wider sustainability and equity objectives. PTA/Es have a strong track record in investing in new facilities within the UK's largest urban areas, but this can be undermined by decisions to allow out of town, and edge of town development. These developments reinforce car-dependency and undermine public transport, walking and cycling. Such decisions can also sometimes bring economic and environmental objectives into conflict, and it is essential that appropriate information informs decision-making.

The proposed new policy framework and planning application process should explicitly identify any particular impacts which would help or hinder wider equity and community cohesion agendas - with appropriate remedies where necessary. For example, the impact of a new development on elderly people or those without access to private cars. One option would be for the planning application guidance to include a checklist of features such as links to the public transport network, cycle storage facilities, pedestrian environment, pre-paid ticket deals with public transport providers and assessing accessibility (eg through using appropriate software such as Accession).

Q35: More flexible approach to a successful legal challenge

The principle that the High Court should be able to re-direct the strategic planning process back to an earlier stage of the process is welcome in so far as an authority or body has the opportunity to request revision of a Local Development Framework document without requiring the need for the process to be re-started from the very beginning. However, making the High Court the primary arbiter may bias the system in favour of those who can afford to seek legal redress, such as developers and wealthy property interests. This principle should, therefore, be exercised with caution.

Q36: Removing the requirement to list Supplementary Planning Documents (SPDs) in Local Development Schemes (LDSs)

We welcome the review of the 2004 development plan system, and support moves towards more sub-regional core strategies (similar to the LTP process or the London Plan) in Metropolitan areas. We see important similarities with the integration between planning and transport strategies in new-style Regional Spatial Strategies.

We welcome the removal of the requirement to list SPDs in LDSs as this gives local authorities greater freedom. However it should be a requirement, at the local level, that PTA/Es are made aware of SPDs being produced, even if there is no requirement to include them in the formal LDS. This is necessary to ensure that we can input to any relevant policy.

However the suggestion that Development Plan Documents (DPDs) may not be needed for certain areas or that certain Development Plan Documents need not be held within the Local Development Framework (LDF) is deeply concerning. The planning framework should be retained as such and offer consistent coverage and planning guidance for the entire Local Authority in question.

Better integration between LDFs and Community Strategies is to be welcomed as a way of raising the profile of transport in the latter document, which drives the Local Area Agreement (LAA) process. From 2008, transport targets will be required within LAAs for the first time, and it will be important to recognise the need for sub-regional transport policies to be appropriately prioritised and delivered at the local level for the purposes of these agreements, or for there to be use of a multi-area agreement.

We believe that it is important that LAAs give due regard to transport – including the setting of targets where appropriate. This is vital to assist transport delivery and implementation of strategies such as LTPs and any successor strategies. This would further embed transport within land use planning and community planning, thus aiding better integration of land use and transport planning and more effective delivery.

Q37: Sustainability appraisal and SPDs

We welcome the removal of the requirement to undertake Sustainability Appraisals for SPDs. However this should not apply to all DPDs and should be applied carefully. There is a potential here for some planning documents to side-step the sustainability appraisal process, when in reality the documents could contain key sustainability issues.

It has been our experience that many DPDs address the issue of transport sustainability inadequately or at a stage in the process of formulation that is too late to be effective. The removal of the requirement to undertake Sustainability Appraisals should therefore be exercised carefully otherwise it could exacerbate this situation.

Planning fees in England: proposals for change

The suggestion that planning fees should be deregulated at some stage in the future is deeply concerning. Deregulation of any planning element, such as fees, could lead to competition between local authorities in terms of seeking developments which could lead to less than satisfactory decisions on the location of both major and minor proposals. Planning fees are only a small element of development costs, the principle of deregulation in this area is very concerning and is not advisable (as planning should offer a consistent framework across areas to ensure that planning decisions are made on a rational basis that optimises the location of developments whilst at the same time protecting local communities). A level playing field is required and deregulation of planning fees will upset this balance by potentially creating competition between local authorities. Instead we suggest that planning fees should be increased (to help match resources to demand) consistently across the board, thus ensuring a level playing field across all authorities.

Conclusions

- We welcome the proposed establishment of the Infrastructure Planning Commission to independently consider major infrastructure projects of national significance. However we suggest that, in order to improve democratic accountability, a mechanism should be set up so it reports to Parliament.
- We stress the importance of integrating land use and transport planning to help build accessible and sustainable communities.
- We welcome the emphasis on climate change and sustainable transport and its role in creating sustainable communities.
- We request that the role of PTA/Es in the planning process is strengthened by making them statutory consultees and enhancing their involvement in securing developer contributions (via mechanisms such as section 106 agreements and any successor mechanisms).
- The Planning White Paper should take into account the opportunities presented by the review of PTA/E structures as outlined in the draft Local Transport Bill subject to local circumstances. This will help with greater joined up thinking and synergy with the Planning White Paper.
- We welcome and fully support the possible rationalisation of decision-making at a sub-regional level. We would therefore want any simplified consent system to extend to sub-regional schemes, of a strategic nature, which affect more than one local authority. It is considered that appropriate sub-regional groupings should take such decisions, supported through the emerging proposals for reform of PTA/Es and potential models for city-region governance.