

THE PLANNING SYSTEM

Planning how individual places should change takes place within frameworks which provide a consistent structure for the debate about what can be done where. From superstores to satellite dishes, there are publicly available documents which set out in detail the considerations that need to be taken into account.

Some of these documents are issued by central Government and are the same for everywhere in the country, others are compiled locally and deal with the special characteristics of an area and the specific priorities of its local authority.

There are several layers to the system, but knowing about who takes care of which issues, and what they can and can't do makes it much easier to ensure that your opinions will count.

NATIONALLY

THE LAW

The planning system is overseen by the Department for Communities and Local Government (until recently the Office of the Deputy Prime Minister). The main pieces of legislation are the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004.

THE GUIDELINES

A set of Government guidance documents called Planning Policy Guidance Notes (PPGs) or, where these have been updated, Planning Policy Statements (PPSs) tells local authorities how they should approach planning applications, and which matters are relevant to the debate.

Things that fall outside this framework are not 'proper planning matters' and local authorities cannot consider them. So you can't object to a new development on the grounds that it would affect property prices, or result in cooking smells wafting past your front door, or that you would prefer to see something else out of your window.

This can get quite complicated. Although introducing more local competition is not a proper planning matter, ensuring that there is no threat to the viability of shopping in the actual town centre is. There is a copy of PPS 6, which covers planning for town centres on the table below this board.

PUBLIC ENQUIRIES

In a very few cases, there may be such serious concerns about a planning decision that an independent enquiry is held by the Planning Inspectorate on behalf of the Secretary of State. In general an application will only be called in for enquiry if it is likely to cause regional controversy and/or raises serious issues about the application of national policy.

REGIONALLY

THE REGIONAL SPATIAL STRATEGY (RSS)

Each Regional Planning Body (such as the north-east of England) is preparing a Regional Spatial Strategy. This sets out things such as how many homes are needed to meet the future needs of people in the region, or whether the region needs a new major shopping centre or an airport. It carries great weight in terms of local planning decisions. There is also a County Structure Plan for Northumberland.

There are other regional and sub-regional strategies, e.g. the Regional Economic Strategy, or tourism and cultural strategies, which carry much less weight in decision-making, but are important in other ways.

LOCALLY

THE LOCAL DEVELOPMENT FRAMEWORK (LDF)

By law, every local authority in the country has to produce a plan for development in its area. The current Local Plan (see copy below) has been in force since 1999, and will be replaced some time around late 2007 with a new form of plan, the Local Development Framework or LDF, which Berwick Borough Council is currently preparing. The LDF will be a folder of documents, including:

- **The Statement of Community Involvement (SCI)**
Berwick's SCI is ready (see copy below) and sets out how the authority intends to involve the public in the making of the LDF. It also shows how the public will be involved in the process that leads to decisions on planning applications. There will be a much higher level of involvement in future, and this has already begun to happen
- **The Core Strategy**
This contains out the broad vision for the Borough's future. A major six-week consultation period on this strategy is planned to take place from July this year, and one of the key objectives of the new LDF process is to increase the level of community involvement in the plan-making process
- **Supplementary Planning Documents and Area Action Plans**
These give the Council's detailed plans for particular topics and locations. Examples could be a policy on retail development or one on how Spittal Point might be developed

All of the LDF documents have to be approved by the Government before the Council adopts them, and if the community is unhappy with them, it has the opportunity to raise its concerns with an independent adjudicator.

Though it is easier to modify the LDF than it was to change the Local Plan, the principle is that by law, the Council must stick to the decisions described in these documents. That's why it's so important to have your say. **As far as development is concerned, the LDF sets the agenda for Berwick's future.**

THE BERWICK-UPON-TWEED TOWN AND TWEED ESTUARY STUDY – 'THE MASTERPLAN'

Consultants have been tasked by ONE North East, the Northumberland Strategic Partnership and Berwick Borough Council to take an overview of the area around the estuary, plus the town centre, and establish a 20-year vision to make the area a 'sustainable growth point for north Northumberland'. Conserving the quality and character of the historic town is central to the task.

Phase 1 of the Masterplan, the production of this vision, is already well under way, and results will be available this summer. Phase 2 involves putting together detailed plans and development briefs, probably including a streetscape strategy for the town centre. This will form part of the LDF.

As the stages of the Masterplan are revealed, details and opportunities for comment will be displayed alongside the central map.

OTHER LOCAL STRATEGIES, VISIONS AND STUDIES

There are a fair few of these, not all directly relating to planning issues. They include:

- The Eastern Lanes Study (1997)
- The Tweed Estuary Management Plan (1997)
- *Changing Perceptions: A Regeneration Strategy for the Borough of Berwick-upon-Tweed* (2000)
- The Tweed Catchment Management Plan (2003)
- The Local Interpretation Plan (2004)
- The Town Assessment (2004)
- The Urban Wildlife Habitat Survey (2004)
- The Car-parking Study (2005)
- The Council's vision statement, *Our Visions, Our Aspirations* (2005)

'PLANNING GAIN'



In future, larger developments will be more and more subject to 'Section 106' agreements, under which the developer will contribute to or pay for measures of benefit to the community that are related to the development (e.g. a contributing to a park and ride when developing an out-of-town site). The term 'planning gain' is somewhat misleading, as developers are not asked to solve problems that exist already, only to help if their proposals create a new problem or make an existing one worse.

Developers cannot use potential Section 106 agreements as an argument to get planning permission, but they can discuss with the local authority what they might do if permission is granted.

RETAIL DEVELOPMENTS AND THE PLANNING GUIDANCE

How out-of-town retail developments are planned is a hot topic in Berwick at the moment.

PPS 6: *Planning for Town Centres* states that local planning authorities should require applicants to demonstrate:

- The need for development
- That the development is of an appropriate scale
- That there are no more central sites for the development
- That there are no unacceptable impacts on existing centres
- That locations are accessible

It then sets out how these things should be demonstrated. For example, the need for development is broken down into qualitative need (roughly to do with choice) and quantitative need (to do with the economic case for the new development). Unacceptable impacts on existing centres are defined in terms of the vitality and viability of those centres.

On top of this, authorities need to take into account other local factors, which may include:

- Physical regeneration
- Employment
- Economic growth
- Social inclusion

Other concerns are not proper planning matters as far as retail developments are concerned.

KNOW YOUR ACRONYMS

ONE North East The regional development agency for the North East, charged with promoting the region's economic health. A funder of big regeneration projects.

GONE The Government Office for the North East, staffed by civil servants from the Department for Communities and Local Government and tasked to deliver Government programmes in the region. It also has planning-related responsibilities, such as deciding whether to recommend a planning application be called in.

NSP The Northumberland Strategic Partnership co-ordinates the efforts of all organisations with an interest in the regeneration of the county. It distributes Government funds to support regeneration.