



November 2014
The Committee Clerk
Environment and Sustainability Committee
National Assembly for Wales
Cardiff Bay, CF99 1NA.

Dear Sir,

Call for evidence

Thank you for the opportunity to respond to the call for evidence:

RICS Wales is the principal body representing professionals employed in the land, property and construction sector and represents some 4000 members divided into 17 professional groups. As part of our Royal Charter we have a commitment to provide advice to the Government of the day and in doing so we have an obligation to bear in mind the public interest as well as the interest of our members

In response we would like to make the following observations:

There needs to be a time limit of 5 years for Local Development Plans. If they are longer then they will be rigid and inflexible to changing economic and social circumstances. Applications should be allowed to make greater use of off-site contributions to encourage the viability of schemes

There needs to be an appreciation that for every extra requirement asked of developers consideration needs to be given to incentives to balance them,

RICS Wales strongly advocates close co-ordination of LDPs and planning policy by Local Authorities in Wales. This not only pools resources for the Authorities themselves in the current budgetary system, it also would provide greater clarity for developers encouraging projects and crucially it would recognize the reality of economic units on the ground.

If you have any queries in respect of this response please do not hesitate to contact me. Attached for further consideration is the full RICS Wales Planning Policy paper.

Yours sincerely,

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RICS Wales Planning Document

Summary

RICS Wales believes the following principles are vital to a successful system and need to be embedded in planning in Wales namely, flexibility according to each individual case, viability, and the provision of appropriate training for elected officials and planning officers.

Current Position

With the passage of the Referendum on increased powers for the National Assembly in March 2011 the Welsh Government was given the opportunity to promote sustainable Development in Wales by the introduction of a Planning Act specific to Wales. This short document is intended to support the development of this legislation and any secondary regulations, and to assist in their effective implementation moving forward.

RICS Recommendations

Flexibility

- Change of use Flexibility – RICS believes this principle needs to be embedded at the core of the Planning Act in Wales in order to provide the necessary responsiveness in the planning system to changes in the Welsh economy and society
- Development Corporations – RICS Wales feels that Wales would benefit from organisations that can operate across Council boundaries to piece together to make more schemes viable. This would support and enhance the City Regions concept

There exists a great opportunity to embed flexibility into the Planning System as a core concept for Planners in Wales. This applies to both having the system respond automatically to prevailing economic conditions so for instance adjusting s106 conditions in response to economic performance and also in making change of use for Buildings easier wherever possible. To highlight one particular example we continue to feel strongly that planners should where there is clear evidence of excess retail capacity promote their conversion to residential. This brings both the possibility of hitting three social goals at once, namely increasing land availability for

housing supply, removing excess retail capacity and regeneration. Areas like Swansea High Street would be precisely the sort of environment that we would view this as a potential remedy for.

Viability and Sustainable Development in Planning

- There needs to be a time limit of 5 years for Local Development Plans. If they are longer then they will be rigid and inflexible to changing economic and social circumstances
- Applications should be allowed to make greater use of off-site contributions to encourage the viability of schemes
- There needs to be an appreciation that for every extra requirement asked of developers consideration needs to be given to incentives to balance them,
- We believe reform of the SLAB element of SDLT would send a powerful statement of intent to smooth out blockages and rigidity in the Welsh Housing Market
- The creation of an Infrastructure category of development is to be strongly welcomed.

Flexibility is inextricably linked to what we view as the next key principle namely viability. What is viable for developers will clearly fluctuate according to economic circumstances and accordingly we would like to highlight the RICS work on Financial Viability in Planning to policymakers at all levels. Although developed in response to planning and development conditions in England the key principles to achieve viable and sustainable development are equally applicable to conditions in Wales. RICS Wales feels it is extremely important that the objective of sustainable development is followed in its entirety. This means not just in relation to environmental goals, but economic and social ones also.

To this end it is important that incentives to encourage higher environmental standards are offered in addition to regulations requiring them. One option may present itself with Stamp Duty Land Tax devolution. So if for instance a developer went further than regulations require in environmental standards required by the Planning system this could then be reflected in terms of how much and at what point stamp duty land tax might be levied on buildings. Above all though there is the opportunity by tying the tax system to standards required by the Planning system we would hope that positive incentivisation rather than compulsion can be embedded into the development process.

Training

- Joint Planning Boards should be required to undertake regular refresher training in consultation with independent professional practitioners
- Training must emphasise the principle of a continually evolving planning system
- It is vital that the act and all subsequent training ensures a starting point culture of positivity towards development.

It is of great importance we feel that officials and Councillors are supported in the most comprehensive way through regular refresher training. Such training should be developed and refined in consultation and where possible co-operation with professional organisations.

Training is important not only to refresh technical knowledge but also thinking by stimulating internal debate. As economic circumstances change it is important that planners are continually weighing the proportionality of planning demands and requirements to the condition of the wider economy.

The culture of planning has been changing from one of control to one of enabling. The changed context requires a variety of different skills which are capable of responding to the changing economic, social and environmental conditions. These changes require a general capability to adapt to new conditions, whether encountered as flooding, abandoned High Streets or social housing.

Regional Planning

- City regions. To make this a reality Local Authorities must be required to form joint planning teams. To co-ordinate with each other
- Planning officials must be required to take secondments with other planning authorities not just in Wales but throughout the UK to avoid siloing of planning approaches and encourage the spread of best practices.
- Welsh Government must be the lead partner in fostering co-operation and spread of best planning practice throughout Wales
- The National Land use plan should be developed first by consultation with the private sector and secondly, thereafter in full public consultation ensure the participation of all relevant social partners

RICS Wales supports the policy of City Regions and strongly advocates close co-ordination of LDPs and planning policy by Local Authorities in Wales. This not only pools resources for the Authorities themselves in the current budgetary system, it also would provide greater clarity for developers encouraging projects and crucially it would recognize the reality of economic units on the ground. As an example the fortunes and economy of the Vale of Glamorgan and Cardiff are inextricably bound together. It is therefore vital that regular dialogue and co-ordination take place. In our view Welsh Government is best placed to facilitate this throughout Wales. To support this RICS Wales proposes regular secondments of planning officials to neighboring authorities to strengthen ties and mutual understanding. Finally just as the NPPF in England requires Local Authorities to co-ordinate with each other. RICS Wales believes a similar binding requirement should be enacted in Wales.

RICS Wales welcomes the Wales specific Planning Act and stands ready to engage with all stakeholders to ensure that it delivers essential sustainable development for Wales.