# Can the marooned flagship of local democracy in English planning be re-floated? The case of neighbourhood planning.

## Plain language summary

Neighbourhood planning is the Government's flagship for community engagement in the English planning system. However, proposed changes leave very unclear how it will fit into a reformed system. This Viewpoint reviews the pros and cons of neighbourhood planning, and summarises recommendations to address its problems, spread its benefits, and give it a meaningful place in a reformed system.

## **Abstract**

Controversy over proposed reforms to the English planning system has centred on their impacts on local democracy. However, little attention has been paid to the Government's existing flagship for local democratic involvement in planning - neighbourhood planning. This leaves in gap in arguments both for and against the proposals. This paper reviews the neighbourhood planning initiative in the context of the proposed reforms and the debates over their implications for local democracy. It then summarises recommendations for making neighbourhood planning a meaningful part of a reformed system, based on the outputs of a joint academic-practitioner workshop in March 2021.

## **Keywords**

Local democracy, neighbourhood planning, planning reform, community engagement, participation

#### Introduction: Radical reforms

In August 2020, the UK Government launched a consultation on reforms to the English planning system. In his foreword to the consultation document, the Prime Minister promised '[r]adical reform unlike anything we have seen since the Second World War' (MHCLG, 2020: 6). Unsurprisingly, this generated huge public and political controversy. The consultation garnered a striking 44,000 public responses. The proposals were widely considered to have been a major factor in the Government's shock defeat in a by-election (BBC, 2021). Almost 100 of the Government's own backbench Members of Parliament have been organising via a WhatsApp group to oppose the proposals (Hansard, 2021a). At the time of writing, a year after the consultation was launched, the Government had still not announced how it will take reform forwards.

The proposals are wide-ranging, with controversy mainly revolving around how housing targets are set (centrally or locally) and a shift from a discretionary system (where all development except that covered by permitted development rights is subject to planning permission), to a 'zonal' system in which local plans would zone all land for 'growth', 'renewal' or 'protection'. Development that meets criteria set out in the local plan in growth areas would automatically gain permission in principle, with a presumption in favour of permission in renewal areas. The current discretionary system would continue to apply in protected zones or for departures from the local plan.

## Local democracy and neighbourhood planning

Opposition to the reforms has centred on the question of local democracy, largely around the removal of citizens' rights to comment on individual development proposals, and councillors' rights to determine individual applications. 2,000 local authority councillors signed an open letter saying that the reforms would 'drown out community voices [and] stifle local democratic responsibility' (CPRE & Friends of the Earth, 2020). Ex-Ministers on the Government backbenches have described

the proposals as 'showing contempt for local democracy' (Hansard, 2020a). Planning academics and practitioners agree that the proposals would diminish democracy in the planning system (TCPA, 2020a). The Government, however, claims that the reforms will enhance democratic accountability by engaging more people in plan-making – 'mov[ing] the democracy forward' (MHCLG, 2020: 14). Given this claim, surprisingly little attention has been paid, by either side, to the Government's own flagship initiative for democratizing the planning system and actively engaging communities in planning, known as 'neighbourhood planning' (henceforth 'NP'). This Viewpoint focuses specifically on NP, but it will hopefully resonate with the dilemmas and possibilities embodied in other instances of the international turn to public participation in planning (Taylor et al., 2019).

NP was introduced by the Conservative-Liberal Democrat coalition government in 2011, with the stated aim of delivering 'a fundamental and long overdue rebalancing of power, away from the centre and back into the hands of local people... where communities take the lead in shaping their own surroundings' (The Conservative Party, 2010: 2). By September 2019 over 2,600 communities had had their neighbourhoods - ranging from villages of less than a hundred people to towns (and parts of cities) of several tens of thousands – designated as NP Areas (Parker et al., 2020). This designation enables them to draw up their own spatial plans for those areas – allocating land for development or designating it for protection, setting area-wide and site-specific development management policies, and tailoring criteria for development to local circumstances. Adopted neighbourhood plans become part of the statutory development plan, technically putting them on an equal footing with the higher-level local plans produced by Local Planning Authorities. Neighbourhood plans have to be in general conformity with strategic policies in the local plan, have regard to national policy, and plan for sustainable development. But beyond these basic conditions, neighbourhood planners theoretically have considerable latitude to decide what issues their plans should address and how they should tackle them, enabling local people to develop local solutions to local problems – on the face of it, planning democracy in action.

The Government proposes retaining NP in the new system, but has provided no detail or substance about how it would function. The consultation document described NP as a 'means of community input' (MHCLG, 2020: 36) rather than of community control or power, in contrast to previous governmental framings. It suggested that neighbourhood plans would have a role in producing local design guides and codes, and that they should make better use of digital technologies. But beyond that, there was no indication of how they might fit into a radically reformed system. As the Town and Country Planning Association put it, 'this flagship of community planning appears to have been marooned' (Ellis, 2020).

This created the impression that while the Government wanted to preserve the idea of NP as an important element of local democracy in planning, they did not know what they wanted it to do or how it would function. This impression was amplified by subsequent statements, with the Minister for Housing stating in a Parliamentary debate that 'I am keen to ensure that the present neighbourhood planning system and neighbourhood plans find their place in our new regime, and I encourage contributions and thoughts on how that might be achieved' (Hansard, 2020b). The intention to retain NP suggested an opportunity to boost local democracy by addressing its problems and spreading its benefits, but without a more clearly defined role and substantial function, it appeared more likely that it would simply stagnate as its appeal to communities dwindled – which it was already at risk of without reform (Wargent & Parker, 2018). Could a stronger and clearer role for NP help address the criticism that the reforms would damage local democratic involvement in planning?

# Democracy in action?

The two central characteristics of NP – that communities themselves prepare plans, and the statutory status of those plans - do suggest that it is 'the most radical innovation in UK neighbourhood governance in a generation' (Wargent & Parker, 2018: 379), and a significant move towards empowering citizens and democratizing the system. However, some have described it, rather than a transfer of power from state to community, as another example of post-political, neoliberal governmentality (Davoudi & Madanipour, 2013; Haughton & Allmendinger, 2013). On this reading, neighbourhood planners are empowered only to make choices that will implement agendas and priorities set by remote state and/or corporate actors, thus cultivating consent and legitimacy for decisions that are not necessarily in the interests of the communities concerned (Swyngedouw, 2009). The governance of space is thus not done by empowered communities but through disciplined communities (Rose, 1999). Indeed, neighbourhood planners are empowered to promote more, but not less, growth than is proposed in the local plan. A pre-determined concept of the public good (increasing housing and economic growth) is thus elevated above the local democratic right to decide where the public interest lies (Inch, 2015). Many commentators have claimed that neighbourhood plans largely functions to deliver the centrally-determined objectives of economic and housing growth (Parker et al., 2015). And where they do not serve this function, they can often be over-ridden or their policies misinterpreted at the point of decision-making on specific planning applications, to the great frustration and resentment of the volunteers who have spent years producing them (Burns & Yuille, 2018; HCLG Select Committee, 2021).

The democratic credentials of NP have been queried in other ways as well. The democratic legitimacy of neighbourhood forums has been questioned (Davoudi & Cowie, 2013), while many authors have pointed to common shortcomings in the nominal representativeness of parish councils (Gallent & Robinson, 2013) (parsh councils and neighbourhood forums being the two bodies that can initiate a neighbourhood plan). It has been suggested that NP tends to empower the already relatively privileged (Hastings & Matthews, 2015; Wills, 2016). Government provides limited funding for neighbourhood planners to engage consultants to help with difficult issues, and provides a technical support programme. However, the process is time-consuming, difficult and burdensome for participants (Parker et al., 2014). The most recent and large-scale research on the impacts of NP (Parker et al., 2020) confirms that take-up is far higher in more affluent and more rural areas, and is unevenly distributed around the country. This highlights the substantial disadvantages faced by places that lack the established infrastructure and identity of local councils or high levels of existing social and cultural capital (Pycock, 2020). And crucially, there has been a pronounced decline in numbers of new groups coming forward to produce plans in recent years (Parker et al., 2020).

Local Planning Authorities have a 'duty to support' neighbourhood planners in their areas, but this duty is weakly worded and implementation is highly variable, leading to some Authorities with no NP activity at all and others with almost total territorial coverage, and differences in the nature of plans produced in different areas (Salter, 2021). This points to the strong influence that professionals in the public and private sector have over this supposedly citizen-led initiative, from whom strong conservative tendencies often permeate the practices of NP, stifling innovation and leading to citizen planners 'rescripting' their ideas to conform to pre-determined ideas, priorities and patterns (Parker et al., 2015, 2017). This can lead to participants becoming alienated from finished plans that don't reflect their knowledge, experience or aspirations (Bradley, 2018; Yuille, 2019).

## **Democratic disruptions**

Despite these constraints and flaws, NP is valued by the planning and community sectors (Civic Voice, 2020; RTPI, 2020; TCPA, 2020b), with countryside charity CPRE describing it as 'the most significant, positive change in the planning system for many years' (CPRE, 2020: 4). While the constraints on the freedoms of neighbourhood planners are real, the literature shows the potential

for them to 'work the spaces of power' (Newman, 2012), disrupting the disciplinary intentions of the state (Wargent, 2020) and 'exert[ing] much greater authority over land-use policy than initially thought' (Vigar et al., 2017). Neighbourhood planning disrupts the 'double divide' (Callon & Rabeharisoa, 2008: 231) between expert and layperson and between citizen and decision-maker (for better or for worse: compare Bradley, 2018 and Lord et al., 2017). It also unsettles the comfortable stabilities of representative democracy, relying upon a complex hybrid of participatory, deliberative, representative and direct democracy for its legitimacy (Sturzaker & Gordon, 2017; Yuille, 2020).

Far from generating compliant subjects of neoliberal governmentality, NP fosters the production of new collective political identities. This contrasts with conventional modes of participation in planning, which tend to represent 'the public' as an aggregation of individualistic consumer preferences, and organised community action as self-interested rather than contributing to defining the public interest (Bradley, 2015). The development of these collective identities can enable contestation and agonistic engagement both within the new polities (in a new forum at one remove from the framings and rationalities of officials) and between the new polities and their Local Planning Authorities and other actors (Bradley, 2017; Vigar et al., 2017).

While there is some evidence that NP delivers a modest uplift in the quantum of housing planned over that set out in local plans (Parker et al., 2020), this does not take the form of acquiescence to the corporate interests of the liberalised housing market or the (perceived) Government imperative to indiscriminately 'build, build'. Rather, there is evidence of NP communities drawing on their intimate knowledge of local spatial relations to propose locally-tailored, socially inclusive and sustainability-oriented ways in which their needs can be met (Bradley & Sparling, 2016). This enables them to place greater emphasis on locally-responsive and supported locations, mixes, affordability, local occupancy, and design of housing (Bailey, 2017), and otherwise tailoring development to meet the specific needs of the local area (Parker et al., 2020). They have been described as having 'demonstrated a different way of "doing" planning' (Field & Layard, 2017: 107) and as opening up spaces to reconfigure the purposes and aims of planning itself (Brownill, 2017). While NP was created through the disciplinary statecraft of localism, it has exceeded its boundaries (Bradley & Brownill, 2017).

This 'different way of doing planning' extends beyond the Government's main concern with planning (delivering housing) to cover the whole range of planning matters as they manifest at a very local level. Neighbourhood plans tend to approach these matters with a particularly strong focus on environmental quality, sense of place and social well-being (Bradley & Brownill, 2017). They prioritise the use values that motivate their communities over the exchange values that guide private development markets and much professional planning (Bradley et al., 2017). They seek to emphasise the concrete characteristics and qualities of lived place alongside the substitutable calculations of abstract space, mobilising care for and ways of knowing place that are not accessible to remote professional planners (Yuille, 2021). As a result, 'the neighbourhood [is] emerging as the proponent of sustainability and social purpose' in the planning system (Parker et al., 2017: 458), an important tool for asserting locally-determined priorities.

Despite the strong conservative forces that militate against innovation in the current NP arrangements, there are examples in which 'policy innovation... is being applied that can improve quality and sustainability' (Parker et al., 2020: 18). Although these may be the exception rather than the rule, it demonstrates that with the right structures and support in place, there is scope for NP to achieve much more in terms of unlocking the creativity of local communities to better address local priorities. The majority of neighbourhood plans also catalysed wider place-based activity, becoming important vehicles for stimulating and co-ordinating place-making beyond land-use planning (Parker et al., 2020). This highlights both that communities lack a formal arena for place-making projects that imbricate with, but go beyond planning policy, and that 'the public' sees place and place-making holistically and in much broader terms than conventionally-conceived planning practice (Layard et

al., 2013). Communities can be more effectively and creatively involved – and local democracy thus enhanced - if their engagement extends beyond 'merely' planning matters to include overlapping and adjacent issues such as environmental and public realm improvements, traffic management and highways improvements, green space management, improving community assets, affordable housing, community renewables etc. This also often acts to stimulate wider debates about community actions and issues, which can further reinvigorate local democracy.

Combining projects with planning policies can help to maintain public engagement with a plan, both during preparation and after adoption. Successful NP is not a one-off event, but an ongoing revival of civic engagement. Much to some groups' surprise, after their plans are adopted, they are most effectively implemented if they interpret and apply their own policies in comments on individual applications. In some cases, neighbourhood planners have acted as a new locus for community engagement in masterplanning and pre-application discussions, and in stages of local plan preparation such as site identification – with frustration and resentment evident in communities where this has not happened (Parker et al., 2020). NP engagement with the local democracies of planning can go much further than 'simply' producing a plan.

### Recommendations for reform

Neighbourhood plans have boosted design, quality, sustainability, and social considerations in policy; better tailored development to local needs, circumstances, and character; and occasionally pushed through innovative local solutions — and they do this best when they embody real local democracy. It seems clear that there is substantial untapped potential for NP to both contribute to Government agendas such as levelling up and building back better, and to genuinely empower communities and enhance local democracy in planning. The reforms left open the possibility of realising at least some of that potential - but as originally proposed were more likely to led to its gradual demise. The Government clearly liked the idea of neighbourhood planning, but were not clear about how it would function in practice in a reformed system.

To try to plug this gap, I convened a workshop with some of the leading researchers in the field, along with representatives from non-governmental organisations involved in supporting and engaging with neighbourhood plans and planners, to explore whether from our collective and diverse experience, expertise and perspectives we could develop a steer on how NP could play a meaningful part in a reformed system. Representatives from MHCLG, the Government ministry responsible for planning, also attended. Each participant was asked in advance to highlight three key features that would, for them, be important for NP to succeed in a reformed planning system. This initial input was used to structure discussion on the day around our visions for NP — what neighbourhood plans should be able to do and the value they would add in the context of the proposed reforms — and what would need to happen in order to make this possible. Following the workshop, I collated the proposals put forward and debated into a series of recommendations, which were circulated around participants for two rounds of review and revision before being finalised and sent to MHCLG. The full set of recommendations can be found in a briefing at <a href="https://eprints.lancs.ac.uk/id/eprint/155092/">https://eprints.lancs.ac.uk/id/eprint/155092/</a>, and reflect the collective views of participants, rather than established policy positions of participating organisations.

These recommendations sought to inform Government thinking as they considered how to take their proposals for reform forwards in the face of deep and wide controversy revolving around the perceived attack on local democratic involvement in planning. They attempt to address the main flaws and shortcomings revealed by a decade of NP practice and research, and to extend and deepen its value in enhancing both local democracy and planning outcomes, within the broad parameters of the Government's proposed reforms. In summary, we advised:

- **Overall**: NP should be strengthened and developed as one key means of community engagement with planning
- **Extending participation**: There is an urgent need to extend participation in urban and deprived areas, with active interventions (beyond the existing additional funding) to help establish and support groups in these areas
- **Scope**: Neighbourhood plans must be able to engage with the full range of planning matters, not be restricted to design issues, and the positive placemaking outcomes of NP and synergies with national objectives beyond pure land-use planning should be recognised and supported
- **Status**: Neighbourhood plans should remain a statutory part of the development plan in a new, genuinely plan-led system, and be given full weight in decision-making: the circumstances in which they are given reduced weight should be far more limited
- Relationship to other elements of the system: A participatory ethos should run throughout the planning system, with statutory requirements for meaningful community engagement during local and neighbourhood plan-making, at the point of decision-making on individual proposals, and at intermediate stages. If the zoning proposals are progressed, this should apply in each zone, commensurate with the different consenting regimes, and there should be a relationship of mutual influence between neighbourhood plans and local plans
- Process: Communities should have access to a 'triage' system to help them decide if NP is the
  best route for them. Reviewing and updating plans should be streamlined, and the inevitably
  time- and labour-intensive nature of volunteer-led neighbourhood plan development should be
  recognised, with digital technologies used to enhance (not replace) current practices, and better
  support for creative and innovative approaches
- Resourcing & support: NP should be mainstreamed as a core function of all Local Planning
  Authorities, who must be properly resourced to deliver a more highly-specified Duty to Support.
  Funding and support for NP, including for activities beyond plan-making, should be reviewed,
  and clear criteria for success developed to reflect the social value generated by NP.

## A more democratic future?

In August 2021, we are still awaiting the long-delayed Government response to the consultation. While some of the recommendations above may appear to go against the grain of the reforms as originally proposed, I maintain that they constitute an effective means of enhancing and bringing forward local democracy in the planning system in ways that will deliver improved planning (and wider place-making) outcomes.

There are some signs that an optimist could read as hopeful. The language used about the reforms by Government spokespeople more recently is softer (e.g. Hansard, 2021b), suggesting that they have taken the responses to their proposals seriously. In meetings with ministers, NGOs have been assured that their fears about neighbourhood planning, and threats to local democracy more widely, are misplaced. And just six weeks after the workshop described above, the Government announced two new funds to extend participation in NP – one to enable Local Planning Authorities to support the formation of neighbourhood forums in deprived and urban areas, and one to pilot a form of 'NP light' for communities that lack capacity to develop a full neighbourhood plan. While these funds are both short-term, and leave important questions unanswered (such as how additional support needs in deprived and urban areas will be met after groups have been established, or what status and weight 'NP light' plans will have), they do start to address some of the recommendations put forward here, showing that Government was already wrestling with some of these issues.

Neighbourhood planning arguably offers a complement, rather than a challenge, to established notions of expertise and democratic practice in planning: one tool amongst many (Sagoe, 2016). It is simultaneously radical and constrained. It has certainly increased engagement within designated neighbourhood areas – the Government claims that only 1% of the population in a planning

authority area gets engaged in local plan making (Hansard, 2021b), while an average 33% of the local population vote in neighbourhood plan referendums (Carpenter, 2016). But its full potential remains far from realised, and only time will tell whether a reformed English planning system can accommodate the kind of radical devolution of powers and development of new forms of situated local democracy that lie behind the idea of neighbourhood planning.

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