

# THE CHANGING BRITISH PLANNING SYSTEM, 1969-1989

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## INTRODUCTION

The subject of this article is an examination of the evolution of the British (1) planning system over the period from 1969 to 1989. Its principal coverage is descriptive, with references pointing towards more specialised literature including primary sources, scholarly research and evaluation exercises. Nonetheless it does include some elements of analysis and comment.

The article focuses rather narrowly on one component of the statutory planning system—the Development Plan. This is of course by no means the only significant component of the British land use planning—other relevant aspects include: the control of development projects; public participation; policy objectives and attainments; and, planning methodology and techniques. Nor is the Development Plan component a sufficient expression of the range of activity in the more general land-use planning action space which includes, for instance: new town development; derelict land reclamation; the management planning of countryside parks and heritage coasts; support for the coordinated improvement of housing, industrial and commercial areas; and, the preservation of buildings of architectural or historic interest.

These subjects together, however, would require an issue of *Ciudad y Territorio* to give them full representation. Here, within the confines of a single article, the ambition and scope is more limited; and it is argued that the Development Plan system provides a useful prism of analysis, which focuses a much wider set of planning activities as well as social, economic and political attitudes to planning and exposes them to view. In

this way through considering the framework for making plans, the substantive concerns and methods of planning, its objectives and achievements as well as procedural matters are glimpsed within a very basic overview of the record of the planning system.

The period under examination from 1969 to 1989 is likewise neither self-contained nor is it particularly homogeneous in its content in terms of the evolution of the Development Plan system. The theme developed here is one of different emphasis in the two decades: the 1970s when efforts were made to implement the growth management-oriented 1968 Act system of structure plans and local plans; and, the 1980s when under different national political priorities directed towards promoting market-led developments, the system has itself been marked by some damaging changes and some quite new elements introduced.

The discussion first turns to a description of the historical background to the 1968 Town and Country Planning Act, following which are examinations of the characteristic features of evolution of the Development Plan system in the 1970s and the 1980s. The article concludes with a brief review of some of the main issues facing the Development Plan system at the start of the 1990s.

## HISTORICAL BACKGROUND

The first planning system to be established in Britain in 1909 was limited to suburban extension zoning schemes (2). Local planning authorities (LPAs) were given

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(1) The term "British" is used here to cover England, Wales and Scotland (i.e. Great Britain), which were included in the earliest planning legislation. Subsequently, however, parallel but broadly similar legislation has been enacted for Scotland and the planning system in Scotland has developed some unique and interesting features. On occasion

reference will be made in this article to "England" where specific statistics or circumstances are discussed. The central government role in planning undertaken by the *Department of the Environment (DOE)* for England is taken by the Scottish Office and the Welsh Office in Scotland and Wales.

(2) The Housing, Town Planning, etc., Act, 1909, Part II, see: ASHWORTH, William (1954): *The genesis of modern British town planning*, London, Routledge & Kegan Paul, ch. VI; and also: SUTCLIFFE, Anthony (1988): "'Britain's first town planning act: a review of the 1909 achievement'", *TPR*, Vol. 59, No. 2 (July 1988), pp. 289-303.

powers by Parliament to prepare Town Planning Schemes for their newly-developing suburban areas. When approved these schemes were binding on landowners and developers. Preparing the schemes usually took a long time, however, and in 1919 new powers were given to LPAs to grant permission for development on an individual basis during the time while a scheme was being prepared (3). This "interim" development control became an important and widely used planning instrument, and, on a generalised and continuing basis has subsequently become the principal regulatory mechanism of British land-use planning. The pioneering 1909 zoning system was extended, admittedly, not very satisfactorily, in 1932 to include urban built-up areas and rural areas (4). The first efforts with regional planning were also made in the 1920s and 1930s (5). Thomas Adams, the first President of the Town Planning Institute, characterised this early period "an experimental era" (6).

Building on these early efforts a "new era" began in the 1940s with the implementation of a series of recommendations developed from the immediate needs of postwar reconstruction and which included many of the more radical proposals suggested in the findings of the 1937-1939 Royal Commission on the Distribution of the Industrial Population (7). These advances were enabled by the "heroic mood of war" prevalent at that time and by a broad national policy consensus on the role of planning (8). From 1943 to 1952 a new legislative framework was established providing for a comprehensive planning system throughout the country. The system, its objectives and measures are usually called by the name of the central piece of legislation—the 1947 Town and Country Planning Act—enacted by the immediate post-war Parliament with its large Labour Party majority elected on a programme of welfare provision in the social arena and national ownership and demand management into the economic.

The 1947 Act system contained the central requirement that all future development must receive planning permission from a government authority—usually local government, but in special cases from central government represented by the relevant minister. This new "development control" responsibility thus extended and generalised the former "interim" procedure. Planning powers continued to be allocated to the largest urban areas (county boroughs), but were taken away from the circa 1300 smaller urban areas and rural districts and given to the higher-tier county councils. In all the number of LPAs was reduced by 90 per cent to circa 145.

The local planning authorities would be guided (but only guided as they could take other "material considerations" into account) in their decisions by Development Plans which would look ahead 20 years and be reviewed every five years. Development rights in land and

buildings were nationalised (a position which remains to this day and underpins the practical day-to-day operation of the whole planning system) together with the existing development values (some compensation was made available for these). New development values were to be taxed away.

Special protection was given to agricultural land (which was largely exempt from the new system) and to the landscape of the countryside (separate designations were established for National Parks, Areas of Outstanding Natural Beauty (9), and, Green Belts, as recommended for instance in the *Greater London Plan* (10), could be defined in the new Development Plans). Further measures provided for the establishment of New (11) and Expanding Towns (12) to assist in metropolitan decentralisation and regional economic development. New forms of planning education were begun (13) with four-year undergraduate courses and two-year graduate "conversion" courses to staff the separate Planning Departments which were established by many county councils (although the county boroughs i.e., the main urban authorities, continued to rely on their existing engineers "and surveyors" departments) to deal with the new work.

In looking back over the last twenty years and in discussing present circumstances and future prospects, it is helpful to recall this earlier decade of the 1940s when the general principles and institutions of British town planning were being formed. It provides a base line position from which to measure changes and consider the reasons for those changes. The longer historical perspective also helps to offset the oversimplification which an immediate acquaintanceship with the later period under discussion gives to those who have just lived through it!

## TWO DECADES: 1960-1979 AND 1979-1984

Today, as the independent Nuffield Foundation Committee has recently commented, "we can see that... [the] cardinal assumptions embodied in the 1947 Town and Country Planning Act have been called into question or indeed abandoned in the intervening years" (14). That questioning, and the restructuring of the planning system it implied, had begun in earnest in the 1960s and by 1969 planning was in the midst of an era of reform and advance. These changes were designed to extend the planning system, to introduce new scientific techniques and a more rational methodology, and, to amend the form of plans to a more rapidly changing demographic and economic framework than had been perceived in the late 1940s.

In contrast the 1970s—especially after 1975-76—brought a wider questioning and even a degree of re-

(3) The Housing, Town Planning, etc., Act, 1919.

(4) The Town and Country Planning Act, 1932. For an introduction to the development of rural planning to 1939 see: SHEAIL, John (1981): *Rural Conservation in Inter-War Britain*. Oxford, Clarendon Press.

(5) MASSEY, David (1989): "Regional Planning 1909-1939: The Experimental Era", Ch. 5 in: GARSIDE, Patricia L. and HEBBERT, Michael (eds.) (1989): *British Regionalism 1900-2000*. London, Mansell.

(6) ADAMS, Thomas (1932): *Recent Advances in Town Planning*. London, J. and A. Churchill, p. 73.

(7) Royal Commission on the Distribution of the Industrial Population (1940): (*The "Barlow Commission" Report*) (Cmd. 6153). London, HMSO.

(8) See the discussion in: CHERRY, Gordon E. (1988): *Cities and Plans*. London, Edward Arnold, ch. 5. The official history of the early

"reconstruction" period to the passing of the 1947 Act is recounted in: CULLINGWORTH, J. B. (1975): *Reconstruction and Land Use Planning 1939-1947*. London, HMSO.

(9) The National Parks and Access to the Countryside Act, 1949. See the discussion in: CHERRY, G. E. (1975): *National Parks and Recreation in the Countryside*. London, HMSO.

(10) ABERCROMBIE, Patrick (1945): *Greater London Plan 1944*. London, HMSO.

(11) The New Towns Act, 1946.

(12) The Town Development Act, 1952.

(13) Committee on the Qualifications of Planners (1950): (*The "Schuster Committee" Report*) (Cmd. 8059). London, HMSO.

(14) Committee of Inquiry appointed by the Nuffield Foundation (1986): *Town and Country Planning*. London, The Nuffield Foundation, p. 1.

tribution for some earlier hubris; providing a decade characterised more by implementation and modifications to the system than of unchallenged achievement and advance. The opening up of the planning system to market forces and deregulation after changes in central government in 1979 involved far more radical changes. It would thus seem to mark a conveniently even division of the decades between 1969 and 1989—at least in terms of central government attitudes, with the election of a Conservative majority in that year, if not in terms of local political allegiances and of local planning policies. Of course neither decade can be regarded as being self-contained and both included major threads of continuity and development. Nonetheless 1979 in many ways provides a convenient dividing point between one major emphasis and another in the evolution of the Development Plan system during the past two decades.

Planning in Britain at the time of writing in 1989 stands in a position of uncertainty as a result of the changes of the 1980s. Many of the old assumptions and frameworks have been set aside or restructured; the new assumptions and frameworks seem only to be partially in place, with significant additional elements yet to come. Patsy Healey puts the position like this: “we need to understand the 1980s not as an era when a new model has been imposed on... [planning], but rather one where the old model has been vigorously shaken and broken up. The new model remains to be invented” (15).

## THE PLANNING SYSTEM IN THE 1970s

In 1969 the Development Plan system stood on the threshold of great changes. Drawing on the early 1960s analysis of the Planning Advisory Group (16), and, responding to criticisms about the inflexibility of the 1947 Act Plans and their inappropriateness to an era of social, economic and technological growth and change, the 1968 Town and Country Planning Act had just introduced the idea of a new Development Plan system. This would consist of a coordinated set of i) required Structure Plans as general area-wide guidance documents (17), and ii) optional Local Plans (18) which would provide for detailed guidance on a specific map basis for significant parts of a local government district (19), a smaller section of concentrated activity, or, for a particular subject. The new approach was devised

to retrieve the leading role in regulating development which the 1947 Act Development Plans had increasingly lost in the late 1950s and early 1960s. It was also seen as providing an administrative mechanism for the management of an unprecedented surge of building and construction activity involving major new infrastructure projects, the implementation of conurbation and urban area land use/transportation studies (20) and planned urban growth.

Parallel to the changes in the statutory form and content of development plans, a more “systematic” approach to planning was taking root in planning authorities, in consultancies and the planning schools (21). Quantification, formal analysis and mathematical models, it was argued, would provide a new armoury of techniques to provide a scientific base for technically-rational comprehensive plans (22). The term “planning methodology” began to be heard. And as if that were not enough, the ambitions of planners on the nature of “comprehensiveness” had increased. Comprehensiveness of land use throughout the national territory was now seen as too limited; systems thinking (and policy ambition in some cases) suggested that social and economic aspects ought to be brought within the plan-making process (23). At the Town Planning Institute Conference in May 1969 on *New Directions in Planning*, records Solesbury, «it appears that the planning issues and objectives of the day were taken for granted, and it was in planning procedures and methodologies that “new directions” were to be charted» (24).

A number of Sub-Regional studies by specially assembled teams were begun, notably for Leicester-Leicestershire, Coventry-Solihull-Warwickshire and Nottinghamshire-Derbyshire as prototypes of the new structure plans (25), where the great challenges, excitement and prestige were seen. However, from the start qualified staff, data and understanding of the new procedures and methodologies were not generally available. Only a small number of LPAs were thought to be sufficiently qualified to be allowed by central government in 1971 to be among the “first wave” to prepare structure plans.

Some assistance was seen to be at hand in the report of the Royal Commission on Local Government on England whose report in 1969 reflected the faith in large-scale organisation and in comprehensive approaches to technical rationalism characteristic of the 1960s (26). It recommended that the circa 1400 local governments

(15) HEALEY, Patsy (1989): «Directions for change in the British planning system». *TPR*, Vol. 60, No. 2 (April 1989), p. 148.

(16) Planning Advisory Group (1965): *The Future of Development Plans*. London, HMSO.

(17) Structure plans have to be submitted to the relevant Secretary of State for his approval. They are principally written statements of policy, with accompanying supporting arguments and illustrative material, accompanied by diagrammatic representations (i.e. not on a map basis) of the spatial expression of the policies. In Scotland the preparation of the first round of structure plans was preceded by the submission of “regional reports” as broad-ranging statements of the problems, policies and priorities of the newly reorganised councils. McDONALD, Sheila T. (1977): “The Regional Report in Scotland: A Study of Change in the Planning Process”. *TPR*, Vol. 48, No. 3 (July 1977), pp. 215-232.

(18) In Scotland, however, in the Local Government (Scotland) Act, 1973 LPAs were required as soon as practicable to prepare local plans for the whole of their area.

(19) For instance, a small town or a substantial part of a larger town.

(20) SOLESBURY, William and TOWNSEND, Alan (1970): “Transportation Studies and British Planning Practice”. *TPR*, Vol. 41, No. 1 (Jan. 1970), pp. 63-79.

(21) A widely-read and influential publication of the time was, McLOUGHLIN, J. Brian (1969): *Urban and Regional Planning: A*

*Systems Approach*. London, Faber & Faber. (Published in Spanish as *Planificación urbana y regional: un enfoque de sistemas* by IEAL, 2nd edition, 1976).

(22) This effort was reviewed in a set of articles edited by BATEY, P. W. J. and BREHENY, M. J. (1978): “Systematic Methods in British Planning Practice”. *TPR*, Vol. 49, Nos. 3 and 4 (July and October 1978), pp. 257-318 and 445-518.

(23) From the early 1970s the DOE became concerned about the difficulties of dealing with economic and social policies from a structure plan base and at the inter-authority complexities caused in structure plan preparation, and sought to refocus structure plan preparation on those land-use policies which were of structural importance.

(24) SOLESBURY, W. (1983): “Structure plans: underlying intentions and overriding influences”, in: D. T. Cross and M. R. Bristow (eds.) (1983): *English Structure Planning: a commentary on procedure and practice in the seventies*. London, Pion, p. 5.

(25) These and another group of contemporary planning studies using new methodologies and techniques are discussed in JACKSON, John N. (1972): *The Urban Future: a choice between alternatives*. London, Geo. Allen & Unwin.

(26) Royal Commission on Local Government in England 1966-1969 (1969): (*The “Redcliffe-Maud” Report*) (Cmnd. 4040). London, HMSO, esp. Vol. I, chs. VI-VII. For Scotland see: Royal Commission on Local Government in Scotland 1966-1969 (1969): (*The “Wheatley” Report*) (Cmnd. 4150). Edinburgh, HMSO, esp. chs. 6-8.



in England outside London (which had itself been reformed in 1965) be fashioned into 58 great all-purpose authorities with the largest conurbations of Birmingham, Liverpool and Manchester having two-tier metropolitan area and metropolitan district councils. The new all-purpose and the metropolitan area authorities were seen as the appropriate agencies for the entirety of the statutory planning system (although it was conceded that the metropolitan districts might prepare local plans by agreement). At the same time at central government level there was to be a new super-ministry bringing together housing and local government, transport and public works.

In the event the Royal Commission's proposals were too ambitious for the Conservative Government which took office in 1970, and what began as reform ended more as reorganisation (27). Nonetheless it was substantial enough, with a great reduction in the number of local authorities to around 450 and an increase of three (Tyne and Wear, South, and West Yorkshire) in the number of metropolitan counties. The whole country was to continue to be organised on a two-tier basis (i.e. counties and districts), and, because the districts appeared to be short of functions, a political decision was taken to split the planning function into two, with structure planning going to the counties and local planning and most development control decisions going to the districts. Thus the unified Development Plan system of the 1968 Act was already broken by misunderstanding and political expediency before it had begun to be put into practical operation.

Local government reorganisation took effect in 1974 and time was needed for departments to be staffed policy directions to be decided, and interim policies to emerge. The new planning methodology for structure plans was data hungry, analysis was lengthier than expected and both were costly. Political and sectorial (especially transportation) elements began to take the lead where technical rationality could not answer the central policy questions. The metropolitan counties in addition found that the form and content of structure plans (which had been designed to deal with the growth of the 1960s) were inappropriate to their problems of local economic decline, obsolescent buildings and infrastructure, to their concentrations of social deprivation and to their needs for urban regeneration in the 1970s.

Much of the self-assurance about future conditions so characteristic of the 1960s gave way to uncertainty with planning time horizons shrinking back from the long-term 20 year period to as little as 5-6 years in the case of the *Merseyside Structure Plan* of 1980 (28). In central government terms although the new Department of the Environment (DOE) was formed in 1970 (29), the land Department of the Environment (DOE) was formed in 1970 (29), the land use-transport connection was severed by the Labour Government in



1976 with the reestablishment of a separate Department of Transport. The DOE's response to the relatively elaborate and slow preparation of the structure plans was to cut down on the lengthy survey and analysis periods in plan preparation and to limit the range of policy subjects and details the LPAs were tending to consider. Instead they were advised to concentrate on "issues which are of key structural importance to the area" —essentially, population, employment, housing and transportation (30). But progress was slow nonetheless and "by 1979 only 57 of the 72 required structure plans had been submitted and only 27 approved" (31). In fact, it was

(27) Local Government Act, 1972. For a useful general discussion of relationships between the reform/reorganisation of the planning and local government system see ROBERTS, Neal Alison (1976): *The Reform of Planning Law: A Study of the Legal, Political and Administrative Reform of the British Land-Use Planning System*. London, Macmillan.

(28) "... the Secretary of State, in approving the [Merseyside Structure] plan in November 1980, accepted the recommendation... that there should be "regular monitoring" and "that it would be sensible for the local authorities and central government to take a total view of the situation in about five years time [sic] in order to decide strategic ob-

jectives for ensuing years". Merseyside County Department Planning (1985): *Agenda for Merseyside: the urban regeneration strategy; performance, prospects and proposals*. Liverpool, Merseyside County Council, para. 1.3.

(29) See, for example, the reviews by SHARP, Evelyn; GREENWOOD, Anthony and WALKER, Peter (1978): "The Creation of the DOE: A Review Symposium". *TPR*, Vol. 49, No. 3 (July 1978), pp. 387-392.

(30) Department of the Environment (1974): *Structure Plans* (Circular 98/74).

(31) Nuffield Committee Report (1986): *op. cit.*, N. (14), p. 38.

to take until 1985 to complete the full coverage of ministerially approved Structure Plans. It was, records Solesbury, "undoubtedly a more massive task than was foreseen when the new development plan provisions were legislated in 1968" (32).

These perceptions of over-elaboration and time delays were serious (although now largely irrelevant but not forgotten) points of criticism held against the system. Legislation in 1980 enabled local plans to be prepared and adopted in advance of approved structure plans (33) and reduced the county planning authorities' ability to influence district council's development control decisions on the grounds of strategic interests.

By the time planners began to be concerned with the second—local plan—element in the 1968 Act Development Plan System in the mid-1970s, many features in the circumstances in which the concept originated had changed considerably. Local plan preparation was not mandatory and the county and district authorities used the procedure of a Development Plan Scheme to indicate the areas and subjects for which such plans would be prepared and their preferred priorities. Where a substantial subject cut across a number of district boundaries (e.g. a green belt), the county might prepare the local "subject" plan (34). More commonly local plans were prepared by the district planning authorities.

The scale of local plan making first proposed in the mid-1970s was very large (circa 3,500) but was subsequently much reduced (circa 2,600) in the first round of Development Plan Schemes and had shrunk even further (by a further circa 40 per cent) in operational terms by the end of the decade (35). By early 1982, with admittedly another 138 at an advanced stage immediately prior to adoption, only 79 Local Plans had been formally adopted in England. Given the lack of clearly defined, site specific land-use plans this position implied, it is not surprising that many LPAs had turned to non-statutory informal planning documents "interim policies", "planning briefs", "informal village plans" as valuable planning instruments.

The 1970s may thus be characterised as a decade in which the first practical steps to implement the new structure plan-local plan system were taken. Although a reasonable coverage of the first round of structure plans had been achieved, and, the development of specific routine "monitoring" methodologies, of the continuing process of reviews and amendments begun, the new system had taken longer to bring into operation and been more complex than previously anticipated. Criticisms and a trimming back of the content of some over-ambitious plans had surfaced during the decade and were to make their way into modifications to the operating processes of the new system. Relatively less progress had been made with establishing local plans, which only began with any degree from 1978 and with attention focused on small area-based regulatory plans rather than what had once seemed the more interesting "action area plans" or the more shadowy "subject" plans.

## THE 1980s

The incoming Conservative Government of 1979 had firm views about the role of land-use planning in national life and economy, seeing it as part of an undesirable restriction on development by the private sector. Planning was seen as part of the burden on industry and enterprise which needed to be lifted and its remaining parts streamlined in their operation (36). De-regulation became the order of the day. The Local Government, Land and Planning Act 1980 (referred to above) and subsequent administrative actions sought to speed up the completion of the first round of structure plans (37). When approving structure plans and amendments the Environment Secretary considered writing in additional allocations of development land (especially for housing land in the fast-growing counties of South East England), if he felt that the county policies were too protective of existing local interests.

Other policy initiatives were more directed towards Development Control rather than the Development Plan questions but, national policy guidance by drawing attention to the fact the Plan was only one "material consideration" in reaching planning decisions (38), had the effect of downgrading it in comparison with the other "considerations". For instance, the "presumption in favour of development" was emphasised to LPAs in national guidance documents such as a Ministerial Circular (39) and later renewed in a Planning Policy Guidance Note (40). Another approach was to try and cut down on the time taken by district planning authorities to take decisions on applications for planning permission for development projects by setting target times for decisions to be made and requiring the publication of statistics. Developers refused consents by planning authorities made greater use of the appeals procedure to the Environment Secretary if they felt national policies had not been adequately taken into account in the local decisions.

## STRUCTURE PLANS AND LOCAL PLANS

After the early 1980s the emphasis of interest in the Development Plan system rather swung away from the counties and the structure plan towards the districts and the local plans. This did not mean that structure plan activity ceased. Although the same degree of staff, data, funding and degree of publicity attracted to a new form of policy document were not evident, nevertheless substantial structure plan activities, such as monitoring, reviews and amendments proceeded as part of the continuing process of planning. These built on the accomplishments of the first generation of completed plans and sought to update them with regard to the degree of implementation of accepted policies, the challenges of socio-economic and technological change and the emergence of new policy priorities and development proposals (for instance, ideas for major private sector new

(32) Solesbury (1983): *op. cit.*, N. (24), p. 25.

(33) Local Government, Planning and Land Act, 1980.

(34) For example a "Green Belt Plan", where the principles are set out in an approved structure plan, and the detailed guidance for development control and the field by field map-based boundary definition of the Green Belt are set out in a separate Local Plan.

(35) BRUTON, M. J. (1983): "Local Plans, Local Planning and Development Schemes in England, 1974-1982". *TPR*, Vol. 54, No. 1 (Jan. 1983) pp. 4-23.

(36) Minister-without Portfolio et al. (1985): *Lifting the Burden* (Cmd. 9571). London, HMSO; also, see DOE (1985): *Development and Employment* (Circular 14/85).

(37) SHAW, Martin (1989): "Development plans and local discretion", in CROSS, Donald and WHITEHEAD, Christine (eds.) (1989): *Development and Planning 1989*. Newbury, Berks., Policy Journals for University of Cambridge Department of Land Economy, p. 40.

(38) DOE (1985): *op. cit.*, N. (36).

(39) DOE (1980): *Development Control Policy and Practice* (Circular 22/80).

(40) DOE (1988): *General Policy and Principles* (Planning Policy Guidance Note No. 1).

"settlements" or "country towns" in the South East) (41). An important complaint from the county planning authorities was the time taken by the DOE to approve amendments once submitted to them by the counties.

Local Plans had also been slow to be prepared and formally adopted in the 1970s. Even by the end of 1984, and with 245 local plans awaiting adoption, only 323 Plans had actually been adopted. Moreover thirty per cent of LPAs had not yet completed any local plans (42). Of the local plans which were being prepared, the largest number (about four-fifths) were general land-use plans for a specific part of the local authority district, with the remainder broadly divided between action area plans and subject plans (43). A few authorities attempted to cover the whole of their districts in an incremental process; most only attended to parts of their districts where development issues needed detailed policy coordination and guidance. Against this fragmented achievement and the cost and complexity involved in district-wide plans, the district planning authorities continued to produce numerous, diverse, informal/non-statutory plans and policies. Although once encouraged in relation to housing land allocations in the early 1970s (44), this became increasingly frowned on by the Department of the Environment, as did the inclusion of non-land use policy material in local plans.

By the mid-1980s the implementation of the 1968 Act system had a rather patchy degree of achievement to record. Since local government reform in 1974 it had never operated as an unitary system as intended and although the structure plan element was reasonably well established, had proved slow to establish in terms of formally-approved structure and local plans. Local plan coverage was far more diverse and subject to many of the disagreements over the appropriate content of plans (i.e., restricted to land use, or, including other, related policy components) that had been argued over in relation to structure plans. Many district planning authorities appeared to be placing a greater reliance on informal plans and policy statements than on statutory local plans. The degree of discretion built into the Development Control system, enabled some district authorities (such as the City of Liverpool) to do without approved local plans at all, although it had a wide range of non-statutory/informal planning policy statements.

## DEREGULATION BY ZONING

A more dramatic deregulation initiative, albeit one to be applied experimentally (at least at first) and highly selectively was that of the Enterprise Zone (EZ). Although having its roots as an idea in far more radical proposals in the late 1970s, the practical proposal which emerged in the Local Government, Land and Planning Act 1980 was more modest. In essence, for a ten-year period developers were given tax concessions (the "en-

terprise" element) and with a general planning permission granted for any commercial or industrial projects the developers might want within quite small parts of urban areas (the "zoning" element) in need of regeneration (housing was excluded from the zones as were hazardous activities such as nuclear installations; and retail land use was often limited to protect existing city centre shops). Local authorities were encouraged to bid for zones in their areas, although decisions on the bids rested with Central Government.

This approach to what was in effect a general (although small-area) zoned planning permission represented a return to the concepts of the 1909 Act planning system. The parcels of land defined in an EZ were in a sense taken out of the normal Development Plan and Development Control system for the ten-year period of the relevant Scheme. Eleven zones were designated in 1981 and 1982, and, after the success of the experiment had been declared, a further 14 (generally smaller) zones were designated in 1983 and 1984. Although the Environment Secretary has now stated that there will be no further general designations, the policy has since been used occasionally to provide a practical expression of Central Government concern over industrial closures (45).

Although the EZ policy has been a limited one, its zoning element has been potentially extended far more widely throughout the planning system by subsequent policy developments. Suggested first in a consultation paper in 1984 and enacted in 1986, the Simplified Planning Zone (SPZ) can be drawn up by LPAs throughout Britain (46). Approval of an SPZ scheme grants planning permission (usually for industrial and commercial uses) for sites in need of regeneration. The permission is effective for a ten year period.

## URBAN DEVELOPMENT CORPORATIONS

A second initiative of the 1980s which has substantially modified the status of the Development Plan system in particular local areas has been the establishment of a new class of governmental agencies "urban development corporations" (UDCs). These bodies were appointed by the Environment Secretary (and latterly the Secretary of State for Wales with respect to the Cardiff Bay Development Corporation) under powers given in the Local Government, Land and Planning Act, 1980 (47). They take over the effective planning powers of the local authorities in the designated parts ("development areas") of their districts and have the single task of carrying out the regeneration of those areas. This innovation reflected Conservative Government dissatisfaction with what they saw as the time-consuming and ineffective bureaucratic and political processes of many local authorities. The Government also intended to reduce the rate of growth of local government expenditure generally and, through a separate fund of grants for the UDCs, could control the level and nature

(41) Initially proposed outside approved structure plans by "Consortium Developments", a group of major house developers; but subsequently some have been initiated by and incorporated in county policies as part of the structure plan review and amendment process.

(42) Nuffield Committee Report (1986): *op. cit.*, N. (14), p. 40; for useful and detailed research discussions of experience of Local Plans see HEALEY, Patsy (1983): *Local Plans in British Land Use Planning*, Oxford, Pergamon; and, BRUTON, Michael J. and NICHOLSON, David J. (1987): *Local Planning in Practice*, London, Heinemann).

(43) BRUTON, M. J. (1983): *op. cit.*, N. (35).

(44) HEALEY, Patsy: *op. cit.*, N. (43), p. 98.

(45) Two such exceptional cases were announced following shipyard closures in Sunderland (North East England) and Inverclyde (Scotland) in 1988.

(46) Housing and Planning Act 1986; Department of the Environment, Land and Property Division (1988): *Urban Land Markets in the United Kingdom*, London, HMSO, paras. 5.41 and 5.42.

(47) Local Government, Planning and Land Act, 1980, Part XVI as amended by sections 47 and 49(2) of the Housing and Planning Act 1986. Although the provisions of the Act extend to Scotland, the Scottish Secretary uses other instruments to promote urban regeneration and no UDCs have been designated there.



of their expenditure more precisely. Corporations were established for the London and Merseyside Docklands in the early 1980s (48).

For a long time it was considered that there would be no further UDCs outside the two initial designations. However, after an Inner City Policy Review in the mid-1960s, second and third generations of Corporations have been established in the larger English provincial centres and Cardiff Bay (Wales) in 1987-89. They have the same exclusion from the normal local authority planning process (they are in fact the Development Control authorities for their areas) as the Merseyside and London Docklands Corporations together with funding by central government grants, single, overriding urban regeneration purpose and control by a small board of nominated members (although the "development areas" of the third generation UDCs tends to be much smaller than those of the earlier designation).

### THE METROPOLITAN AREAS

By the mid 1980s the Government's desire to streamline the operation of various parts of local government, as well as central-local antagonisms (49), had led it to consider the abolition of a whole tier of the structure established in 1974—namely the six metropolitan counties for Greater Manchester, Merseyside, South Yorkshire, Tyne and Wear, West Midlands and West Yorkshire, together with the Greater London Council. Legislation to give effect to this policy was put on the Statute Book by Parliament in 1985 and implemented in 1986. The former functions of the metropolitan area authorities were either granted to the over 70 continuing metropolitan and London borough councils or to ad hoc joint authorities (for instance, for passenger transportation, for waste disposal).

Apart from Greater London, where a useful but rather powerless London Planning Advisory Committee has been established to provide advice to the boroughs and the Environment Secretary on questions of strategic planning importance, the full range of planning powers have been given to the borough councils. The problems in such an arrangement for the DOE was, first, how to ensure that the boroughs take account of metropolitan strategic issues and policies, and, secondly, how to provide such metropolitan strategic guidance with the strategic level of government abolished. The answer has been to abolish the 1968 Act's concept of structure and local plans in the metropolitan areas and replace them with a single Unitary Development Plan (UDP) to be prepared by each borough. The UDPs are intended to provide a framework for development control for the borough involved and to have a planning horizon of ten years for most purposes and to be clearly focused on land use matters. The UDP will normally also be adopted by the borough, although the Environment Secretary may call in all or any part for modification by issuing a direction to the borough concerned.

The detailed regulations and advice from the DOE on the preparation of the first round of UDPs was is-

sued in early 1988. The strategic guidance element for the UDPs in a given metropolitan area is to be provided by the Environment Secretary; this guidance and any other current national and regional policies are then interpreted for their areas by the boroughs in the general policy Part I of their UDP, provide a context for the detailed, map-based proposals in Part II of the UDP. Existing adopted local plans can be incorporated unaltered into Part II of the UDP. The borough must consult any UDP within their area and take account of their proposals when drafting the UDP. This new form of planning policy statement has been criticised by the County Planning Officers' Society as "a different concept from the previous Metropolitan Structure Plans and... not a substitute. It is limited in range of topics and depth of treatment of strategic issues; it does not ensure coherent overall metropolitan strategy; it tends to be generalised and is not a policy document; and it lacks any real public participation" (50).

The process of establishing strategic guidance for the metropolitan areas began in 1988 and 1989 and has proceeded by rather inter-active process between the DOE (through its regional offices), the boroughs as LPAs and other bodies. Movement from draft to DOE-approved strategic guidance and commencement orders for the boroughs to begin preparing UDPs began to take place from early 1988 (West Midlands) and mid 1988 (Merseyside). Work is now in progress preparing the first UDPs. The Draft Unitary Development Plan for Birmingham (West Midlands metropolitan area) was approved by the City Council's Planning Committee in late 1989 and was published early in 1990 for public consultation and comment.

### THE POSITION IN THE MID 1980s

As noted earlier by 1985 a complete coverage of structure plans had been achieved, although the position over detailed land-use guidance in local plans was quite fragmented with many LPAs including wider policy material and, or using non-statutory planning statements rather than Development Plans. In selected areas of the country central government policies of deregulation and streamlining had either punched holes in Development Plan areas through EZs (and SPZs were also on the agenda for legislation by this time) or through UDCs (with Cabinet level discussions also under way for a further round of UDC designations). Moreover the abolition of the Greater London Council and the metropolitan county councils in the English provinces left a need to reformulate the Development Plan system in those areas. Taken together with the Government's general predisposition towards development (were not expressly prohibited as in Green Belts), to speeding up planning decisions (in which the idea of a zoning system with its implied certainty had begun to appear attractive) and to providing national guidance through ministerial circulars and advice, these factors indicated quite widely that the overall usefulness of the existing role and form of the Development Plan system in regulating land-use change was looking ragged at the edges and to be in need of review itself.

(48) The then Environment Secretary, Michael Heseltine, has recounted how his first idea was only for a London Docklands Development Corporation as a unique agency, but that in order to avoid very lengthy and complex Parliamentary procedure "we took general [my emphasis] legislative powers to create urban development corporations in declining urban areas". HESELTINE, Michael (1987): *Where There's a Will*. London, Hutchinsons, p. 135. For an introduction to the early years of the Merseyside Corporation see: ADCOCK, Brian (1984): "Regenerating Merseyside Docklands: the Merseyside Development Corpo-

ration 1981-1984". *TPR*, Vol. 55, No. 3 (July 1984), pp. 265-289.

(49) Secretary of State for the Environment, etc. (1983): *Streamlining the Cities: Proposals for Reorganising Local Government in London and the Metropolitan Counties*. (Cmd. 4063). London, HMSO; and DOE (1983): Consultation Paper on *The Reallocation of the Planning Function in the Greater London Council and Metropolitan County Council Areas*.

(50) County Planning Officers' Society (1988): *Metropolitan Strategic Guidance: The Experience of Neighbouring Counties*, para. 61.

## THE FUTURE OF DEVELOPMENT PLANS: 1986-1989

Given the need to complete structure plan coverage and encourage land-use based local plans, while pursuing deregulatory policy initiatives and provide for planning in the metropolitan areas after abolition, it is hardly surprising that the DOE did not add to its agenda of difficult issues in the early and mid 1980s, by commissioning an official and public review of the Development Plan system as in the early 1960s' Planning Advisory Group. Instead the stage for discussion was left to unofficial bodies notably the Committee of Inquiry established by the Nuffield Foundation (1983-1986) and academic researchers (51). Meanwhile the DOE was conducting a quieter internal review whose principal findings were set out in a Discussion Paper *The Future of Development Plans* in late 1986.

The analysis in the Paper followed the now familiar list of issues: the excessive time taken to prepare and approve structure plans; excessive detail and inappropriate policy content in structure plans; the profusion and scattered nature of local plans and non-statutory plans and so on. The range of options for change considered was obviously very wide. Some commentators even thought that the then Environment Secretary, known as an enthusiast of free markets would want to undertake a large scale dismantling of the planning system as a whole. That approach, however, was not seen as desirable nor as practical politics.

One option considered was a move towards a more general extension of the zoning approach, but this was specifically rejected as being unnecessarily drastic. The option which in practice seems to have provided a lead for the DOE was rather that of the thinking it was already undertaking in considering the Development Plan consequences of the abolition of the metropolitan level councils, and was presented as both a reversion to the real intentions of the 1968 Act and an improvement and modernisation of that system. The reforms proposed took a clearly hierarchical view from "national guidance" through to detailed, district-wide local plans, and incorporated modifications the form and content of Development Plans and related documents and attempts to cut down on and clarify the remaining procedures. The keystone of the revised system—District Development Plans—would provide the detailed level of clear and simple guidance to developers which the two-tier system had failed to do.

In terms of the hierarchy four levels were identified:

- i) the *national* level where guidance would continue to be set out in ministerial circulars;
- ii) the *regional* level where, having followed an inter-active procedure with the counties, the DOE would publish guidance;
- iii) the *county* level, where structure plans would be abolished, making way for broad statements of policy relating to a limited range of subjects; and
- iv) the *district* level where the LPAs would all be required to prepare a comprehensive, land use based District Development Plan.

The Government's objective, argued ministers, was the improvement and modernisation of the develop-

ment plan system in order to make it more effective for its purpose. The changes suggested were so considerable that once the DOE had completed its process of consultation a new law would clearly be needed.

Response to the Discussion Paper from local government and planning as well as development interests was largely critical. The ideas on national guidance, for instance, did not match the "clear policy statements" and annual "White Paper" (52) on land and the environment recommended by the Nuffield Committee. The suggestion for regional guidance was generally more welcomed especially in the growth pressure regions, including the South East, as a rediscovery of "regional planning". This welcome was nonetheless qualified, in that the need was seen for strategic regional planning rather than a few pages of "guidance".

The proposal to abolish the county structure plans attracted the most criticism, giving the DOE ministers cause to complain that they had not intended to abandon with the county council's planning role, but to reinterpret it more closely in line with the original PAG intentions and provide for "sharper and clearer strategic guidelines on the big things like housing supply, minerals, and roads" (53). The district-level proposals were also unpopular, with critics pointing out that the weakened status of the county statements in development control, and, for rural counties especially, the unreasonableness of achieving an useful comprehensive coverage in a single plan, and ministers retorting that "many districts had not produced local plans" and others were "often at the end of their useful lives or were involved in an endlessly prolonged process of revision" (54).

These criticisms produced some refinements and clarifications during 1987 and 1988, but when the Government's formal White Paper (55) was issued in early 1989 there were no significant changes to the reform package proposed in 1986. In these circumstances with a number of years of life still left for the present Parliament, the Environment Secretary must have been hoping for legislation for his proposals in the 1989-90 Session with implementation of the new measures being introduced on the basis of at least two years to produce county statements followed by a further three years for the districts to produce district-wide plans i.e. a period from 1991 to about 1995 to introduce the revised system. In the meantime structure and local plans would need to remain in force.

## POSTSCRIPT: INTO THE 1990s

In the event, however, legislation to implement the 1989 White Paper will not be forthcoming in the 1989-90 Session of Parliament. By mid-1989 it was already clear that the DOE was regarded by other Cabinet ministers as having recently had more than its fair share of Parliamentary time for new legislation, and that it would be allowed only one major Bill in the new Session which would focus on environmental issues. Later in the year came a reshuffle of Cabinet appointments and a new Environment Secretary who has brought a more positive attitude to environment and planning.

Although the DOE is still committed to bringing forward new legislative proposals to amend the Development Plan system, the delay in putting them to Parlia-

(51) For instance see, BRUTON, Michael and NICHOLSON, David (1985): "Strategic Land Use Planning and the British Development Plan System". *TPR*, Vol. 56, No. 1 (Jan. 1985), pp. 21-41.

(52) The Nuffield Committee, *op. cit.*, N. (14), paras. 9.65 and 9.72.

(53) Mr. Waldegrave in an interview reported in *The Independent*, 18 February 1987.

(54) *Ibid.*

(55) DOE (1989): *The Future of Development Plans* (Cm. 569). London, HMSO.



ment and the appointment of a new Environment Secretary has given a breathing space which will allow him to review the whole question. In a speech late in 1989 he urged the counties were urged not to delay in bringing their structure plans up to date through the continuing process of monitoring, review and amendments. Counties with more than one structure plan are to be pressed to prepare a single concise replacement for the whole county (perhaps in the form of a combination structure plan/county statement). The DOE in turn would speed up its procedures for approving the amendments (estimated recently to have been taking over two years on average). The counties were also encouraged to start work in advance of legislation and to cooperate in producing regional guidance preferably no later than 1991. In a further step the Environment Secretary also stated that in his quasi-judicial role when considering appeals against refusals of planning permission, he would award costs against the developers who submitted proposals plainly inconsistent with accepted local and structure plan policies and then pressed ahead with an appeal. A draft planning policy guidance note on structure plans and regional guidance was issued at the same time for discussion with interested parties.

Looking ahead to the 1990s it seems possible at this point of time to take a cautiously optimistic view of the possible outcomes of the 1986-1989 review of the Development Plan system. The "broken up" elements may indeed be improved and modernised, and brought together in a reformed system which works in a coherent and related way. However, as a leading county planner has recently stated: "decisions on the future of statutory development planning must address not just their form and content. The more fundamental decisions relate to the role of plans in managing change and the extent to which planning authorities should be able to adapt these to local circumstances" (56).

The challenges to the 1968 Act system in the 1970s and 1980s have come partly from the DOE's continuing concern for consistency, for procedure and limiting the scope of plans to "land use". In the 1980s these requirements were reinforced in a drive towards simplifying and speeding decisions designed to enable development and to diminish the LPA role as preparer of Development Plans by using the discretionary nature of the British Development Plan/Development Control system to bring Central Government policies to bear on individual as well as general policy circumstances. On the one hand present the draft planning guidance note and current ministerial statements offer some prospects for tackling the latter issue with respect to national and regional guidance, and, structure plans and the role of county strategic planning. On the other hand the idea of District Development Plans reflects the Procrustean leanings of neat, tidy bureaucratic procedures and minds and not the diversity of individual local needs and policies.

A final major issue for the 1990s will be the preparation and continuing management of the UDPs. The boroughs in the metropolitan counties may just get by with the minimum metropolitan guidance on offer from the DOE and what cooperation they can muster themselves. In Greater London the lack of strategic planning machinery is proving a liability of potentially enormous consequences. The London Planning Advisory Committee has done what it can within its advisory status and resources, but without a strategic Development Plan (perhaps with a new and as yet unformulated form and content) the London Boroughs will struggle in vain to complete their UDPs and to deal adequately with the area-wide, far-reaching land use, transportation, economic, social and environmental issues facing the national capital region in the 1990s.

(56) SHAW, Martin (1989); *op. cit.*, N. (37), p. 43.