



Campaign to Protect  
Rural England

## **Contents of the campaign pack**

### Take action on the Planning Bill

An action guide covering three ideas for public involvement with a focus on engaging MPs on this issue. It includes letter writing tips and help for getting press coverage.

### The Planning Bill explained

A briefing on the contents of the Planning Bill aimed at the general public. This can be used to help you talk to people about it, or can be copied and handed out.

### Tricky questions on the Planning Bill

To help you respond to questions from the press and public.

### Example campaigning letter

To help you write to your MP.

### Example press release

To help you get press coverage.

### Feedback form

Please let us know what you did, how it went, and what you thought.



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## **Take Action on the Planning Bill**

### The Planning Bill

The Planning Bill, published on 27 November 2007, takes forward the proposals in the Planning White Paper (May 2007) for major infrastructure projects. The Bill is currently being debated in the House of Commons, and it will then move into the Lords – see below for the likely timetable of its progress through Parliament.

Despite references to environmental protection, climate change and quality of life, CPRE fears the Planning Bill could undermine the delivery of sustainable development and frustrate proper public involvement in the planning process.

### From Planning Bill to an Act of Parliament

The Planning Bill must go through a number of stages in Parliament, being debated at each stage before receiving Royal Assent and becoming law, as this summary illustrates:

#### **House of Commons**

##### First Reading

- The Bill is first tabled
- Took place on 27 November

##### Second Reading

- The principles of the Bill are debated by all MPs
- Took place on 10 December, and MPs voted to give the Bill a Second Reading

##### Committee Stage

- The Bill is considered in detail by a committee of MPs
- The Committee will meet every Tuesday and Thursday between 8 January and 5 February
- MPs can suggest amendments to the Bill for the Committee to consider

##### Report Stage

- The Bill is again debated by all MPs (likely to be two weeks or so after Committee ends, so some time in mid-February)
- MPs consider the Committee's amendments and make further amendments

##### Third Reading

- Straight after the Report Stage (usually on the same day), MPs vote on whether to give the Bill a Third Reading – if they do, it will go to the House of Lords

In the Lords, the stages of the Bill are again as follows (the Lords stage will probably begin around the beginning of March):

#### **House of Lords**

##### First Reading

Second Reading  
Committee Stage  
Report Stage  
Third Reading

**‘Ping Pong’ stage**

- The two Houses must agree on the final version of the Bill
- Amendments made by the Lords are considered by the Commons, and vice versa.
- If the Lords dig their heels in, the Bill may have to go backwards and forwards between the Commons and Lords until an agreement is reached on amendments. This is sometimes referred to as the ‘ping pong’ stage.

**Royal Assent**

- Assuming the Houses eventually reach a consensus, the Bill is submitted for Royal Assent, at which point it will become law: the Planning Act 2008.

Your MP can influence the Bill by suggesting amendments during the House of Report stages (and in Committee, if they are one of the members of the Committee). They can also use their vote at the Third Reading, and during any debate on amendments made in the Lords.

It’s critical that you act as soon as possible to ensure your MP knows about your concerns.

Your input through emails, letters or meetings with MPs is vital. Responding to the Bill will show MPs that this is an issue you care about, which in turn may influence their vote. It will also support the lobbying of organisations like CPRE, which will be responding to all the issues in detail.

## Writing to your MP

Now that the Planning Bill is before Parliament, the only way to influence its content is to persuade as many MPs as possible to seek amendments to aspects of the legislation with which you are unhappy.

Please let your MP know how you feel.

The best way to gain the support of an MP is to prove that the issue is important to you, and that they should be concerned about how voters in their constituency feel about it.

Most MPs know less than you would expect about the planning system and what the Government is proposing. Like the general public, they might only take an interest when it affects their own constituency. You can demonstrate that the proposal may affect their constituency by highlighting local issues whenever possible, including the threat the Bill poses to local democracy.

Get members of your community to email or write to your local MP as well. Of course, a personal letter has more impact than a standard letter or email, so encourage people to use the briefing in this action pack to write to their MP in their own words.

If you need to check who your MP is, visit [www.theyworkforyou.com](http://www.theyworkforyou.com).

## Writing to the media

Press coverage in local papers alerts MPs to the issue. You can achieve this by sending press releases or by writing to the letters pages.

### *Press releases*

Ring your local papers and find out when the deadline is for news stories and who you should send your press release to.

Your press release should cover:

- what the Planning Bill is about and why it is a threat to your local area;
- what you are doing about it locally; and
- that you are part of a national campaign.

### *Letters to editors*

You can raise the profile of this campaign by sending letters to your local and regional press. Letters pages are said to be the second most read part of the newspaper (after the front page) and MPs frequently monitor them to see what their constituents are saying. So, this is a good way to get the Planning Bill on their agenda. You may find yourself taking part in a debate if you respond to other people's letters. Before you write your

### **Letter writing tips**

Write a short and clear letter, focusing on just one topic.

Be positive, factual and polite.

Use your own words to explain your views and how the issue affects you.

Identify yourself as a constituent when you write to your MP.

Include the title of the Bill when writing about a particular piece of legislation.

letter, read the letters page to see the kind of letter that gets published and the format that is used. Remember that the letter is likely to be edited so keep it short (100-200 words) to ensure that your main points are kept in.

### Meet your MP

Talk to your MP. Remember, he or she represents you and can ask Government Ministers questions, speak about issues in the House of Commons, and consider and propose new laws.

Most MPs hold a surgery to give the people in their constituency an opportunity to meet them. You can visit your MP's office to discuss matters that concern you. MPs usually hold surgeries once a week; these may be advertised in the local press and sometimes in the local library. An MP will often take up an issue on a constituent's behalf.

## Summary of public action

*If you have 10 minutes*

Go to **www.theyworkforyou.com** and email your MP. Then email your friends to ask them to do the same.

You can also sign and send the sample letter in this pack.

*If you have 45 minutes*

Read the briefing in this pack and write a personalised letter to your MP.

You can also write to the local paper summarising the issues and your concerns, encouraging the readers to take action.

*If you have 2 hours*

Visit your MP at his or her surgery to explain in more detail why you are concerned about the Planning Bill. To prepare, you can read the briefing in this action pack. You can also read our response to the Planning White Paper: visit **www.cpre.org.uk/campaigns**, click on the left hand link called 'Planning' and then select 'Planning system'.

## Find out more

To register your interest in the Planning Bill, learn how you can support our other campaigns, or find out about your local CPRE group, contact CPRE's campaigns team: 020 7981 2869, **campaigns@cpre.org.uk**.

Would you like to be kept up-to-date with our campaigns? The team can help if you'd like to receive Campaigns Update (our monthly campaigns e-bulletin) or our campaigning newsletter, *Fieldwork*.



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## **The Planning Bill Explained**

CPRE is very worried about a number of the proposals in the Planning Bill. Here, we outline the background to the Bill and our main concerns.

### Background

The Government published a Planning Bill on 27 November 2007, and the Bill is now going through the House of Commons. The content of this was anticipated in the White Paper *Planning for a Sustainable Future*, on which consultation closed in August 2007.

Like the Planning White Paper, the Planning Bill reiterates the view that the current planning system is a major obstacle to development. CPRE welcomes the limited movement made by the Government between the Planning White Paper and the Planning Bill in response to issues highlighted by us, our supporters and others. However, despite references to environmental protection, climate change and quality of life, we remain deeply concerned that the planning reform proposals could cause environmental damage. We are also worried they will diminish the involvement of individuals and communities in the planning system.

### National Policy Statements

The Planning Bill promotes the production of National Policy Statements. These statements will set out the need for national infrastructure and provide a platform for consultation and debate as well as inquiries and decisions. CPRE does not oppose the principle of National Policy Statements. Nevertheless, we are worried these will support the Bill's narrow, short-term economic considerations. We have concerns about the process by which these statements are prepared, and how easy it will be for people to get involved in the consultation on them.

#### *Primacy to economic considerations*

CPRE recognises that the Planning Bill goes some way to address environmental concerns. It states that a sustainability appraisal will be carried out for all National Policy Statements and Ministers will be duty-bound to pursue sustainable development in preparing them. However, the Bill fails to ensure that policy statements will be robustly assessed for their environmental impacts. We believe the Bill needs to specify that any sustainability appraisals must be carried out in accordance with the EC Strategic Environmental Assessment Directive.

We therefore remain concerned about the proposal to make National Policy Statements the primary consideration in decision-making. The existing Planning Policy Statements set out policies that are intended to promote the delivery of sustainable development through the planning system. According National Policy Statements greater weight than Planning Policy Statements could undermine essential environmental considerations.

### *Creation of National Policy Statements*

The Bill states that National Policy Statements will be prepared by Government departments, yet fails to clarify how these statements will be assessed. This is being left for Parliament to decide at a later date. It has, however, been suggested that Select Committees (committees of MPs) could scrutinise the contents of each National Policy Statement. Examination by Select Committee could be part of the process for looking at National Policy Statements; but if it was the only part of that process, it would be difficult for the public to get involved and comment on these statements. CPRE is concerned about this. We do not believe Select Committee inquiries can, on their own, adequately fulfil the roles played by public examinations of regional planning policies and individual projects. CPRE is calling for a consistent and effective approach to public consultation and a carefully framed process of cross-examination at inquiries.

### Infrastructure Planning Commission

The Planning Bill proposes creating an Infrastructure Planning Commission with the authority to make decisions on nationally significant infrastructure cases. CPRE is particularly concerned that the Bill proposes to transfer this power from elected politicians to an unelected body. We question the Government's reasoning for creating this Commission as well as the proposed costs and savings.

#### *The Infrastructure Planning Commission as a decision-making body*

CPRE does not believe there is any benefit in setting up a new democratically unaccountable decision-making body. But, we believe the Government may have begun to realise that this proposal is flawed, as it is now proposed to provide the Secretary of State with a reserve power to call-in a decision he or she is concerned about. If an Infrastructure Planning Commission is created, we believe it could play a role in advising ministers on projects, rather than making final decisions. However, it must take all relevant factors into consideration and work within the overarching policy objective of promoting sustainable development.

#### *Reasoning for creating the Infrastructure Planning Commission*

Although we appreciate that there are some legitimate concerns about delays in the planning process, CPRE believes it is unfair to scapegoat the planning system as the major culprit in delays. Disagreements among developers, lack of funding, and delays by Ministers in making decisions are often more significant factors. We believe that a better resourcing of relevant and experienced Government departments and of the Planning Inspectorate could help speed up the planning process without requiring radical reform.

#### *Suggested costs and savings*

CPRE is also questioning the Government's suggested costs and savings in setting up the Infrastructure Planning Commission. The Government's own impact assessment for the Planning Bill found that the annual cost of the Infrastructure Planning Commission would, at £9.3 million, outstrip the savings in administration for Government bodies by more than ten times. This is in addition to the Infrastructure Planning Commission's one-off start up costs, identified by the Government as £5 million.

Moreover, analysis shows that the suggested savings of £300 million per year would not come from the involvement of the Infrastructure Planning Commission, but from shorter timescales within the planning process.

### Public inquiries and examinations

CPRE believes that the Bill limits communities' opportunity to have their say on proposals at inquiries. There is a presumption that the Infrastructure Planning Commission will decide whether a public hearing will take place. We recognise that the Bill does address some of our concerns in including provision for public oral hearings, but a right to cross-examine in order to test evidence is essential.

We believe the existing *Town & Country Planning (Major Infrastructure Project Inquiry Procedure) (England) Rules 2005* sufficiently combine an efficient process with rights to a fair public hearing and cross-examination of evidence. CPRE recognises that limits to scrutiny and cross-examination may sometimes be appropriate, but not in major cases as this can lead to environmentally damaging outcomes and be a false economy.

Cross-examination has historically played a vital role in highlighting flaws of environmentally damaging proposals, such as the Dibden Bay container port proposal. Analysis also shows that the average inquiry period between 1999 and 2007 was only 13 weeks. Limiting the scope of inquiries may therefore not save time.

There is also evidence to suggest that an inquiry where some degree of cross-examination has taken place is more likely to reduce the need for judicial review of the final decision. Finally, the Bill allows the Infrastructure Planning Commission to disregard any evidence that relates to the merits of a National Policy Statement. This appears to be in conflict with the UK's obligations on public involvement in environmental matters as contained in the Aarhus Convention.

Limiting public inquiries and cross-examination, along with the lack of accountability of the Infrastructure Planning Commission's final decision, means that the process is likely to lack public legitimacy.

## **Tricky Questions on the Planning Bill**

CPRE is extremely concerned about the contents of the Planning Bill, and the shift that it represents in the approach to planning for major infrastructure. But Government Ministers and others counter that the system needs to be streamlined and sped up, and that developing infrastructure of this kind is a national priority. Below are the answers to some 'tricky questions' about the Bill.

**Q A lot of these major infrastructure projects are necessary, but no one wants the development near them. Don't we need a system that ensures development takes place to ensure we have the infrastructure we need, and to overcome the 'nimbys'?**

**A** The current planning system deals with this issue by considering the need for development, alongside its environmental impacts and its potential benefits, with a fair say for local people. The Government has not stated a convincing case that the planning system is blocking development, or even that it is the principal cause of delays.

The key difference with the new system will be that local people will not be able to have an effective say about whether the development is needed in their area, or to raise awareness of the environmental impacts. This local involvement is not 'nimbyism' – it is a vital part of the process of ensuring that major infrastructure projects go in the right places and that the need for them is fully considered. It is also possible that, if people feel that they cannot get involved in the planning process, they will be more likely to resort to direct action or legal challenges, which could end up delaying developments even more.

**Q Climate change is the overwhelming environmental problem. Surely you should support streamlining planning to get renewables developed?**

**A** Renewable energy is a vital part of the solution to climate change but excluding people from the debate about where these projects should go would be counter-productive.

Renewable energy sources such as wind turbines should be carefully planned, with proper community involvement, to ensure that they are not sited where they would destroy tranquil, beautiful countryside or threaten wildlife.

Climate change is a huge problem, but it is wrong to scapegoat the planning system as a major barrier to tackling it. In fact, the Planning Bill could lead to increased greenhouse gas emissions, not reductions, as the infrastructure the Government wants to fast-track includes airports, major roads, factories and incinerators. Renewables are only one of the kinds of infrastructure encompassed by the Bill's provisions.

**Q I heard that these proposals will make it easier and cheaper to get small home extensions built without needing planning permission?**

**A** The Planning Bill suggests some deregulation of small scale developments such as conservatories and loft conversions but the changes would only affect

about a quarter of such developments. If such reforms take place, CPRE believes that it is essential that other proposals in the Bill are also enacted, namely allowing local authorities more freedom to reverse this deregulation in cases where the character of an area is threatened.

**Q Some projects do take too long to go through the system, such as Heathrow's terminal 5 which took 7 years before building began. Surely there is a need to streamline the system?**

**A** Some people do think that Heathrow T5 took too long – but this is a rare example. Very few cases take more than a couple of years, and most are much quicker.

And it is wrong to blame local communities or the public for holding up the process – the timetable for public consultation would have been set at the beginning of the process, as it is for any other project of this nature.

The delays were due to disagreements among the developers and the time it took them to present all the correct documents for the application such as Environmental Assessments – this delayed things before it even entered the planning system. Delays can also be caused by Government Ministers not making decisions quickly enough on development proposals – this is an argument for stricter adherence to deadlines, rather than removing the democratic element from the system.

And such large and sensitive planning applications should be properly considered through the planning system rather than fast-tracked – the proposal for Heathrow T5 had enormous implications in terms of climate change, noise and the local community, and it is right that these issues should be fully examined. As much time as is needed should be allowed to ensure that all relevant considerations are fully explored. This is especially important when dealing with planning applications that will permanently change the face of our landscape.

**Q The planning system puts too many restrictions on businesses and is therefore stifling economic growth in this country.**

**A** Economic growth has been very healthy in the UK for the last 15 years or so, and our standard of living keeps on going up.

The planning system aims to secure economic growth and job opportunities alongside the provision of all the other things that people need: schools, hospitals, waste disposal, green spaces and the protection of our historic and natural heritage.

The Government thinks that planning should favour economic growth. We think that the environment should be better protected for the long term health of society and the economy. Once areas of our countryside are lost to development they are gone forever. Economic growth is important, but the way it happens has to recognise this country's environmental assets rather than squander them.

**Q** There is a housing crisis in this country so we must change the planning system to make it easier to build new homes.

**A** The Planning Bill does not deal specifically with housing issues – its focus is on major infrastructure developments.

The current housing situation is complex and has many different causes, both social and economic. There is no convincing evidence that planning is preventing necessary housing from being built, and simply relaxing planning controls will not solve the problem – but it will damage the environment. We need more affordable housing, not just vast amounts of market housing that will not be affordable to those most in need of a home.

Increasingly, homes are seen by some people simply as an investment rather than as places to live. A significant number of new homes, particularly flats, are being bought as investments and are left empty while the owners wait for the prices to rise before selling them as un-lived in. Research by the magazine *Inside Housing* found that up to 50% of new flats in Leeds were being left empty, 40% in Salford and 24% in Manchester. This is not a problem caused by the current planning system.

\_\_\_\_\_ MP  
House of Commons  
London  
SW1A 0AA

Dear \_\_\_\_\_ MP

I am writing to alert you to my concerns about the contents of the Planning Bill. I am very worried about the effects the Government's proposals will have on local democracy, communities and the environment.

The Planning Bill threatens to undermine local democracy, stripping away fundamental rights of local people to participate in decisions on development. I particularly object that there is no guarantee that local people will be able to challenge major projects in any meaningful way at public inquiries.

Without the right safeguards, the proposals in the Planning Bill will also increase the pressure on valuable landscapes, habitats and historic environments across the country.

I urge you to press for the following when the Planning Bill returns to the floor of the House of Commons for further consideration:

- any national statements on major infrastructure projects must consider all the alternatives, and properly involve local people;
- decisions must be made by democratically accountable politicians, not an unelected commission;
- there should be a legal right for local people to challenge projects at a public inquiry;
- natural and historic resources must be protected for future generations;
- there should be a legal duty on all decision-makers to promote sustainable development.

Please campaign when the Planning Bill comes back to the Commons to ensure that it reflects these concerns.

Yours sincerely

# Sample Press Release for the Planning Bill Campaign



Campaign to Protect  
Rural England

*Or insert your own logo*

## News Release

Date

<date>

For Immediate Release

*OR*

Embargo

Not for publication before  
00:01 hrs <date>

### THE PLANNING BILL – IT'S CRUNCH TIME IN PARLIAMENT

Campaigners from <name of your group> believe the Planning Bill threatens local democracy, communities and the environment. The Bill is currently being debated in Parliament, so now is the key time to try to persuade MPs to make changes to it.

The Bill takes forward the proposals in the Planning White Paper (May 2007) for major infrastructure projects. More than 32,000 people responded to the consultation on the White Paper, calling on the Government to think again. Despite this huge level of public concern, it appears that the Government is pressing ahead with its original proposals, with only limited concessions – so much for listening to the public!

You can include  
information about  
your local group  
here

<Your group> OR <The Campaign to Protect Rural England (CPRE) [1]> is opposing the following aspects of the proposed Planning Bill:

- the establishment of an unelected Infrastructure Planning Commission with the authority to make decisions on nationally significant infrastructure cases such as roads, airports and power stations. The establishment of this Commission would take decision-making powers away from democratically-elected Government Ministers, and reduce public involvement in the planning process;
- making National Policy Statements the primary consideration in decisions on individual infrastructure projects. Statements of national policy on development are a good idea, but the Bill fails to ensure that they will be robustly assessed for their environmental impacts or that there will be a consistent and effective approach to public consultation; and
- limits on the inquiry process into major projects, with the Infrastructure Planning Commission deciding whether cross-examination of evidence will take place.

CPRE wants the Government to rethink its plans [2]. Decisions on new developments must take full account of people's views and the impact on the environment.

<insert name> from <group name> said

“The planning system is the best way communities like ours can ensure development is good for local people, for local business and for the environment. The changes proposed in the Planning Bill would strip local people of their right to a real say in development,

and will allow airports, roads and incinerators to be dumped on us even if we don't want or need them. This would place further strain on our already fragile and threatened countryside”.

<Your local group> OR <CPRE> is urging people to let the Government know what they think about these proposals. Write to your MP or visit [www.cpre.org.uk](http://www.cpre.org.uk) for more information.

– END –

#### NOTES FOR EDITORS

1. CPRE, the Campaign to Protect Rural England, is a charity which promotes the beauty, tranquillity and diversity of rural England. We advocate positive solutions for the long-term future of the countryside. Founded in 1926, we have 60,000 supporters and a branch in every county. President: Bill Bryson. Patron: Her Majesty The Queen.

2. The Planning Bill, published on 27 November is currently being debated in the House of Commons – it is expected to move to the House of Lords in late February or early March.

The Planning Bill can be downloaded from <http://services.parliament.uk/bills/2007-08/planning.html>

#### FOR FURTHER INFORMATION

*Include your phone number here and make sure you can be reached at any time – day or evening.*

**Feedback form – please let us know what you’ve done**

Your name \_\_\_\_\_

Name of group (if relevant) \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Email address \_\_\_\_\_

Telephone number(s) \_\_\_\_\_

Have you written to your MP about the Planning Bill? (Please circle)

Yes

No

If yes, name of MP: \_\_\_\_\_

MP’s response \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have you met with your MP about the Planning Bill? (Please circle)

Yes

No

If yes, name of MP: \_\_\_\_\_

MP’s response \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have you written to the media about the Planning Bill? (Please circle)

Yes

No

If yes: what did you do? \_\_\_\_\_

\_\_\_\_\_

Has there been any response? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How much did you use the campaign pack? (Please circle)

I used all of it, it was invaluable

I used most of it

I referred to it for ideas and advice

I didn't use it at all

What were the most and least useful elements in the pack? Please number in order of usefulness (with 1 being the most useful)

\_\_\_ the public action guide

\_\_\_ the public briefing on the Planning Bill

\_\_\_ frequently asked questions on the Planning Bill

\_\_\_ example letter

\_\_\_ example press release

Please give any other feedback about the Planning Bill campaign materials:

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My/Our group's main point of concern about the Planning Bill is:

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*Please return this form to:*

Planning Bill, Campaigns Team, CPRE, 128 Southwark Street, London, SE1 0SW

Fax: 020 7981 2899, or email the information to **sarahh@cpre.org.uk**