Governing space: planning reform and the politics of sustainability

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Abstract. The authors explore the relationship between land-use, or spatial, planning and the environmental sustainability of major areas of public policy. First, the planning–public policy relationship is conceptualised within a framework that challenges narrowly instrumental accounts of the role of planning in the promotion of environmental sustainability, emphasising instead how the exploitation of opportunity structures in planning has impinged over time on dominant sectoral objectives. This framework is then used to analyse reformist pressures on planning, with particular reference to England’s ‘modernising planning’ agenda. The argument is developed through a critical analysis of how, in the light of key components of this agenda—rescaling, streamlining, and the introduction of a statutory purpose—planning, public policy, and environmental sustainability might be expected to interact in future. Early signs suggest that the initial reform proposals—to accelerate the delivery of development by restructuring opportunities for participation—were diluted (but not displaced) by strong opposition. Tracing the long-term impacts of the reforms will require research into the relations between the reconstituted tiers of planning and the ability of interest groups to use the new opportunity structures effectively—tasks that should interest analysts of the greening of the state as much as planning researchers.

Introduction

In this paper we are concerned with ways in which the institutions and practices governing the use of land can impinge over time on wider policy domains. In particular, we explore the links between planning processes, including protracted conflicts over development, and the environmental sustainability of major areas of public policy. These connections, we argue, are of considerable importance but have attracted rather limited attention to date. There has, of course, been extensive discussion of environmental controversy played out within planning systems (see, for example, Blowers, 1984; Cowell and Owens, 1998; Flyvbjerg, 1998; Gregory, 1971; In’t Veld, 2000; Owens, 1985; Pestman, 2000), but analysis of longer term political change consequent upon planning conflicts has not often been prominent in such accounts. On the other hand, analysts whose primary concern has been with the greening of the state have tended to neglect the systemic implications of land-use planning when assessing institutional capacities for change (see, for example, Kenny and Meadowcroft, 1999; O’Riordan and Voisey, 1998; Weidner and Jänicke, 2002).

For a number of reasons, it is timely to turn critical attention to the interface between land-use, or spatial, planning and environmental dimensions of public policy. First, planning is deemed by many to have a key role in the quest for sustainable development, though, as we shall argue, the mechanisms tend to be seen as technical and instrumental, rather than argumentative and political. Second, planning systems in

many places are subject to significant pressures for change. In a number of European countries there are moves to accelerate and simplify—to ‘streamline’—the processes of forward planning and development control, changes which have been assiduously promoted by consultancies, think tanks, and international bodies (Lloyd and Peel, 2002; OECD, 2005).(2) Third, planning reform in diverse contexts is bound up with a broader rescaling of state power (Albrechts et al, 2001). This temporal and spatial restructuring of planning is vital to our argument because it affects ‘opportunity structures’ (Kitschelt, 1986), and new structures, as Gibbs and Jonas (2001, page 281) point out, “have implications for the access of different interests, political representation and policy determination”.

Our argument proceeds as follows. We seek first to conceptualise the planning—public policy relationship within a framework that challenges narrowly instrumental accounts of the role of planning in promoting environmental sustainability. We then consider reformist pressures on spatial planning, with reference to the ‘modernising planning’ agenda as it has evolved in the United Kingdom, and particularly in England.(3) We develop our thesis through a critical analysis of how, in the light of key tenets of this agenda, planning, public policy, and environmental sustainability might be expected to interact in future. In doing so, we identify a number of questions for further research. Although our evidence throughout is drawn primarily from the United Kingdom,(4) important characteristics of the planning—policy interface transcend national and institutional contexts, giving our arguments more general applicability.

A subversive role for planning?

“If the town and country planning system had not existed, widespread damage to the environment would have occurred over the last fifty years, probably with serious economic and social consequences.”

Royal Commission on Environmental Pollution (RCEP, 2002, page 1)

Many commentators recognise, with the Royal Commission, that planning has helped to protect and enhance the environment over more than half a century, even if the system has been something of an ‘unsung hero’ (CPRE, 2002, page 2) in this respect. Its protective role is typically defined in terms of direct (and intended) functions of planning, such as maintenance of green belts, prevention of urban sprawl, and mitigation of adverse impacts of development. Less explicitly recognised have been the subtle, longer term, and unintended (one might almost say subversive) ways in which planning procedures have contributed to the greening of policy. Notably, plan making and public

(2) For example, in the Netherlands the objective of the 2004 Spatial Planning Bill was, inter alia, to improve the clarity, speed, and flexibility of the system (D Geiritz, Directorate General for Spatial Policy, personal communication, 15 April 2003; Spaan, 2005). In Norway certain changes have been made to streamline the system, including speeding up decisionmaking by the municipalities and limiting the possibility of repeated formal objections to proposals (I Saglie, Norwegian Institute for Urban and Regional Research, personal communication, 16 June 2005).

(3) In the United Kingdom, planning is a responsibility of the devolved administrations in Wales, Scotland, and Northern Ireland (the Northern Ireland Assembly is suspended at the time of writing).

(4) Including our own earlier work on planning and land-use conflicts (Cowell and Murdoch, 1999; Cowell and Owens, 1998; Owens, 1985; 2002; 2004; Owens and Cowell, 1996; 2002; Owens et al, 2004). The discussion of recent developments in England is based on a reading of key planning-reform documents and responses to them. It is also informed by content analysis of a 20% sample of the 284 responses to draft Planning Policy Statement 1 (PPS1) (ODPM, 2004a), including all responses from the Office of the Deputy Prime Minister’s twenty designated ‘key stakeholders’.
inquiries have provided crucial institutional spaces for challenges to the status quo. Such opportunities have been skilfully exploited by coalitions of local and nonlocal actors, not only to resist specific developments (with mixed success) but also to articulate critiques of the programmes and policies from which individual proposals derive. In key policy sectors, the cumulative effect has been to change the terms of engagement and significantly to raise the profile of a range of environmental concerns.

One of the clearest examples has been in the context of road transport in the United Kingdom. A programme of motorway and trunk-road construction pursued in the postwar decades was the subject of a mounting critique from the 1960s onwards, with critics focusing their attention not only on the environmental and social impacts of specific schemes, but also on methods of traffic forecasting and project appraisal and, more fundamentally, on the policy core of ‘predict and provide’ (for more detailed accounts, see Adams, 1981; Dudley and Richardson, 1996; Owens and Cowell, 2002). Dudley and Richardson (1996) show how a powerful roads lobby was able initially to structure debate around a small number of options, making minor concessions while deflecting any fundamental challenge. But when conflict shifted, as it did in the 1970s and 1980s, from the closed, corporatist world of policymaking to the arena of the highways inquiry, dissent proved more difficult to contain. In spite of their limited statutory remit, inquiries provided relatively open fora in which core policy assumptions were repeatedly called into question. Crucially, also, they offered “theatrical opportunities” (Grove-White, 1991, page 39) to draw such challenges to public and political attention.

By the 1990s the case for managing rather than accommodating road-traffic growth had percolated into the political mainstream, ultimately finding expression in New Labour’s first restatement of transport policy objectives (HM Government, 1998). Of course, many factors outside the planning system can be implicated in this policy shift, and subsequent events have raised questions about its durability (Owens and Cowell, 2002; Rayner, 2003). But there can be little doubt that what was ‘thinkable’ in the context of road transport changed, and that critical scrutiny in the forum of the highways inquiry contributed significantly to this process.

Broadly similar developments can be detected in the domain of minerals planning, particularly in relation to the production of aggregates used in the construction industry. We have shown elsewhere how local resistance to extractive activities was reinforced, during the 1980s and 1990s, by a sustained critique of the growth-accommodating principles underpinning minerals policy (Cowell and Owens, 1998; Owens and Cowell, 1996; 2002). Interestingly, in the case of aggregates, the visible arena of conflict extended to the plan-making process itself, most notably when planning authorities in the south of England began openly to challenge their allocated targets for minerals provision, and to employ concepts of environmental capacity in developing their minerals policies. At the same time, the potential for spatial fixes, such as a shift of production to coastal superquarries in Scotland, was diminished both by resistance in such locations and by the new scalar politics of devolution.

Subsequent, significant changes in aggregates policy involved a loosening of the top-down, supply-led approach, and a new emphasis on reducing consumption (DETR, 2000)—this last encouraged by environmental taxes on the extraction of primary

(5) To ‘inform the minister’s mind’ in the process of implementing government policy, rather than to question its fundamental direction.
(6) We include in our discussion processes that do not fall wholly within the remit of planning legislation. For example, consents for major roads and power stations in the United Kingdom have been determined through their own distinctive procedures, but with arrangements for consultation and public inquiries which parallel those of the Town and Country Planning system.
aggregates (from 2002) and on the disposal of unwanted construction material (from 1996). As with transport, we must not overlook important contributory factors outside the arena of planning, such as a downturn in the demand for aggregates during the 1990s. But we can identify a reframing of problems and potential solutions and an elevation of the significance of environmental constraints, with nontrivial implications for patterns of production and consumption. Again, there is convincing evidence that these changes were facilitated by the mutual reinforcement of policy critique and local resistance, articulated largely through opportunity structures offered by the planning process.

In varying degrees in other sectors, actual or anticipated planning constraints have encouraged not only less intrusive development, but also more serious consideration of demand-management options. Many critical arguments rehearsed at power station inquiries in the 1970s and 1980s—about need, economics, safety, and supply-side bias (Owens, 1985)—were later to be reflected in energy policy (DTI, 2003). In the waste sector, planning conflicts over landfill sites and incinerators have helped to tighten locational constraints on ‘dilute and disperse’ strategies, contributing to a growing emphasis on the containment and recovery of waste in which long-term spatial planning plays a greater role (Davoudi, 1999; Davoudi et al, 2005; Petts, 1995).

In any of the above, it would be too much to claim that the ‘subversive’ use of planning processes has been responsible for a lasting transformation of environmentally unsustainable trajectories into sustainable ones. But in challenging ‘predict and provide’ approaches, and energising the search for alternatives, critiques mobilised within the planning arena have at least contributed to a positive process of policy learning across different political tiers and scales. Nor should we underestimate the ‘veto effect’ of resistance: the resource and political costs of confronting objections to scheme after scheme ultimately affects the viability of policies and programmes, and forces reassessment of the premises upon which they are based (RCEP, 2002). Thus the planning system has performed a kind of “technology-forcing role” (Rydin, 2003, page 5), such that “even policy areas... hitherto thought to be in some kind of ‘corporatist grip’... have shown signs of loosening up, with shifts in the distribution of power, and at least the potential for major policy change” (Dudley and Richardson, 1998, page 728). Seen in this light, planning is clearly germane to wider debates about the reflexivity of the modern state, in terms of the opening up of democratic and administrative domains and the capacity within government for adaptive learning and change (Eckersley, 2004).

Significantly, the mechanisms outlined above are not the ones that are emphasised when planning is promoted in official discourse as an instrument of sustainable development. The favoured model is instead a technical—rational one in which sustainability is to be pursued through new objectives (such as higher densities and mixed-use development), new tools [including sustainability appraisal and Quality of Life Capital (Countryside Agency, 2005)], and the involvement of local communities, primarily within local contexts. The more overtly political processes through which (according to our framework) planning has actually served the agenda of environmental sustainability are effectively ignored. Indeed, the subversive functions of planning—particularly its capacity to obstruct ‘essential projects’ and raise awkward questions about social purpose—are seen as part of the problem, and as a key target for modernisation. This brings us back to the modernising-planning agenda, the background to which will now be outlined before its implications are explored in more detail.
Modernising planning

The election of the New Labour government in 1997 unleashed a rhetoric of modernisation across numerous areas of public policy. For planning, the transformation began tentatively in the government’s first term, when new questions were being raised about the effects of planning on the competitiveness of the UK economy (McKinsey Global Institute, 1998). Perceiving that incremental attempts to improve the performance of planning “produced very few obvious signs of change” (HM Government, 2002a, paragraph 80), the government drew up a Green Paper with the portentous title *Planning: Delivering Fundamental Change* (DTLR, 2001a) which was accompanied by further consultation documents, including one on new procedures for major infrastructure projects (DTLR, 2001b). The legislative product of these proposals, the Planning and Compulsory Purchase Bill, was laid before Parliament at the end of 2002 and received Royal Assent in May 2004.

A widely observed driver for modernisation has been the government’s concern that planning imposes undue burdens on economic growth and competitiveness: hence the “need for positive planning... rather than simply regulation and control” (ODPM, 2004a, page 2). These pathologies are to be treated by making the system “simpler”, by tackling “complexity, overlap, duplication and delay” (ODPM, 2004b, paragraph 20), and by clarifying national policy. Flexibility also features strongly, both in terms of increasing local discretion over the form of planning documents, and in insisting that the “extremely fast moving” needs of leading edge, hi-tech sectors require “an equally flexible planning regime” (HM Government, 2002a, paragraph 46), including a simplified system in Business Planning Zones.

Although these objectives demonstrate a degree of ideological continuity with earlier Conservative administrations, certain aspects of the New Labour planning reforms give them greater novelty. One is that they have enjoyed political support at the highest level, increasing the likelihood of their realisation. Another is that they have unfolded within a significantly modified institutional setting, having been designed by a planning directorate no longer located within an environment ministry (as it had been for around three decades), but within a ministry responsible for local government, housing, and regional development. Furthermore, a range of additional objectives, including decentralisation of powers to the English regions, improved community involvement, and sustainable development had somehow to be reconciled with the broadly deregulatory intent of modernisation, and with the persistent emphasis on speed. That an “uncomfortable synthesis” (Lloyd and Peel, 2002, page 114) lay ahead should have been apparent from recent planning history. At the beginning of the 1990s growing concern for sustainable development reinforced the basic precepts of the UK planning system, helping to deflect neoliberal pressures for streamlining that had been prominent in the preceding decade. By the late 1990s, however, it was the very effectiveness of certain groups in promoting their conceptions of sustainability that brought the planning system firmly into the sights of New Labour reformers.

(7) Both the Prime Minister and the Chancellor of the Exchequer have been signatories to the ‘planning is a burden to economic growth’ ideology (Gwilliam, 2002).

(8) Planning formed an integral part of the Department of the Environment (DoE), established in 1970, and remained there until its absorption into the Department of the Environment, Transport and the Regions (DETR) in 1997. It was during this period that the close connections between planning and sustainable development were first developed. Subsequent changes saw core responsibilities for environment and sustainability rolled into the reformulated Department for Environment, Food and Rural Affairs (DEFRA), while planning moved to the Department of Transport, Local Government and the Regions (DTLR), which initiated the reforms. Since 2002 (and without the Transport portfolio), this Department has been known as the Office of the Deputy Prime Minister (ODPM).
A further measure of the significance of the proposed changes is that the Green Paper attracted a broad array of often intense opposition, not only from environmental nongovernmental organisations (NGOs) and planning organisations but also from within government itself, with members of parliament complaining that “(t)here is a ‘business’ agenda running through much of the Green Paper” (House of Commons Transport, Local Government and the Regions Committee, 2002, paragraph 103). Most critics took the view that improvements to the existing system would provide a better way to deliver sustainable development, but they were also much exercised with threats to democratic rights—especially the proposed curtailment of opportunities to participate at specific stages of the planning process. As we demonstrate below, these challenges have influenced the reforms but have not dislodged the broad tenor of change.

Most significantly for our argument, modernisation has the potential to change the opportunity structures available for political engagement. We now explore this potential with reference to three interrelated aspects of planning reform: the rescaling of governance, involving a shift of key planning functions towards regional and local arenas; the emphasis on ‘streamlining’, particularly with regard to major infrastructure projects; and the incorporation of sustainable development into a new statutory purpose for planning, to be interpreted in Planning Policy Statement 1 PPS1 (ODPM, 2004a; 2005a). Such statements of national policy are key mechanisms of national to local planning regulation, with PPS1 likely to enjoy enhanced status in the reformed system.\(^{(9)}\)

**Rescaling**

In England, the modernisation of planning entails major changes to the political arenas in which decisions will be made. One of the most controversial elements of the Planning and Compensation Bill was the abolition of structure plans, which had been prepared mainly by county councils in those parts of England with two tiers of local government.\(^{(10)}\) Within the framework of (nonstatutory) Regional Planning Guidance, structure plans had provided a statutory basis for the planning functions of lower tier district authorities. In the new system, this function is to be redistributed to the regions. Regional Spatial Strategies, now statutory, will be prepared by Regional Assemblies, in which the constituent lower tier authorities make up 60% of the members. Local plans, still prepared by lower tier authorities, will be replaced by simpler Local Development Frameworks. There are many nuances to this rescaling. The government is imposing its ‘Sustainable Communities’ plan (ODPM, 2003) in order to increase housing supply in designated growth areas of southern England; there will be a role for subregional planning frameworks within the Regional Spatial Strategies,\(^{(11)}\) especially in growth areas; and county councils retain planning responsibilities for minerals and waste. But the overall effect is to shift planning functions upwards in scale to the ten regions (which are considerably larger than the counties), widening the gap between strategic direction and implementation of policies at local level.

\(^{(9)}\)The reforms themselves sought to disentangle government policy from guidance, with PPS1 being a statement of policy (CPRE, response to draft PPS1, May 2004). As the main statement of principles, it would frame further, topic-specific, policy statements.

\(^{(10)}\)The strategic component (Part I) of plans prepared by unitary authorities is also to be abolished. County-level structure planning had already become somewhat vestigial across much of the United Kingdom.

\(^{(11)}\)Amendments to the bill imposed on county councils a duty to help draw up subregional frameworks, in addition to their membership of regional planning bodies.
It is significant that the layer to be abolished in the English planning reforms—structure planning—had become an important forum for deliberation of social priorities, linking development on the ground with learning and change in significant policy sectors. Produced by authorities accountable to an electorate, and subject to extensive consultation and examination in public, structure plans occupied a pivotal position in hierarchical planning frameworks in which projected national demand for goods and services had to be reconciled with environmental constraints. They had also come to include “extensive coverage of environmental issues” (RCEP, 2002, paragraph 10.56), and provided a conducive context for strong sustainability discourses, based on notions of environmental capacity and critical environmental capital. Whereas in the 1990s clashes at this level of planning had helped to soften ‘predict and provide’ policies, by 2001 the government was prepared to bypass the county councils in favour of its preferred regional agenda and revised arrangements for planning at the level of ‘local communities’.

The effect of these changes on the relationship between planning, sustainability, and public policy will depend to a significant degree on how the various actors respond to the modified opportunity structures. However, we can make a number of observations here about the positioning of different coalitions. It is recognised, for example, that economic interests are generally well represented at regional levels (RCEP, 2002; While et al, 2000), where the Regional Development Agencies enjoy a prominent position; and that these agencies have, to date, conceptualised sustainability largely in terms of traditional development agendas (Gibbs, 1998; see also Counsell and Haughton, 2003). But there is also evidence to suggest that environmental interests—at least the better resourced, professionalised, organisations such as CPRE (Campaign to Protect Rural England) and RSPB (Royal Society for the Protection of Birds)—will be able to adapt to the rescaling of planning powers (Murdoch and Norton, 2001; While et al, 2000). Certainly, stronger (if still uneven) coverage of environmental issues in the final round of Regional Planning Guidance has been attributed to greater involvement of such groups and to debate on these issues at the examination in public stage (RCEP, 2002, paragraph 10.43). New procedures for sustainability appraisal may further enlarge the opportunities for dialogue available to environmental NGOs, although elsewhere—notably in the technical bodies on minerals, waste, housing, and economic policy that support regional planning—access to key arenas may prove more difficult (Davoudi et al, 2005; Owens and Cowell, 2002). Numerically, local planning authorities are the dominant players in Regional Assemblies, and one can point to instances in which coalitions of councils have been successful in translating local environmental concerns into regional agendas—notably in southeast England, where environmental limits were articulated through the preparation of Regional Planning Guidance (Murdoch, 2000).

If organised interests find new opportunities for influence at the regional level, there appear to be systemic difficulties in facilitating the participation of wider publics, leading to accusations of ‘democratic deficit’(13) Part of the problem is the inevitable scalar tension between being strategic (and therefore selective) and being inclusive across a wide area: consequently, it is unclear how a Regional Assembly “could realistically engage with communities across the region on matters having

(12) An important issue, given government intentions to reinforce “expert, analytical bod(ies)” for housing and economic policy at the regional level (ODPM, 2004c, paragraph 2.12).
(13) The government intended to tackle this democratic deficit by introducing directly elected Regional Assemblies, but received an emphatically negative public response to such an idea in northeast England in the first regional referendum (November 2004).
critical implications to every locality and community”\(^{(14)}\). Although the government has greatly extended its advice on involving communities in the preparation of Regional Spatial Strategies (ODPM, 2004c), there is emerging evidence that this tension is being managed by stratification, with access being framed around organised interests deemed able to adapt to the ‘strategic’ nature of the agenda. This is legitimised in the reform legislation where, although a wide range of stakeholders may be invited to appear at examinations in public, “the Bill does not provide for a right to be heard, because the regional spatial strategy is dealing with strategic issues, rather than site-specific proposals” (ODPM, 2004b, paragraph 3.8). And it can be observed in practice, for example, in relation to the South East Plan, where the South East England Regional Assembly (SEERA) is “achieving... involvement of a wide range of stakeholders and the sampling of opinion amongst the general public”\(^{(15)}\).

Of course, selectivity and exclusion may be institutionally necessary for deliberative decisionmaking (Connelly and Richardson, 2004), but further investigation is required if we are to understand how far selective involvement in preparing Regional Spatial Strategies is driven by the virtues of deliberative democracy, the desire to assemble alliances of powerful actors capable of effecting implementation (Abram and Cowell, 2004), or the tightening timescales being set by government. What can be said at this stage is that the rescaling of planning activity will disrupt established lines of communication between planning and wider public policy, and that the deliberative function of planning continues to be unevenly developed at the regional level (While et al, 2000).

At the local level the issues are different. Districts and unitary authorities have direct democratic representation and, after some intense conflict, the modernisation of local planning aspires to “strengthen” the opportunity structures available (ODPM, 2004b, paragraph 4.2), forging connections with agendas of civic renewal, human rights, and social inclusion. The new, more streamlined, local development schemes must include a ‘statement of community involvement’\(^{(16)}\) that should be informed by the Community Strategies that all local authorities must now prepare\(^{(17)}\) and are required to undergo sustainability appraisal. The intention (in the planning Green Paper) to diminish rights to object to draft Local Development Frameworks, and to remove rights to appear at local plan inquiries, was much criticised both within and outside government, on the basis that “this kind of public challenge is fundamental to the purpose of the town and country planning system” (RCEP, 2002, paragraph 10.70). These aspects of modernisation did not survive into the bill.

At least, then, there should be no shortage of opportunities for deliberation at the local level, but there are good reasons to question whether procedural adjustments, of themselves, will resolve the many difficult issues associated with engaging communities in policymaking. One such issue, of particular importance to our argument, is how

\(^{(14)}\)As claimed by Hertfordshire County Council, response to draft PPS1 (20 May 2004, page 3). See also responses from Norfolk (27 May 2004), Northamptonshire (21 May 2004), and Hampshire (20 May 2004) County Councils, Devon Conservation Forum (April 2004, page 1), CPRE (May 2004, paragraph 7), and the response of Wildlife and Countryside Link (January 2004) to PPS1 (ODPM, 2004c). These responses were obtained from ODPM, which has placed them in the public domain.

\(^{(15)}\)SEERA response to draft PPS1 (18 May 2004, page 4).

\(^{(16)}\)Setting out their policy on involving the community in the preparation of local development documents and on consulting on planning applications (HM Government, 2002b, section 17).

\(^{(17)}\)Planning and Compulsory Purchase Act 2004, section 18 (2f and 2g). The latter are meant to integrate economic, social, and environmental considerations, as well as a host of area-based initiatives, and their preparation and implementation is supposed to involve a range of groups and interests.
planning mediates between conceptions of sustainability articulated in specific contexts and concerns for environmental protection or environmental justice that necessarily transcend localities. Modernisation discourse seeks to resolve potential tensions in two main ways. The first is a promotion of bounded notions of participation, sustainability, and planning, by the use of an inclusive but localising rhetoric of community involvement. Thus, sustainable development “needs the community to be involved in developing the vision for their areas” (ODPM, 2004a, paragraph 1.34, emphasis added); environmental protection is concerned with the “condition of our surroundings” (paragraph 1.20); and the role of planning is seen primarily as one of shaping “places where people live and work” (ODPM, 2004a; 2004b, front covers). Respondents to the draft PPS1 were quick to point out that “Planning... is about national policies and priorities as well”. (18)

A second approach to resolving tension lies in the prominent narrative that ‘frontloading’ public involvement could simultaneously achieve better outcomes, greater consensus, and faster decisions (ODPM, 2005a, paragraph 11; 2004c, page 110). Many planning authorities felt that the government was being too optimistic in assuming that early public involvement—or, indeed, more effective involvement in general—“will significantly ameliorate the real conflicts of interest that arise from planning issues”. (19) However, in an echo of debates about streamlining (to which we turn next), development interests were prominent supporters of the frontloading thesis, (20) and saw the temporal management of participatory opportunities as a handmaiden to the swifter delivery of development. But, realisation of this potential would require that involvement reached “the wider community who want jobs, prosperity and progress”, as opposed to vociferous “local vested interest”, bent on “manipulating the system... to frustrate and delay developers”. (21) For development interests, and perhaps also for ODPM, ‘the community’ is something other than those organisations that have used planning to challenge national policies, and so involving ‘the community’ can be separated from setting strategic priorities.

What makes the exercise of influence increasingly important is the government’s intention that the system at local and regional levels should move towards ‘spatial planning’, which “goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes” (ODPM, 2005a, paragraph 30). Viewed expansively, spatial planning could provide a legitimising structure for the hitherto subversive role of planning in the evolution of sectoral policies. But the changes are clearly not intended to do this. Government guidance warns practitioners that “[p]lanning policies should not replicate, cut across, or detrimentally affect matters within the scope of other legislative requirements” (ODPM, 2005a, paragraph 30). Rather, integration is to be

(18) Sustrans (19 May 2004, page 1). See also Planning Officers’ Society (21 May 2004); Lake District National Park Authority (May 2004), Country Land and Business Association (May 2004); Forum for the Future (21 May 2004).

(19) East Sussex County Council (response to draft PPSI, 24 May 2004, page 3); see also responses from Derbyshire (18 May 2004) and Nottinghamshire (20 May 2004, page 1) County Councils.

(20) Responses to draft PPSI from Taylor Woodrow (17 May 2004), British Property Federation (14 May 2004), and William Davis Ltd (17 May 2004); some with the additional hope that greater community ‘ownership’ of the plan could then legitimately reduce consultation on applications. The frontloading thesis was also supported by English Partnerships, the Countryside Agency (May 2004, paragraph 29), and English Nature (May 2004, page 7).

achieved by taking “full account” of relevant sectoral programmes, collaborating with those responsible for them, and “consult(ing) closely” (paragraph 32; see also ODPM, 2004c). There must be a risk that voluntaristic, partnership-based, coordination will leave the dominant objectives of the various sectors intact (Degeling, 1995), and confine spatial planning to managing their unsustainable outcomes. Greater leverage over sectoral policies may arise from the ways in which rescaling planning reallocates powers of veto, especially in addressing cross-border flows of environmental ‘bads’. Already, devolution has made it more difficult for English regions to assume growing supplies of aggregates from Wales and Scotland (Owens and Cowell, 2002), and has problematised flows of waste for landfill from London to adjacent counties (Davoudi et al, 2005). In a number of respects, then, rescaling has diminished the space for accommodating demands flowing from sectoral policies, while elevating the virtues of ‘regional self-sufficiency’.

In charting these issues, we are not suggesting that environmental sustainability is, in any essentialist way, best served by a particular scale of governance. What we observe is that the government’s proposals will shift opportunity structures within the planning system, and thereby influence which conceptions of sustainable development are most effectively promoted. We note also that a key tension under previous arrangements—the extent to which sustainable development as conceived at lower tiers could challenge higher level policies—is not much nearer to being resolved. Researchers will need to examine how central government uses its still considerable powers to regulate lower levels of planning, and whether new requirements on local and regional bodies to report on the implementation of planning policies will spark discussions about national strategy. And, as we go on to argue, the scope for well-informed, cross-scalar reflexivity is scarcely enhanced by a second tenet of the modernisation agenda, euphemistically characterised as ‘streamlining’.

Streamlining
The Planning and Compulsory Purchase Act introduced a range of proposals to speed up the planning system, including tightening the deadlines for planning decisions and reducing the volume and complexity of guidance. Critics have been swift to highlight tensions between the urge to streamline and the claim that planning should promote sustainability (see, for example, RCEP, 2002; Upton, 2002). (The point was also made by many county planning authorities and environmental NGOs in their responses to draft PPS1.) In terms of process, the government’s impatience with arrangements for consultation and inquiry—which it saw as “major causes of rigidity and delay in the system” (RCEP, 2002, paragraph 5.7)—and its firm resistance to any extension of third-party rights of appeal, sit uneasily with its assertion that engaging communities is fundamental to an effective planning system (DTLR, 2001a). In terms of substance, the emphasis on shorter planning documents and swifter processes potentially conflicts with full and proper scrutiny of environmental

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(22) Except for allowing that, “When submitting a draft revision of the RSS [Regional Spatial Strategy], the (regional planning body) may also wish to set out in a separate letter or report any potential changes in national policies that it sees as helpful in implementing the draft strategy... However, the draft revision to the RSS must not be predicated on the assumption that those changes will be made” (ODPM, 2004c, paragraph 2.41).

(23) As set out in the Planning and Compulsory Purchase Act 2004 [sections 35 (1 – 3) for Local Development Frameworks and section 3 for Regional Spatial Strategies].

(24) ODPM File PDC 78/1/66 Parts 1 and 10, 18 August 2004.

(25) Rejected on the grounds that they would “slow down the system and not be consistent with our democratically accountable system of planning” (HM Government, 2002a, paragraph 42).
and social considerations\textsuperscript{(26)}—including the intersectoral coordination required for spatial planning\textsuperscript{(27)}

The most extreme manifestation of the streamlining mentality has been seen in response to what have consistently been portrayed by government and industry as unacceptable delays to major infrastructure projects. These concerns are widespread internationally and, indeed, seem to recur periodically over time (Flyvbjerg et al, 2003; \textit{Journal of Risk Research} 2004; Owens, 2002; 2004; Pestman, 2000). In the United Kingdom they were refuelled most recently by the draw-out process which led, ultimately, to approval of a fifth terminal at Heathrow Airport. Subsequently, and alongside the Planning Green Paper, the Government proposed (for England) what was effectively a fast track for projects “of national significance” (DTLR, 2001a, paragraph 14) such as trunk roads, power stations, major quarries, runways, reservoirs, and nuclear facilities. In this new procedure, Parliament would decide on the principle underlying the need for and the location of such projects, and would do so within a timetable of as little as nine weeks, taking account of the views of interested parties. For schemes thus approved, any ensuing local public inquiry would be debarred from reopening wider, generic, issues, and consent would be refused only in “exceptional circumstances” (DTLR, 2001a, paragraph 22). The objective was to “speed up planning decisions on major projects in order to minimise delay and uncertainty for everyone involved, whilst increasing opportunities for public involvement in the process” (DTLR, 2001b, page 1). Any local public inquiry would be left to address only such factors as the “precise alignment and layout of the proposal, landtake, mitigation measures, conditions and legal agreements” (DTLR, 2001b, page 5).

These proposals attracted strong criticism (from, amongst others, Council for British Archaeology, 2002; Friends of the Earth, 2002; House of Commons Transport, Local Government and the Regions Committee, 2002; National Trust, 2002; RCEP, 2002), and they were not repeated in the Planning and Compulsory Purchase Bill. They are significant, nevertheless, in reflecting a recurrent urge to separate ‘strategic’ elements of development from those seen as local and site specific. For proponents of development, the fact that questions about what constitutes the public good are debated in the context of specific development proposals is an unwelcome, even illegitimate, use of a system intended to hear local objections. But critics of policy, and those with alternative conceptions of the public interest, point to the lack of provision for critical and wide-ranging debate elsewhere\textsuperscript{(28)} In these circumstances, they believe, planning performs a vital, if untidy, role—one that is ultimately positive in its contribution to the longer term greening of important public policy domains.

Although the somewhat extreme proposals for major projects failed to make it onto the statute book, the government retained its determination “to enable public inquiries to be conducted more efficiently” (HM Government, 2002a, paragraph 64) and (in part to aid this process) promised “clear statements of national policy and priorities in relation to national infrastructure provision” (paragraph 10).\textsuperscript{(29)} In many respects,

\textsuperscript{(26)} As raised by Cornwall County Council (response to draft PPSI, 26 May 2004).
\textsuperscript{(27)} The House Builders Federation felt that spatial planning could lead to “further prescription, duplication and delay” (response to PPSI, 21 May 2004, page 1); see also British Property Federation (response to PPSI, 14 May 2004, page 2).
\textsuperscript{(28)} There was little faith that the government’s proposals would provide for such debate, given the compressed parliamentary timetable and the question of whether votes would be subject to party whips (House of Commons Transport, Local Government and the Regions Committee, 2002).
\textsuperscript{(29)} Alongside other legislative proposals to have issues at inquiries considered concurrently rather than sequentially (HM Government, 2002b, paragraph 66), and “introducing statutory timetables for determining called in and recovered planning appeals” (paragraph 72).
this is a further rescaling of planning policy in the service of streamlining, and it is
pertinent to assess the potential impact on opportunities for debate and challenge.
Certainly the idea of national statements for infrastructure shares two of the problem-
atic assumptions of the proposals relating to major projects: that ‘strategic’ matters,
onece settled, have durability, and that they can readily be separated from issues of
acceptability ‘on the ground’. It is interesting, therefore, that the preparation of national
policy statements attracted support from organisations that had made great play of the
“erosion of civil rights” (Friends of the Earth, 2002, page 3; National Trust, 2002)
threatened by the major projects proposal. Environmental NGOs and professional
bodies enjoy relatively good access to national policy arenas (certainly compared
with wider publics), so that for them the process of preparing national policy state-
ments would constitute a significant, new, opportunity structure through which they
might expect to exert influence. But if statements of national infrastructure policy
constrain deliberation at regional and local levels (as they must, if they are to be
effective in their streamlining purpose), two significant elements of existing opportunity
structures will be undermined: the powerful mutual reinforcement of national critique
and local objections, so often played out at public inquiries; and the visibility and
theatricality of the arguments in this forum.

Whether new opportunities for engagement at the national level will be outweighed
by losses at other points in the hierarchy (combined, perhaps, with a reduction in the
veto potential of local inquiries) is another matter for empirical inquiry, and we would
urge that such research is conducted as the reforms progress. It is clear, however, that
a crucial factor at all levels of governance is what constitutes the terms of the debate,
and it is to this that we turn in the next section. Interestingly, because our analysis
draws upon the national-level consultation exercise surrounding the new statutory
purpose for planning, it can also tell us something about the nature of engagement
at that level.

**Sustainability by statute?**
If rescaling and streamlining have ambiguous implications for the environmentally
protective function of planning, the government must have hoped that placing sustain-
able development at the heart of a new statutory purpose for the system would silence
its critics. Early signs were encouraging. The proposal was generally welcomed, espe-
cially by planning professionals (Hill, 2004; RTPI, 2002; Upton, 2002): the British
planning system had never possessed a statutory purpose before, and there was
optimism about the clarity it might instil. But there are also good reasons to be
cautious about this move. First, in seeking to specify a purpose, the government was
potentially institutionalising particular interpretations of sustainable development and
limiting the scope for divergent approaches. The statutory purpose has been effected by
inscribing a broad duty in the Planning and Compulsory Purchase Act (30) with the full
provisions fleshed out in PPS1 (ODPM, 2004a; 2005a). Given the critical importance of
national policy statements in legitimising planning action in regional and local arenas,
it is unsurprising that many respondents to the consultation draft PPS1 took keen
interest in the detail.

There is a second reason to be cautious, however, concerning the extent to which a
contested concept like sustainable development could ever be confined, especially in
a relatively open policy system like planning. Throughout the 1990s long-standing

(30) Clause 39(2) of the Planning and Compulsory Purchase Act requires those carrying out
planning functions at regional or local level to “exercise the function with the objective of
contributing to the achievement of sustainable development”.

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conflicts over environment and development were becoming subsumed into a struggle over what it means for development to be sustainable. Within the planning arena a major fault line lay between conceptions of sustainability that emphasise development within environmental limits, and those that seek to balance different objectives (Owens and Cowell, 2002). Partly in response, policymakers have “found it easier and politically more prudent to rely on the inherent ambiguities of the concept” (Rydin, 2003, page 1). New Labour’s ‘Third Way’ discourse has amplified this tendency, with official definitions of sustainable development encompassing four pillars — strong and stable economic growth, social inclusion, effective environmental protection, and the prudent use of natural resources (DETR, 1997, paragraph 1.2) — and the aspiration that these should be achieved simultaneously. The question then, is whether a statutory purpose could reduce this ambiguity — and with what effects. The government’s task was complicated by the fact that the PPS1 consultation exercise itself provided a space for respondents to assert the disparate conceptions of sustainable development that had already taken hold across the planning system.

New Labour’s “Panglossian” conception of sustainable development (Owens and Cowell, 2002, page 42) had been criticised for doing little either to contain expedient interpretation, or to aid planning authorities in resolving conflicts between divergent objectives (RCEP, 2002). Although the draft PPS1 maintained that “planning authorities should take an approach based on integrating the four aims of sustainable development” (ODPM, 2004a, paragraph 2), it acknowledged circumstances where “extra weight should be given… to an economic, social or environmental objective” and, in requiring local planning authorities to give explicit reasons for any such weighting (ODPM, 2004a, paragraph 1.24), struck a blow for transparency. If this was a sign of new thinking, it was not universally popular. Many environmental groups and planning authorities saw it as a dangerous “get-out clause” (31) that could be used by vested interests to legitimise unsustainable development, especially projects with short-term economic benefits. (32) Most wanted the planning system to strive harder to reconcile the four pillars, “with trade offs very much the last resort”. (33) A subset of respondents went further: to question the sustainability of “high levels of economic growth” (34) and to prioritise “clear environmental limits which should not be breached”. (35) In arguing for environment-led conceptions of sustainability, protagonists drew on ideas — ‘capacity’, ‘no net loss’, ‘quality of life capital’, and environmental justice — that had been honed in planning debates over the previous fifteen years. (36)

(32) See responses from the West Midlands Planning and Transportation Subcommittee (10 May 2004); Go-East (21 May 2004); CPRE (May 2004); RSPB (21 May 2004); and Cornwall (26 May 2004), Warwickshire (19 May 2004), and North Yorkshire (12 May 2004) County Councils. In contrast, development interests felt that this ‘get-out clause’ would legitimise “antidevelopment policies” (CBI, 21 May 2004, page 2; see also Taylor Woodrow 17 May 2004).
(33) English Nature (May 2004, page 2); see also National Trust (19 May 2004); North-West Regional Assembly (19 May 2004); Merseyside Policy Unit (20 May 2004); Countryside Agency (14 May 2004); Environment Agency (21 May 2004); CPRE (May 2004).
(34) Hampshire County Council (20 May 2004, page 2); see also Devon Conservation Forum (April 2004); RTPI (May 2004); RSPB (21 May 2004); Friends of the Earth (May 2004).
(35) Sustainability South-West (24 May 2004, page 2).
(36) See, for example, North-West Regional Assembly (19 May 2004, page 6); Countryside Agency (14 May 2004, page 2); Audit Commission (20 May 2004, page 1); Suffolk County Council (21 May 2004, page 2); RSPB (21 May 2004); National Trust (19 May 2004, paragraph 2); Environment Agency (May 2004, page 3); English Nature (May 2004, page 6); Friends of the Earth (May 2004).
Anxiety about the way in which the government seemed to be facilitating trade-offs was heightened by a concern that the whole tone of draft PPS1 prioritised economic development. Whereas the Regional Development Agencies and business organisations(37) were encouraged by references to the role of planning in “contributing to sustainable economic growth” (ODPM, 2004a, paragraph 1.5), environmental organisations, and some planning authorities, saw little in PPS1 that increased their leverage with respect to unsustainable development. In urging planning authorities to adopt “a positive, proactive approach” (ODPM, 2004a, paragraph 1), it appeared that the government was confining planning to being “simply the means of delivering development”,(38) “devaluing the sanction of strong control”,(39) and demoting the role of planning in conservation. Moreover, in making links to the Sustainable Communities Plan (ODPM, 2003), PPS1 fostered the impression that “planning is predominantly concerned with macro-economic objectives concerning housing in the South-east”,(40) indicating “a gradual slide back to a predict-and-provide approach”,(41) while obscuring the more precautionary strategy of ‘plan, monitor, and manage’ that had emerged from earlier conflicts (Murdoch, 2000). To correct this imbalance, respondents pressed for greater attention to be paid to the risks of climate change; the careful management of water, construction materials, and waste; and a tightening of requirements for mitigation where development has environmental costs.

The final, published PPS1 suggests that the idea of creating a clear statutory purpose for planning had foundered on the irreducible contestability of sustainable development, such that the resulting document scarcely represents the streamlining of central direction that the government originally intended. The text gives greater prominence to environmental aspects of sustainability and, in a significant move, requires planning policies and decisions to recognise “the limits of the environment to accept further development without irreversible damage” (ODPM, 2005a, paragraph 19)—in this respect, echoing thinking in the revised national sustainability strategy (HM Government, 2005). But the net result has been to add to the purpose of planning—economic priorities have been diluted, rather than displaced. Nevertheless, amidst the vastly expanded environmental considerations, one can begin to tease out ways in which the government has sought to reconcile conflicting imperatives. In procedural terms, the broadly supportive agenda for community involvement is now subject to the warning that “external constraints that may impact on the vision and future development of the area (for example, those that may arise from planning policies set at the regional or national level)... should be made clear from the outset” (ODPM, 2005a, paragraph 41). If this is an attempt to manage the scalar dilemmas of participation that the reforms exposed, it needs to be viewed alongside the substantive content of those ‘external constraints’. Of particular interest is the advice that development plans “should seek to... bring forward sufficient land... in appropriate locations to meet the expected need for housing, for industrial development, for the exploitation of raw materials... [and] for retail and commercial development” [ODPM, 2005a, paragraph 27(iv)]. Although struggles over the draft made this a matter of “needs” rather than “to provide for growth and consumer choice” (ODPM, 2004a, paragraph 1.22), this framing may still work to discipline more growth-critical conceptions of sustainability.

(37) Regional Development Agencies (20 May 2004, pages 1–2); see also British Property Federation (14 May 2004); CBI (21 May 2004).
(38) Hampshire County Council (20 May 2004, page 1).
(39) English Nature (May 2004, page 6); see also National Trust (19 May 2004); Law Society (May 2004).
(41) CPRE (May 2004, paragraph 74); Law Society (May 2004).
(42) CPRE (May 2004); National Trust (19 May 2004); Wildlife and Countryside Link (May 2004).
Conclusions and future directions

“It is debatable whether the country needs a ‘simpler’ planning system: the extreme complexity of modern society and the proliferation of legislation currently being created reduce that possibility.”

Civic Trust (2004, paragraph 1.2)

In this paper we have argued that the importance of planning lies not simply in its instrumental capacity to deliver environmental sustainability, but in its relative openness to influence by environmental interests and concerned communities, which enable connections to be drawn between projects, plans, and wider policies. In this sense, planning fosters the conditions that Weidner and Jänicke (2002, page 441) identify as conducive to structural policy change, requiring “opportunities that could lead to the formation of new advocacy coalitions and render even powerful opponents vulnerable.” Judged in the same light, however, initial proposals for planning reform in England seemed mainly to empower the ‘planning is a burden to growth’ coalition, by recon-figuring the spatial and temporal opportunity structures for involvement, and ascribing strategic national importance to certain categories of development. Thus they threatened the very structures that had been most effective in channelling criticism of sectoral objectives between policy tiers, replacing them with an emphasis on the local, community involvement, and regional collaboration. Indeed, they seemed almost purpose built to dismantle county-level alliances around environment-led conceptions of sustainable development, with the goal of ensuring the delivery of development—especially in southeast England.

If the intention was to discipline the ‘subversive’ role of planning, the reforms may not be entirely successful—not least because the policy process itself offered opportunity structures for interest groups to challenge the proposals. What proved most effective here were traditional apertures—national policy consultations and parliamentary lobbying—readily exploited by planning authorities, environmental NGOs, and government bodies. These interventions had two significant results. First, the more draconian measures for streamlining public involvement did not make it into the final legislation. Second, in an echo of the early 1990s, claims about the importance of environmental sustainability were mobilised to temper a strongly pro-development agenda for planning, and to confound attempts to streamline the remit of the system. The frequently observed ‘ratchet effect’ in environmental policy, whereby standards tightened in one era prove difficult to retract in another, seemed to be operating, although the experience of planning highlights the importance of vigilant pressure politics in resisting deregulatory tendencies. We would also acknowledge the continued influence of the European Union, especially in the guise of the Strategic Environmental Assessment Directive (2001/42/EC), in reregulating the government’s proposals. As a result, few now expect that modernisation will bring “concision, clarity and certainty to the framework of the planning system”.\(^\text{(43)}\)

To assess whether this was ever a likely outcome, we can make some provisional, theoretical, connections to patterns of state practice elsewhere in Western Europe. Haus (2003) has argued that government reforms which seek to reconcile multiple objectives—better delivery of specific outputs, enhanced accountability, and greater public involvement—either end up creating more complex governance arrangements, or introduce simplified structures for ideological reasons, with unacceptable external costs. The planning reforms in England illustrate this dilemma very well. Although development interests may have wanted planning “to facilitate and enable development”;\(^\text{(44)}\) with

\(^{(43)}\) British Property Federation, response to draft PPS1 (14 May 2004, page 1).

\(^{(44)}\) House Builders Federation, response to draft PPS1 (21 May 2004, page 1).
sustainability, participation, and sectoral integration to be pursued only to the extent compatible with effective delivery, pressures upon (and within) government to inject meaning into these additional objectives made such a crude hierarchy untenable. A further consequence (even without considering the more profound devolution of planning powers to Wales, Scotland, and London) is that the planning reforms are less likely to restrain the differential interpretation of sustainable development than might initially have been expected.

Any conclusions drawn at this stage about the reform programme must, however, be tentative. According to the government’s own estimates, “cascading a policy change” down through the various tiers of planning “cannot be achieved in less than about 12 years” (HM Government, 2002a, paragraph 76), a situation made more problematic by the likelihood that tensions within the reform programme will precipitate further changes. The precarious discursive reconciliations of efficiency, sustainable development, and public participation that we have identified may not survive translation into planning practice, nor the recalculation of electoral advantage—in the 2005 General Election, Labour lost a number of marginal seats in its designated growth areas (Planning Magazine 2005). Despite this instability, our preliminary analysis suggests that research in the following areas could be especially useful in charting the connections between planning, public policy, and environmental sustainability.

It will be crucial to examine how planning reforms affect relations between the reconstituted tiers of planning, and the scope for mutual learning. Statements of national policy like PPS1 are just part of this picture, and need to be seen alongside extended arrangements for sustainability appraisal, target-based governance, and requirements for reporting on plan implementation and outcomes. There is more to this picture than ‘bottom-up sustainability’ versus ‘top-down development’: government targets for planning have expanded beyond the speed of decisionmaking to embrace flood protection, the production of secondary/recycled aggregates, biodiversity, and renewable energy (ODPM, 2005b). Researchers will need to be alert to the differential ways in which the various targets discipline subnational planning practice. Targets are also pertinent to the power of spatial planning, and the extent to which the preparation of Regional Spatial Strategies and Local Development Frameworks become important arenas for reconfiguring sectoral objectives.

Although both technical and collaborative elements of planning may create opportunity structures for influence (Owens et al, 2004), much depends on the capacity of interest groups to utilise them effectively. Thus, to understand the impact of the reformed planning system in the promotion of sustainability, it will be important to track how opportunity structures are actually exploited, and not simply to refine methodologies for deliberative and inclusive participation. Murdoch and Norton (2001) show how environmental organisations vary in their abilities to access regional and local planning arenas, and to drive forward their favoured conceptions of sustainable development. Yet many of the groups that were so effective in challenging the planning reforms at the national level may lack the resources, structure, or remit to police implementation across the multiplying regional, subregional, and local arenas of planning. One question for future research is that of how organisations will negotiate a dominant governmentality of the reforms—that ‘strategic’ issues can safely be separated from local, site-specific concerns, to ensure the effective delivery of some posited universal good.

By the very nature of the issues at stake, it is difficult at this stage to say anything more definitive about how links between planning and sustainability might be reconstructed in practice. What we have demonstrated, however, is the importance of closer collaboration between analysts of planning who are concerned with its
role in sustainability, and political theorists who address the greening of the state and sustainability transitions. For the latter, conflicts over the reforms exemplify our wider argument about the significance of planning as an untidy series of arenas for policy learning, which ought to be considered alongside formal institutions for greener government. Similarly, the initial, pro-growth ideology behind Planning: Delivering a Fundamental Change (DTLR, 2001a) offers a counterpoint to teleological arguments that the greening of the state is an inevitable, unidirectional trend.

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