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# Acting on Principle: Dilemmas in Planning Practice

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## Introduction

Throughout the history of planning there have been lengthy debates as to the nature of this activity and the principles which should guide practice. The ill-defined quality of the problems which confront planners and the multiple interests affected lead to tensions and dilemmas as to the most appropriate choice of actions or values to endorse. Despite much of the professional rhetoric of planning remaining resolutely attached to the reassuring claims of technical expertise, there is at least implicit recognition that moral judgements and ethical questions pervade the daily practice of planning (Reade, 1987; Low, 1991). The choices planners make are fundamentally about questions of right and wrong and good and bad.

Growing awareness about the ethical dimensions of professional activity are not the exclusive province of planners, as can be seen in the current debates within law and medicine. However, the traditional focus of planning activity within public sector institutions, makes the choice of appropriate actions particularly problematic whether that be in terms of underlying goals or the means to achieve those objectives. Such circumstances make the obligations placed on planners more problematic than in personal professional relationships. For example, are planners obliged to serve the interests of their political employers, the organisation, personal values, clients, the wider community, future generations or the profession? Moreover, obligations, and the actions that are implied, are likely to be influenced by changing contextual circumstances. That is not to suggest that modifications to the nature of planning are inevitable, but that at the very least accepted values and practices will be subjected to close scrutiny.

The 1980s were marked by the extent to which the post-war consensus as to the value of planning became the focus of concerted challenge. The very justification for intervention in land and property markets was questioned and the institutional context most often associated with planning, namely local government, became synonymous with inefficiency, pejorative notions of bureaucracy and a lack of accountability. Despite this attack on the very foundations and institutions associated with planning, the 1990s have seen its survival. However, survival on its own is a relatively limited achievement; more fundamental is the

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extent to which the dimensions of the dilemmas confronting planners have been altered by this experience. How are practitioners coping with the contexts in which they find themselves and what values and methods are guiding their actions?

Critical reflection on the nature of planning dilemmas would seem to lie at the very heart of the work of planning theorists. However, most practitioners (and for that matter academics) tend to regard the output of planning theorists to be at best an irrelevance. Much of the literature appears abstruse and highly inaccessible, with little seeming to engage with topics of concern to practising planners. Notwithstanding Forester's (1993) contention that planning theory should be empirically fitting, practically appropriate and ethically illuminating and at a time when the moral and ethical foundations of society and the state are coming under greater scrutiny, the credibility of planning theory remains relatively low.

There are essentially two strands to the work directly addressing ethical dilemmas in planning. The first of these explores the merits of theoretical concepts such as truth and meaning in relation to the normative underpinnings of planning (Wachs, 1985; Hendler, 1995). The second strand focuses on the frames of reference of individual planners usually divorced from the context of everyday practice (Howe & Kaufman, 1979, 1981; Kaufman, 1985; Healey & Thomas, 1991; Howe, 1994). Much of this work emanates from a North American environment and as a consequence tends to emphasise individualistic over the more collective forms of social relations familiar to those based in Europe. In contrast to the work of planning theorists, the planning profession has largely concentrated on matters of basic procedure, exemplified in the Royal Town Planning Institute's (RTPI) *Code of Professional Conduct* (RTPI, 1994) and in recent reports such as the Lees Report on North Cornwall (DoE, 1993). Such documents tend to imply that the application of 'correct' procedure will resolve the dilemmas planners face. Moreover, that actions taken on this basis are regarded as a defence against any criticism which may result from unsatisfactory outcomes. This in turn allows planners to side-step questions concerning the values inherent in their activities.

The complexity of the socio-political world in which planning practice is embedded and the nature of the tasks confronting planners suggests that planning theory should have an important contribution to make. However, the very real insight provided by theoretical understanding will remain limited until it is more fully informed by daily practice. It is with these considerations in mind that the work explored in this paper should be viewed. The aim of the approach adopted has been to retreat from the convention of grandiose theory-building preceding empirical investigation and to start by using focus groups of practitioners to assist in the process of defining and identifying the dimensions of the dilemmas they confront. In so doing concern centres on the interrelationships between individual planners and the contexts in which they are located, as the values and actions associated with the planning activity are rarely simply a matter of individual personal choice.

Focus groups were employed as these are the most appropriate means of obtaining insight into attitudes, experiences and opinions concerning underlying

values and principles. The interaction which takes place within a group leads to issues being raised which would not come out in casual conversation, predefined questionnaires or in response to a researcher's preconceived questions (Morgan, 1988). The findings discussed in this paper result from two focus group meetings which took place in February 1996. It was felt to be important that the views of individuals from all levels of the planning hierarchy should be sought. As a result, the first meeting drew on the experiences of new entrants to the planning profession, while the second explored the views of senior practitioners. The six participants in the new entrants' group were all aged between 23 and 30 and had worked within planning for between two and seven years. In contrast the five senior practitioners in the second group were all aged between 45 and 55 and had worked in public sector planning for between 24 and 30 years. There were other important contrasts between the two groups. The senior practitioners were all male and had spent their professional lives in the public sector. All were in positions of considerable professional and managerial responsibility (two were chief officers, two were assistant directors and one was a principal planner), bringing them into frequent contact with elected members. Each had logged up a rich and varied range of experience. All but one were currently employed by metropolitan districts (a bias which may, of course, be significant in influencing opinions); the exception worked for a shire district in an outer metropolitan area. The new entrants were more diverse. Three were women and two worked for private consultants. Their office locations were geographically dispersed and, of those working in the public sector, two were employed by metropolitan districts and two by counties (one as a European Officer, having been employed previously in the forward planning section of a shire district). As recent entrants to the profession they, singly, had a much more restricted range of experience than the senior planners but, collectively, they were engaged in a considerable diversity of planning tasks.

Clearly, we would not wish to suggest that our findings are representative of practice as a whole. The approach was deliberately exploratory. However, the findings of even this limited study are instructive in highlighting some of the tensions and dilemmas at the heart of contemporary practice. Our intention is to carry out further research which will build on the issues identified through additional discussions with practitioners as well as those outside the profession including politicians, developers and interest groups.

The remainder of the paper outlines the findings of the focus group discussions, highlighting the nature of the dilemmas confronting planners and concerns with respect to the development of theory. In so doing, we draw attention, where appropriate, to significant differences between the opinions and perceptions expressed by the two groups of practitioners.

## **Dilemmas in Planning Practice**

Philosophical thinking in relation to ethical questions distinguishes between different approaches according to whether critical emphasis is placed on the appropriateness of action, most particularly the means adopted, or the intrinsic value of the underlying ends and goals. Furthermore, these judgements about

ends and means are set against an intricate web of obligations. These distinctions between appropriate actions, intrinsic values and underlying obligations are in practice much harder to disentangle than they are in theory. Individual ethical perspectives on planning may start from an emphasis on fairness or securing inter-generational equity but they are not easily compartmentalised from competing claims. This in turn results in tensions between different values and also between values, means and obligations. For the sake of clarity the analysis of the findings of the focus groups is clustered around these three elements, although there are clearly interrelationships between the issues raised.

### *Values and Ends*

Members of both focus groups were deeply convinced of the value and importance of the planning system, although discussion revealed major differences in perceptions as to its underlying goals, most particularly its role in relation to market processes. It was apparent that differences in perception were dependent, in part, on the local economic context. At one end of the spectrum were those working in the often demoralised economic circumstances of metropolitan districts where the main driving force was the need to secure development and jobs and where wider planning considerations were easily overridden in the process. At the other end of the scale were those representing outer metropolitan green belt authorities where the planning system is strongly regulatory, seeking to steer development to preferred locations. Locational differences did not entirely explain contrasting attitudes, however. One of the senior planners from a northern metropolitan district asserted strongly that the planning system was “quintessentially interventionist ... if we can’t improve on how the market performs then we have no role”. A colleague, also from a metropolitan district, was not so sure, suggesting that perhaps all that the planning system could do was to *manage* the market—“doing work for it by consultation and bringing elements together to make development happen”. Whatever the experience and standpoint, however, the way in which the planning system engaged with the development process gave rise to a variety of ethical concerns discussed further below.

All members of the new entrants’ group saw planning as playing a crucial role in defending the ‘environment’. There was an underlying sense of frustration as well as passion in the way this view was presented—“we’re all undervalued for the job we do in society ... we’re the only people defending the environment and trying to get the best for everybody”. The frustrations were several but included a feeling of being somewhat isolated, with politicians and the public not understanding the value of planning and what it is trying to achieve, the slowness with which decisions were taken and the incremental nature of the gains made.

The claims of the natural environment and the need to achieve sustainable development were given prominence by both groups although there were major contradictions in the views expressed both in relation to the meaning of ‘sustainability’ and its implications for planning policy. On the one hand there was the feeling that this was one area where the planning system had, in the

recent past, gained a more powerful and enhanced role and where intervention in the market would be more easily justified because there was a coming together of political and professional aspirations. On the other hand, some expressed the view that sustainability had been written into central government guidance as expressed in Planning Policy Guidance Notes (PPGs) but had not really filtered down to where it mattered at the local level because there was not the political thrust to see it through. This was particularly the case where the short-term needs of job creation would gainsay the longer-term needs of future generations for a clean and healthy environment. Encapsulated here are two ethical dilemmas for society and for the planning system. The first is the problem of balancing the needs of present and future generations. The second is the problem of balancing the claims of the natural world against those of human welfare. The competing claims of natural and social environments were expressed in the following way by one of the senior planners in respect of the major themes of his authority's Unitary Development Plan (UDP).

The issue still arises how far the social issue is brought in. To what extent we lose some of the edge of our social concern because of our concern for the future of the planet. There is a difficult issue of trading-off the interests of poorer groups in our own generation against poorer and better-off groups in future generations. How far in rationalising the aims of our UDP was sustainability to be the big aim and how far it's a question of social disadvantage? My view is that people remain the centre of the picture but the environment is still an enormous issue....

In placing 'social disadvantage' centre stage, this participant was not reflecting the general view, although it must be said that there were important differences between the two groups in this respect. Members of the new entrants' group were unanimous in their view that questions of social justice were not inherently matters which the planning system could address or, indeed, should address. The legitimacy of planners getting involved in what was described by one participant as 'social engineering' was questioned. The senior planners on the whole were rather more ambivalent, seeing a role for the planning system but recognising that mechanisms and resources for effecting anything other than marginal change were not available. Central government was not prepared to match resources to identified needs and the allocation of increasing elements of public funding under 'challenge' conditions was exacerbating the problem. Social objectives were, it was suggested central to local economic development aims, but it was argued by one member of the group that the major impetus for giving explicit prominence to 'social exclusion' as an issue to be considered in relation to the development process was not coming through UK planning practice but from Europe.

Overall there was a sense of unease amongst the planners involved in the focus groups in dealing with issues concerning values in relation to planning. Moreover, it was evident that there were considerable tensions in attempting to operationalise a concept such as sustainability within a market-based economy.

*Process and Means*

A major tension, apparent through the discussion in both groups, is that between 'efficiency' and 'quality', although there was some variation in the ways in which these attributes were interpreted. The aspect of 'efficiency' which dominated the debate was the pressure to speed-up decision-making, especially in respect of the processing of planning applications. The significance attached to performance targets clearly differs markedly between authorities. For example, some strive to ensure that 80% or more of applications are determined within the eight-week period. Others are content to reach 'satisfactory' levels of performance using neighbouring authorities as some kind of bench-mark. As one might expect, performance targets are being met by authorities changing the 'rules' governing the way in which different categories of applications are dealt with. One common response has been for development control officers to quickly reject applications judged at the outset to be 'poor'. In the past these applications would have been kept in the system for negotiation to take place to see whether proposals might be modified or revised to remove objections so as to make them acceptable. There was some concern about the knock-on effect of this approach with the possible consequence that the apparent gain in 'efficiency' in the determination of applications was offset by more appeals being lodged. Opinions were very much divided as to what the wider consequences of these changes in administrative behaviour were.

Another major issue for all participants, including those working in the private sector, were the pressures stemming from rising workloads. Within the public sector, staffing levels were a major worry and there was widespread concern about the effects on the quality of service which could now be provided. These worries were heightened by the increased significance of planning consultants at all stages in the planning process. The tendency for consultants to be engaged much more as a matter of course, both to act as agents for members of the public and developers in the submission of planning applications and also in representing objectors to planning proposals and policies at local inquiries, was in many respects welcomed by the senior planners in that it had raised the quality of debate by giving some sections of the public a more effective voice. Whereas in the past it was argued, the adversarial nature of the planning system had advantaged the local planning authority, the balance had now shifted. One member of the group from a metropolitan district authority which had recently come to the end of its development plan inquiry agreed that

... the more widespread use of planning consultants had raised the quality of argument. But to make that work the authority needs to be resourced adequately. Trying to operate an inquiry on the resources we've had has put us in an invidious position. All the work we have put in could go down the swanny because we haven't had the resource to counter the arguments of private consultants.

There was widespread sympathy for this view, particularly where technical considerations were significant in the dispute and where the specialist knowledge was not available to the planning authority.

The implied view running throughout the discussion in the senior planners' group was that consultation—'giving people a say'—would improve the quality of the outcome. There was a down side, however, and this was the time required to provide effective consultation. It was apparent, for example, that the UDP process had in most cases been excessively long. From commencement order to public inquiry had taken seven years in one case and this was not unusual. There were contrasting reactions to this. One district planning officer felt that his development plan lacked credibility because of the time it was taking and its irrelevance to the problems needing to be addressed. The opposite view was that delays were an inevitable consequence of giving people a say. If speed was put first the casualty would be public participation with the result that dispute and controversy would be displaced further along the process to the point at which applications were being submitted. Ideas of 'quality' in this case were being directly linked to notions of consultation and public involvement. Somewhat contrary to expectations, the younger planners were less inclined to see public participation as a virtue. There was within the group a strong sense that what mattered in achieving quality was the technical competency and professional judgement of the planners themselves. Politicians and the public were often perceived to be obstacles in the way of achieving good decisions.

The dominant if not entirely uncontested view that planning works in harness with the private market rather than intervening in it, gave rise to a discussion of some of the ways in which that relationship with the market presented moral dilemmas. There were two aspects of this relationship which were seen to be particularly problematic and these were planning gain and the potentially more troublesome issue of public/private partnership arrangements. Planning gain has long been a matter of controversy and disquiet and it is apparent that, while the opportunities for gain are probably greatest in areas where there are relatively strong development pressures it is a widespread phenomenon. Indeed, one of the private sector practitioners put the view that is now seen by developers as a normal element in development costs. The concern here was over the way in which planning gain was being used by some developers to 'break a policy' or to get a proposal through 'on the back of something else'. Stronger development plan policies were seen as one means of dealing with some of the issues in an open and acceptable way but it was acknowledged that it was impossible to anticipate the variety of ways in which community benefits might be offered as part of a development package. More problematic, if less universal, were the issues raised by partnerships between the private and public sectors in which the outcome is a company in which both parties have a financial stake. Driven by profit maximisation instances were cited of planning considerations being subordinated and, at worst, subverted by the commercial interests being pursued.

### *Competing Obligations*

An important aim in this exploratory investigation was to uncover some of the tensions being experienced by planners in meeting the expectations of the organisations in which they are employed alongside a broader range of professional and personal principles or obligations. We were interested in discover-

ing whose interests are being served by the planning system or, perhaps more accurately, whose interests the members of the focus groups felt were being served and what conflicts or tensions were apparent in the conduct of everyday practice.

There was a strong sense running through both groups that the concept of the 'public interest' had little meaning given the changes effected to local government in the recent past and the often low priority given to planning considerations where they were not consonant with more powerful organisational goals. The dominance of corporate objectives was expressed in a variety of ways, but possibly the underlying tensions were those between pragmatism and strategic thinking and between political short-termism as against longer-range notions of community benefit.

The tension between professional and political judgement was especially acute in metropolitan districts facing major problems of economic restructuring and physical regeneration. 'Going for jobs' was the political imperative in these circumstances and this would often cut through other considerations. This is a defensible political choice, albeit one with which chief officers might not entirely agree. Much more problematic was the conflict of interests which arises where financial considerations are prominent. The particular problems of public/private partnerships have already been referred to but a similar, if internalised, conflict of interest can arise where financial targets are set for the sale of council-owned land and where the needs of the council to maximise revenue come up against the council's requirements as a local planning authority. The senior planners were able to resolve these tensions by placing accountability in such situations firmly with the elected members—"the ethical thing is to continue to make our voice heard on planning principles and let members take responsibility for the ethics of their choice".

The new entrants were rather less willing to see a resolution in this way. There was more scepticism of the quality of political leadership and a more critical assessment of the consequences of the dominance of corporatist interests within local government. Indeed, one member of the group had felt compelled to move jobs precisely because the loyalties demanded by his employer (a rural district council in the South West) could not be reconciled with his own values:

If you just see planning as a job—there's enough institutional need to keep you going and that has some value, but if you have some vision that's very different ... I lasted as long as I could in a hostile environment and then went somewhere else where I felt happier. That for me was the only practical way forward ... when I'm older perhaps I'll care less ... at the time I felt deeply and had to do something about it.

This individual felt that his professional autonomy had been reduced by the imposition of corporate objectives handed down not, in this case, by elected members, but by the chief executive. In moving jobs he was seeking an organisational culture which was still public service-centred and where principles of professional judgement and public accountability had not been prejudiced by organisational goals mediated through financial and performance targets.

For others in the group conflicts of loyalties were much less clear-cut. Although not overtly and unambiguously articulated, there was nevertheless a strong underlying assumption that the primary obligation was to some concept of professional autonomy—to independent professional judgement. Theirs was an essentially technocratic view of the planning process in which planners were the experts and best able to evaluate alternatives and make judgements based upon careful consideration of all aspects of the problem including the longer-run as well as the short-term implications of choices. It is not surprising therefore that, within the group, public consultation and participation did not figure prominently in the discourse. When the question of public involvement did emerge it often did so in a critical frame of reference, in the sense that the dominant view was that those who were able to influence outcomes were from narrow and privileged segments of the community who could ‘hijack the system’ and whose aims were often assisted by press ‘misinformation’.

In staking out a claim to a distinctive body of knowledge and professional skills, the private practice planners were no different from their public sector colleagues. The latter, however, tended to question the integrity of private consultants whose judgement would be influenced by their financial dependence on their clients. It was in this context that the local authority planners came closest to defining an obligation to the public interest ... “Private consultants are like lawyers—they’ll defend anything if paid enough whereas we’re meant to have values and defend concepts like fair play.... I feel as though I’m on the side of the angels ... (that) I’m on the right side which I couldn’t in private practice”. The two members of the group who worked in the private sector defended their role, seeing themselves as problem-solvers for clients and acting as a check to ensure that local authorities were making the right decisions. Both, it should be noted, were employed by well-established firms mostly providing a service to the development industry. They too, therefore, had to meet organisational loyalties which in practice meant meeting obligations to clients; while one of the two felt entirely comfortable with this (she gave straightforward independent advice—it was up to the client whether it was accepted or rejected), the other confessed that she did find herself on occasion being required to do things with which she disagreed.

The senior planners all came from the public sector and a similar exchange did not occur. Some reference has already been made to the way consultants were perceived by the group. In the present context it might be added that members of the group felt that there were some unscrupulous planners in the private sector who would take on hopeless cases and contrary to their own professional judgement, would ‘say what the client wants to hear’. Paradoxically, however, this advocacy role of the consultant was perceived to be an advantage in certain circumstances because the private consultant could say the ‘unthinkable’ and defend the ‘indefensible’ whereas a council employee could not. It was further argued that local authorities sometimes found it advantageous to have an ‘independent’ case made for them, especially in competing for government funding. An ‘arms-length’ view could in such circumstances be useful.

The senior planners were more inclined than the new entrants to see a positive role for public participation in the planning process. They

recognised that the opportunities to influence planning decisions were unevenly distributed but argued that efforts should be made 'to give everyone a say'. Reference has been made elsewhere in the paper to the way this was seen in relation to the development plan process. Somewhat surprisingly, given the changes effected to statutory planning during the last 15 years, the group felt that more effective efforts had been made in the recent past to involve a broader range of interests in the consultation process.

Despite this there was considerable disquiet about the effects of what was described as the citizen charter approach to service delivery within the public sector which was leading to 'customer-interest' replacing the 'public-interest'. As one member of the group put it:

If you treat planning as a service delivered to customers who make a demand on this service the trend is towards regarding the applicant as the customer.... Hence the emphasis on speed—you treat the transaction as a quasi-business relationship. Whereas the public interest ethic has been very different. It was the planning system interposing itself between so-called customers (or private interests) and the general public interest that is a completely different relationship.

Dilemmas were also raised, in this connection, by the growth of arms-length organisations where channels of accountability were remote and where customer relationships were based upon a financial relationship.

## **Conclusions**

The political economy of Britain has undergone major changes in the recent past and these transformations have had significant consequences for the planning system and the traditional principles upon which practice has been based. Of central importance has been the increasing dominance of market rights over social, political and welfare rights (Cooke, 1990), which has not only required a reappraisal of the role of the planning system in relation to property and development markets but has also required a significant realignment of traditional conceptions of client service relationships as citizen rights as a whole have been recast. Running parallel have been the profound changes to the governance of Britain with increasing centralisation of state power at the expense of local autonomy and political accountability in respect of social and other services. Insofar as local authorities remain providers of services, 'value for money' has usurped the ideals of satisfaction of needs and professional standards. These changes in governance have occurred, moreover, during a period of increasing social polarisation. Paradoxically, local democratic autonomy has been reduced at a time when 'place' has assumed increasing importance in influencing access to both public and private goods.

The underlying importance of these changes was apparent in the focus group discussions. The findings confirm, furthermore, that ethical considerations are not merely a matter of academic conjecture but practical everyday concern. It is evident that individual practitioners, regardless of their position in the hierarchy, are struggling to identify what it means to be a professional planner in the 1990s.

Although members of both groups asserted strongly the independence of the profession to which they belong, it is clear that there was considerable uncertainty as to what frames of reference they were using, or should be deploying, to justify their decisions. The younger planners were more likely to seek reassurance from the concept of independent professional judgement than the senior planners, who were generally more pragmatic, particularly in relation to their perception of their role in relation to other 'players' in the process, including elected members, developers and the public. Although members of both groups invoked a variety of ethical principles in talking about their work, including, for example, concepts related to accountability, professional independence, the code of professional conduct, fairness etc., there was a tendency to define these principles more in relation to procedural requirements rather than to values and ends. Within the web of obligations which practitioners felt the need to meet, the demands of the agency within which they worked were clearly of paramount importance. The organisational culture not only influenced the frames of reference within which practitioners worked, but also exacted loyalties which sometimes conflicted with other values and obligations.

The justification for planning rests ultimately on some conception of a desirable public good or interest. What constitutes that good and how it is arrived at has provided the basis for an enduring debate within planning theory (Campbell & Fainstein, 1996). The way planning has been conceived within that debate has oscillated between two contrasting approaches. One has emphasised the ends or purposes which planning serves, and the other has looked for a concept of the good, not in the telos, but in procedural rules and precepts such as justice, fairness and the protection of individual rights. These differing conceptions represent ultimately two modes of ethical thinking but, curiously, within the realms of planning theory the moral dimensions of the planning activity have been afforded little prominence. In the face of the postmodern challenge to its intellectual and philosophical foundations (Beauregard, 1989; Healey, 1992; Harper & Stein, 1995), an important project for theory will be to provide a framework for confronting the ethical dilemmas of current planning practice.

The aim of this paper has been to generate questions rather than answers and, in doing so, to provide an initial platform from which to explore the ethical foundations of contemporary planning practice in Britain. We do not claim that the findings presented are necessarily representative, nor that a comprehensive review of the field has been undertaken. However, the work conducted so far suggests that the social, economic and political changes which have taken place in Britain in the last 15 years have had profound consequences for the planning system and have given rise to ethical questions of importance both for planning practitioners and for the future of the activity as a whole. Many of these questions are by no means new, at least in their basic form. Moreover, some might argue that planning's survival during the 1980s owed much to the lack of clarity over its ethical foundations. However, while obfuscation may have been a successful defence in the short term, it is unlikely to prove an effective long-term strategy.

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