

POS UPDATE JANUARY 2010

The Planning Officers Society E-Bulletin for POS Members

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1 SPATIAL PLANNING LATEST

PPS12 and Plan Making

The CLG Plan making manual accompanies the revised PPS12. The manual brings together council experience, useful advice and guidance in producing local development frameworks. Content is regularly refreshed; for example it features recently published new content on Sustainability Appraisals, and there is also a government line on Infrastructure Planning. To read more go to www.pas.gov.uk/planmakingmanual

Revised PPS4: Planning for Sustainable Economic Growth

The Government has published new advice for planners which combines town centre and economic development policy into a single, streamlined document, replacing previous guidelines and cutting guidance from 137 pages to 32. The revised policy advice in PPS4 has retained the “sequential test” which requires that most central town centre sites should be developed first for shops, leisure and offices, rather than out-of-town sites.

CLG has also introduced what it argues is a tougher “impact test” replacing the “needs test” which ministers say had become “dysfunctional”. Under the new test development which might harm town centres will be assessed against key factors including climate change, impact on the high street, consumer choice, consumer spending and jobs.

The “competition test”, recommended by the Competition Commission following its probe into grocery shopping, is not included in PPS 4.

To read the PPS in full go to <http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement4>

Planning for Town Centres: Practice Guidance on Need, Impact and the Sequential Approach

This DCLG practice guidance is intended to support the implementation of town centre policies set out in PPS4. It is aimed at helping those involved in preparing or reviewing need, impact and sequential site assessments. See

<http://www.communities.gov.uk/publications/planningandbuilding/towncentresguide>

Northwest Regional Strategy - RS 2010

The development of the Northwest Regional Strategy 2010 has reached an important milestone. The draft version of Part 1 of the Regional Strategy has now been produced and is open for 8 week consultation.

A full copy of Part 1 can be viewed on the RS2010 website at www.nwregionalstrategy.com

LDF Conversion Course

PAS will be running a number of three-day courses to address the plan making skills gap. The courses draw on popular direct support materials that have been already tried and tested in councils across England. At the end of the course participants should have a clear understanding of the fundamental elements of producing development plan documents and taking them through to examination and adoption.

Residential

16, 17 and 18 February 2010 - Warwick Business School

24, 25 and 26 March 2010 - Old Windsor, Berks

Day courses in London

3, 10 and 24 February 2010 - ETC Venues, Hatton Garden

3, 10 and 17 March 2010 - ETC Venues, Hatton Garden

For more details and to book go to <http://www.pas.gov.uk/pas/core/page.do?pagelid=325347>

2 DEVELOPMENT MANAGEMENT LATEST

More on the Government's response to the Killian Pretty Review

Planning Minister John Healey has announced a further package of measures to streamline the planning system in moves which build on reforms recommended by the Killian Pretty Review. The proposed measures cover pre-application discussions, the use and discharge of planning conditions and the regime for statutory consultations. In the case of the latter CLG has acknowledged that a fundamental overhaul of consultation arrangements is necessary.

Healey also confirmed that the rules for local authorities advertising planning applications in local newspapers will not change, a stance which prompted criticism from the Planning Officers Society. The Society claimed the CLG decision ignored the administrative and financial burden this requirement puts on LPAs and voiced concern over the effectiveness of newspaper advertising. POS has written to planning minister John Healey calling for an early review of the practice.

To read the CLG publication go to <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1419562.pdf> and to learn more about the Society's stance on this matter go to <http://www.planningofficers.org.uk/file/e0bf5fef4dec706be5314027d3a7f93b/society-slams-dclg-decision-not-to-dispense-with-the-need-for-newspaper-publicity-of-planning-applications.html>

Local Development Orders

PAS are still looking for more LPAs to establish LDOs. From April, up to £15,000 is available per authority to help meet any of the costs of setting up their LDO.

Authorities already with design guidance, character appraisal, conservation area management plan, masterplan, or SPD are likely to be in a position to act fast and turn their already agreed development guidance into an LDO.

If you want more information contact gillian.morgan@idea.gov.uk. Details on applying for the grant, setting up and using LDOs and the current projects are on the PAS website: <http://www.pas.gov.uk/pas/core/page.do?pagelD=114302>

Large Digital Screens in Public Spaces: Joint Guidance

This English Heritage and CABI guidance aims to help local authorities in the consideration of planning applications for large digital screens in public places. To find out more go to <http://www.cabi.org.uk/publications/large-digital-screens>

Number of Applications Reducing

The latest quarterly statistics from English district planning authorities has shown that applications were down by 12% on last year's figure. All regions, including national park authorities, saw reductions in the number of planning applications received compared with the same quarter last year. The largest decreases were in the East Midlands and West Midlands (both 14%) while the lowest decrease was in London (9%). National park authorities also saw a decrease of 5%.

Determinations were also down 18% lower than last year.

To access the statistics go to <http://www.communities.gov.uk/publications/corporate/statistics/planningapplicationsq32009>

3 BREAKING NEWS

... strengthened delivery arrangements and more local planning responsibility will drive regeneration in London and Thurrock Thames Gateways and West Northamptonshire following a review of UDCs. To learn more go to <http://www.communities.gov.uk/news/corporate/1432919>

4 LEGAL UPDATE

Planning Policy Statements Issued:

PPS 4: Planning For Sustainable Economic Growth

This new PPS sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas. It replaces PPG 4: Industrial, Commercial Development and Small Firms and PPG5: Simplified Planning Zones both published on 10 November 1992; PPS6: Planning for Town Centres published on 21 March 2005; and the economic development sections of PPS7: Sustainable Development in Rural Areas published on 3 August 2004, and Paragraphs 53, 54 and Annex D of PPG13: Transport (unless individual local planning authorities prepare local maximum parking standards in line with policy EC8 of this PPS). PPG 5 is to be reissued as practice guidance. See <http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatements4>

Statutory Instruments Issued:

The Marine and Coastal Access Act 2009 (Commencement No.1 and Transitional Provisions) Order 2009 – SI 3345

This instrument brings into force certain provisions of the Marine and Coastal Access Act 2009 relating to the Marine Management Organisation, the UK marine area and the Welsh zone, fisheries, enforcement and to Natural England, the Countryside Council for Wales and the Harbours Act 1964. Came into force on 12th January 2010.

To learn more go to http://www.opsi.gov.uk/si/si2009/uksi_20093345_en_1

Latest Consultations:

Local Economic Assessments: Consultation on draft statutory guidance

This consultation seeks views on draft guidance explaining a new duty on county councils and unitary district councils to prepare an assessment of local economic conditions. The duty is due to come into force on 1 April 2010. Closing date for comments is 15 March 2010. See <http://www.communities.gov.uk/publications/citiesandregions/localeconomicassessmentsconsult>

Sustainable New Homes: The Road To Zero Carbon: Consultation On The Code For Sustainable Homes And The Energy Efficiency Standard For Zero Carbon Homes, DCLG, 16th December 2009

This seeks views to changes to the Code for Sustainable Homes in 2010, to align with changes to Part L of the Building Regulations and the proposed approach to adopting the 2016 definition of zero carbon. It also puts forward proposed changes to credit issues such as Lifetime Homes, Home Security, surface water run-off and Waste as well as setting out issues for possible further investigation. It also seeks views on the energy efficiency

definition to be incorporated into the definition of zero carbon homes from 2016 and whether that should be introduced into Building Regulations at an intermediate level from 2013. This consultation closes on 24th March 2010. For more detail go to <http://www.communities.gov.uk/publications/planningandbuilding/futureofcodeconsultation>

Code for Sustainable Homes Technical Guide: Consultation Version, DCLG, 18th December 2009

This is part of the Sustainable New Homes: The Road to Zero Carbon: Consultation on the Code for Sustainable Homes and the Energy Efficiency standard for Zero Carbon Homes publication.

The purpose of this technical guide is to enable Code service providers and licensed assessors to deliver environmental assessments of new dwellings on the basis of the Code scheme requirements. The guide includes a list of issues associated with the building process which are known to impact on the environment, and for which performance measures to reduce their impacts can be objectively assessed, evaluated and delivered in a practical and cost effective way by the construction industry. The consultation closes on 24th March 2010. See

<http://www.communities.gov.uk/publications/planningandbuilding/codeguideconsultation>

An Updated Strategy for the Inland Waterways of England and Wales – ‘Waterways For Everyone’, DEFRA, 21st December 2009

The strategy sets out the Government’s approach to further enhancing the public benefits provided by inland waterways through widening public involvement and that of potential beneficiaries in the management and development of the waterways.

It moves on from the Government’s strategy of 2000 – ‘Waterways for Tomorrow’. The closing date is 26th March 2010. See

www.defra.gov.uk/corporate/consult/waterways/index.htm

A Review And A Call For Evidence, To Identify And Address Barriers To Investment Created By Consents For Development, Other Than Planning Permission, BIS, 15th December 2009.

The independent review, which will look at consents for development made alongside or after planning permission for all sizes of projects, will be headed up by Adrian Penfold, and is part of the Government’s wider programme to improve the planning system and development process. It is intended that it will report as part of the Budget in 2010, making recommendations on areas such as improving co-operation between agencies, removing bottlenecks in the process and improving the experience for the investor.

The Society is already in the process of formulating a response – contact paulwatson@solihull.gov.uk if you wish to make any comments. More information on the review and how to respond to the call for evidence can be found at www.bis.gov.uk/penfold

Recent POS responses to consultations:

English Heritage Consultation Understanding Place: Historic Area Assessment - principles and practice go to <http://www.planningofficers.org.uk/file/eface6c2efc095a78f8daace52e8f844/english-heritage-consultation-understanding-place-historic-area-assessment-principles-and-practice.html>

5 BRIEF UPDATES

Establishing unitary councils in April 2009: Lessons learnt. This paper highlights some key learning from the implementation of unitary structures in seven county areas on 1 April 2009. For details go to <http://www.communities.gov.uk/publications/localgovernment/unitarycouncillessons>

Going For Growth. This is the government's strategy for sustaining recovery and achieving tomorrow's prosperity. It details plans to expand new markets, work smarter, equip workers with high-level skills and play to national strengths to win more business. For details go to <http://www.bis.gov.uk/growth/going-for-growth>

Farming for the historic environment. Farmers, land managers and farm advisers all have a part to play in ensuring a healthy natural environment which is essential for sustainable farming. This Natural England leaflet is one of a series of four that show how to make the most of Entry Level Stewardship options. To get a copy go to <http://naturalengland.etraderstores.com/NaturalEnglandShop/product.aspx?ProductID=ee863b6a-e6fe-44f9-9179-e91e1179038c>

POS Seeks Support of the Training in Development Economics Study

Contrary to the intimation given in the email to all POS members on 6th January Roger Tym & Partners will not be contacting POS members individually. They were rather hoping that the mailshot would encourage Society members to go to the web address given and complete the survey without individual lobbying. The survey can be accessed at www.tymconsult.com

Problems with PD Rights for small renewables

Environment Protection UK has written to the Housing Minister warning that the proposal to give permitted development rights to small renewables flies in the face of guidance on night time noise and health. See http://www.environmental-protection.org.uk/assets/library/documents/Briefing_January_2010.pdf?utm_medium=email&utm_source=Emailmarketingsoftware&utm_content=299638552&utm_campaign=JanuaryBriefing+_kh_kdhk&utm_term=Assessmentofwindturbينوnoise#page=8

6 SOCIETY MATTERS

President's Piece

Happy new-year. John has moved the date of the update so this and future President's pieces will be letting you know what I'm going to get up to during the month as well as reporting what I've already done. Speaking of the new-year I was disappointed that none of the POS nominees received awards in the New Year Honours – oh well, there's the Birthday Honours still to come.....

- My first Presidential duty of the new-year should have been attending a two day “rural experience” event on Exmoor at the invitation of Steve Quartermain of CLG. The venue sounded like a very pleasant hotel in the heart of the National Park but with no public transport access – a brave choice for mid-January! We were scheduled to visit several interesting initiatives in the National Park but unfortunately several feet of snow had the last word and the event has been postponed until March.
- As I was unable to speak to CLG’s Chief Planner face to face, I had to content myself with writing to his boss – John Healey MP, Minister for Housing & Planning. I have sent him two letters. The first was expressing POS concern over the Government u-turn on giving local planning authorities the discretion whether to use press advertisements for planning applications. I made the point that so few people now read local papers (indeed in some places they don’t really exist) that the requirement cannot be justified on cost/benefit grounds and constitutes a waste of scarce council resources. Research by ALBPO a couple of years ago showed that the average annual spend on press notices in London was more than £47k – enough to pay for an extra senior planner in every borough!
- My second letter to the Minister was in support of one sent to him by the Acting Chief Executive of Copeland Borough Council containing a forensic analysis of the additional responsibilities and costs that the Planning Act 2008 will place on local authorities in relation to national infrastructure projects. Copeland Borough obviously has particular concerns (it is the home of Sellafield) – but the extra duties and costs potentially apply to any council in England.
- On the Friday of the week I was due to go to Exmoor I attended a meeting of the POS Development Management Committee in Croydon – quite a contrast from rural Somerset but with better public transport and less susceptible to snow drifts.
- In the second half of January I will be taking part in a CABE organised event titled “Who Should Build Our Houses?” A good question given the apparent collapse of the private house building sector. I will also be attending a POSE special Board meeting and a meeting of the Spatial Planning Committee – both at the RTPi offices in London

David Hackforth
President 2009/10

RECENT POS PRESS RELEASES

Planning Officers Society Slams DCLG Decision not to Dispense with the Need for Newspaper Publicity of Planning Applications go to

<http://www.planningofficers.org.uk/file/e0bf5fef4dec706be5314027d3a7f93b/society-slams-dclg-decision-not-to-dispense-with-the-need-for-newspaper-publicity-of-planning-applications.html>

Planning Officers Society Urges Government for Extra Resources For Local Authorities to Meet the Responsibilities of the 2008 Planning Act go to

<http://www.planningofficers.org.uk/file/4625bb75ce8a96b05d192670ff0f9a86/pos-urges-government-for-extra-resources-for-local-authorities-to-meet-the-responsibilities-of-the-2008-planning-act.html>

7 FORTHCOMING EVENTS

POS Events:

<i>Date</i>	<i>Event</i>	<i>Venue</i>	<i>Contact</i>
22 Jan	South East Region	Woking	Stuart.hylton@rbwm.gov.uk
29 Jan	Spatial Planning & Policy Committee	RTPI, London	roger.hargreaves@surreycc.gov.uk
29 Jan	London Region	tba	mike.kiely@croydon.gov.uk
4 Feb	POS sponsorship of RTPI Awards 2009	London	communications@planningofficers.org.uk
5 Feb	POS Ltd Board	RTPI, London	secretariat@planningofficers.org.uk
	Cabinet	RTPI, London	secretariat@planningofficers.org.uk
	POSE Ltd Board	RTPI, London	secretariat@planningofficers.org.uk

CPD/Training Opportunities:

<i>Date</i>	<i>Event</i>	<i>Venue</i>	<i>Details</i>
9 Feb	<i>The Road to Zero Carbon</i>	The Watershed, Bristol	<p>A major one day conference on low and zero carbon buildings supported by the UK Green Building Council (UKGBC), the SW Regional Development Agency (SWRDA) & SW Councils (formerly the SW Regional Assembly). This conference will showcase some of the best of demonstration low and zero carbon projects, with a strong focus on the steps and measures taken and the impact it had on the construction process, providing delegates with a unique opportunity to learn from those at the leading edge of compliance with this fast approaching standard.</p> <p>Speakers include Paul King, Chief Executive of the UK Green Building Council (UKGBC) and Chairman of the Zero Carbon Hub; Bill Dunster, architect of the UK's first non-demonstration Code Level 6 homes; Ben Cook from Barratt Homes who is responsible for the company's 200+ home zero carbon development at Hanham Hall near Bristol; Gareth Davies, Director of architectural firm Stride Treglown who are planning a BREEAM Outstanding office building in Cardiff which will achieve a 55% reduction in CO2 emissions compared to Building Regulations; and Vic Ebdon, who is a member of the School's Zero Carbon Taskforce, from Devon County Council, which currently has a number of low/zero carbon schools under construction or in design.</p> <p>For more details see www.sustainablebuild.org/TheRoadToZeroCarbon.html; and to book contact corina@ecostrust.org.uk on 01458 254349</p>

22 Feb	<i>Lifetime Neighbourhoods – Vision into Reality. LGA Conference</i>	LGA House, London	<p>The concept of lifetime neighbourhoods is central to the Government’s strategy on ageing, <i>Building a society for all ages</i>, launched in July 2009. But what does this mean in reality for councils and their stakeholders, for elected members and for older people themselves? This national conference will look at how councils and their partners can plan and build communities for all ages, not just through the physical design of neighbourhoods but also by ensuring that people of all ages feel safe, empowered and included. Speakers include: Lord McKenzie, Parliamentary Under Secretary, Communities and Local Government and Dept for Work and Pensions; Dr Richard Simmons , Chief Executive, Commission for Architecture and the Built Environment, CABE; and David Hackforth, President of the Planning Officers Society and Head of Planning, Milton Keynes.</p> <p>For details and booking go to www.lga.gov.uk/events</p>
24 Feb & 2 Mar	<i>Planning and World Heritage</i>	Telford & Newcastle upon Tyne	<p>Organised jointly by the Local Authority World Heritage Forum (LAWHF), English Heritage and ICOMOS-UK. These free events are targeted at officers and councillors involved in day-to-day planning decision-making and policy-setting within World Heritage Sites. The programme’s morning sessions will provide an introduction to the principles of World Heritage and the relationship between Planning and World Heritage. Following lunch, three case studies will focus on the experience of individual World Heritage Sites and presentations will include protecting World Heritage Sites through the planning system; dealing with the tension between development and conservation and the use of Supplementary Planning Guidance within World Heritage Sites.</p> <p>For details and booking form go to http://www.helm.org.uk/server/show/ConWebDoc.17556</p>
1 Mar	<i>The Future of Planning: A Return to Localism?</i>	Bircham Dyson Bell, Westminster, London	<p>The Conservative Party has outlined significant changes to planning policy in the UK, pledging to abolish the new Infrastructure Planning Commission, transferring its function to the Planning Inspectorate and having the National Policy Statements ratified in Parliament. They want to return the decision making process to local communities with plans to increasingly ‘front-load’ the Local Development Framework (LDF) process, with better consultation to develop a clearer community vision for a locality. These plans will be set out further in a Green Paper due to be published this month.</p> <p>The policy debate raises many questions about the future of planning and the kind of planning system the country needs. What is the most effective and democratic means of assessing major infrastructure projects? What is the most appropriate governance level for strategic planning and the funding of infrastructure? And how can local people become more engaged in the planning process at the policy development stage?</p> <p>For more details go to https://www.eventsforce.net/waterfront/frontend/reg/thome.csp?pageID=28394&eventID=76&mode=preview&version=future&eventID=76</p>
10 Mar	<i>Public Consultation & Stakeholder Engagement for Major Projects: Understanding the New Requirements, Getting it Right</i>	Central London	<p>The Planning Act 2008 makes it a statutory requirement for project promoters to engage in pre-application consultation with local communities, local authorities, and those who would be directly affected by the proposals. The new Infrastructure Planning Commission has made it very clear that promoters who fail to demonstrate evidence of adequate consultation will have their applications rejected and promoters must provide evidence of the consultation they have undertaken and how this has shaped the final decision.</p> <p>This conference will provide a guide for both project promoters and local authorities on the consultation requirements and how to engage with local communities to ensure a fair consultation. Please see the attached draft programme.</p> <p>For more information go to https://www.eventsforce.net/WATERFRONT/frontend/reg/thome.csp?pageID=27800&eventID=75&mode=preview&version=future&eventID=75</p>

8 CORRESPONDENCE

Two letters this month; first, a letter from the **Environment Council** re **their new address**; and the second from journalist **Mark Smulian** re **retirement housing**:

The Environment Council is starting the new decade with an exciting change. We have moved out of our old office at 212 High Holborn and are working as a networked organisation. This will help us realise our aspiration to live and breathe sustainability in practice. There will be no interruption to our delivery of the highest quality engagement solutions for business and communities. Please update your records with our new address for all correspondence:
The Environment Council

PO Box 66755

London

WC1A 9EA

Our central contact number is 0208 144 8380.

We look forward to working with you in 2010 and would like to wish you and those you care for a very Happy New Year, from all at TEC.

Best wishes,

Moetia Castellani

Projects Assistant, The Environment Council

Direct: 0208 144 8380; Mobile: 0754 88 91 455; Email: moetia@envcouncil.org.uk; Skype: envcouncil_moetia; website: www.envcouncil.org.uk; Post: PO Box 66755 - London WC1A 9EA

I'm doing some work on the retirement housing market and one issue highlighted is that because retirement villages/ complexes need more space than conventional homes (for communal areas and so forth) they take up more land but for only similar returns, therefore some might argue there could be a use class for some land where only retirement housing is permitted.

The question is whether a separate use class for retirement villages would be useful. Is there any interest in/ sympathy with this among planners? [Ed. Anyone with a view should reply direct].

I'd need a response by the end of Monday 18th January.

Thanks

Mark Smulian

mark.smulian@virgin.net

www.marksmulian.co.uk

Tel: 07976 267172

9 AND FINALLY

..... have you heard the one about the guide at Windsor Castle who was struggling to make herself heard over the roar of low flying aircraft coming into land at nearby Heathrow? She was interrupted

by an American tourist who demanded what was wrong with the town planners, why had they built the castle so close to the airport!

If you have any item of interest that you would like to share with fellow Society members for inclusion in the next [Bulletin](#) please send them to John Silvester by phone, fax or email.

John Silvester

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