



East Midlands
Councils

Low cost CPD for Planners “Planning at the Crossroads”

27th June 2024



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Councils

Planning Reform: Past, Present & Future

Andrew Pritchard

June 2024

Agenda

- How did we get here?
- Levelling Up & Regeneration Act 2023
- 2024 Manifestos
- Some conclusions

Open Source Planning: March 2010

- Abolition of national and regional housing targets - along with regional planning (replaced by general 'Duty to Co-operate')
- Local Plans to be developed from the bottom up through a process of 'Collaborative Democracy'
- Abolishing the power of PINS to re-write Local Plans
- Limiting appeals against local planning decisions



A LOCALISM BILL



Localism Act 2011

“....a ground-breaking shift in power to councils and communities overturning decades of central government control and starting a new era of people power”

“...For too long, everything has been controlled from the centre - and look where it's got us. Central government has kept local government on a tight leash, strangling the life out of councils in the belief that bureaucrats know best.”

“By getting out of the way and letting councils and communities run their own affairs we can restore civic pride, democratic accountability and economic growth - and build a stronger, fairer Britain. It's the end of the era of big government: laying the foundations for the Big Society.”



Key Legislative & Policy Changes 2011-20

- [Localism Act 2011](#)
- [Enterprise and Regulatory Reform Act 2013](#)
- [Growth and Infrastructure Act 2013](#)
- [Infrastructure Act 2015](#)
- [Housing and Planning Act 2016](#)
- National Planning Policy Framework (NPPF) from 2012 onwards:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Radical Extension of Permitted Development Rights from 2013 onwards

	Pre-2004 Pre-2004	Post-2004 Post-2004	Post-2010 Introduced by 2011 Localism Act	Post-2018 Changes introduced by 2017 Neighbourhood Planning Act and 2018 draft NPPF
NATIONAL	Planning policy guidance notes	Planning policy statements	National Planning Policy Framework and Planning Practice Guidance	National Planning Policy Framework and Planning Practice Guidance
REGIONAL	Regional planning guidance	Regional spatial strategy		
	London Plan: Spatial Development Strategy	London Plan: Spatial Development Strategy	London Plan: Spatial Development Strategy	London Plan: Spatial Development Strategy
COUNTY	Structure Plan		Duty to Cooperate	Duty to Cooperate Strategic priorities Development plan document
LOCAL	Local Plan	Local development framework	Local Plan	Local Plan
NEIGHBOURHOOD	Village/Parish Plan	Village/Parish Plan	Neighbourhood development plan	Neighbourhood development plan
			Village/Parish Plan	Village/Parish Plan

Required by
legislation

Required by
policy expectation

Optional with
statutory weight

Optional
non-statutory



Ministry of Housing,
Communities &
Local Government

PLANNING FOR THE FUTURE

White Paper August 2020



[Planning for the future \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

August 2020: Planning White Paper

“Thanks to our planning system, we have nowhere near enough homes in the right places. People cannot afford to move to where their talents can be matched with opportunity. Businesses cannot afford to grow and create jobs. The whole thing is beginning to crumble and the time has come to do what too many have for too long lacked the courage to do – tear it down and start again.”



Key Proposals

- Simplified local plan developed to a standard template based on digital interactive mapping to be developed within 30 months
- Local plans to allocate 3 types of land (Zones): Growth Areas (with outline approval for development); Renewal Areas; Protected Areas
- New nationally set Infrastructure Levy
- National approach to housing numbers
- Mandatory Design Codes – and default National Code
- Faster Decision making - ‘machine readable decisions’
- For more information: [PlanningBriefingPWPamended.3.12.20.pdf \(hbpl.co.uk\)](#)

Planning White Paper: Mixed Reaction...

- *"TCPA said it is "deeply concerned that the proposals will undermine local democracy, marginalise local councils and fail to achieve the kind of high-quality places that the government is committed to delivering".*
- *RICS welcomed the proposals, saying they support "a quicker, more streamlined system that doesn't lower either standards, building quality, internal environment or planning of placement for new homes"*
- *"Experience of zoning plans for other countries is that they are at least as long and as complex as our current local plans, as they have to set out all the standards with which proposals must comply. It is unrealistic to expect this transformation and the new process to be quicker than the current framework."*
- *"Attempts at radical reform are almost invariably watered down when the reality of unintended consequence becomes apparent through the consultation exercise."*
- *"to date, every attempt to simplify the planning system has only served to make it more complicated"*

June 2021: Chesham & Amersham By-Election



September 2021: New SoS - Michael Gove

- Michael Gove appointed SoS for a re-branded Department of Levelling-Up, Housing & Communities (DLUHC)
- Pledged to pause and review approach to planning reform
- Plans for new Planning Bill scrapped...
- However planning measures incorporated into a Levelling Up & Regeneration Bill (LURB) – which became law in November 2023...



LURA 2023: Summary

- Act moved away from the more radical reforms set out in the PWP 2020, but maintains focus on 'digitalisation' and 'design codes'.
- Act aims to make Local Plans easier, quicker (and cheaper) to develop, to give them greater weight in decision making*, and to give LPAs more effective mechanisms to implement Local Plans.

*Subject to National Development Management Policies

Key measures

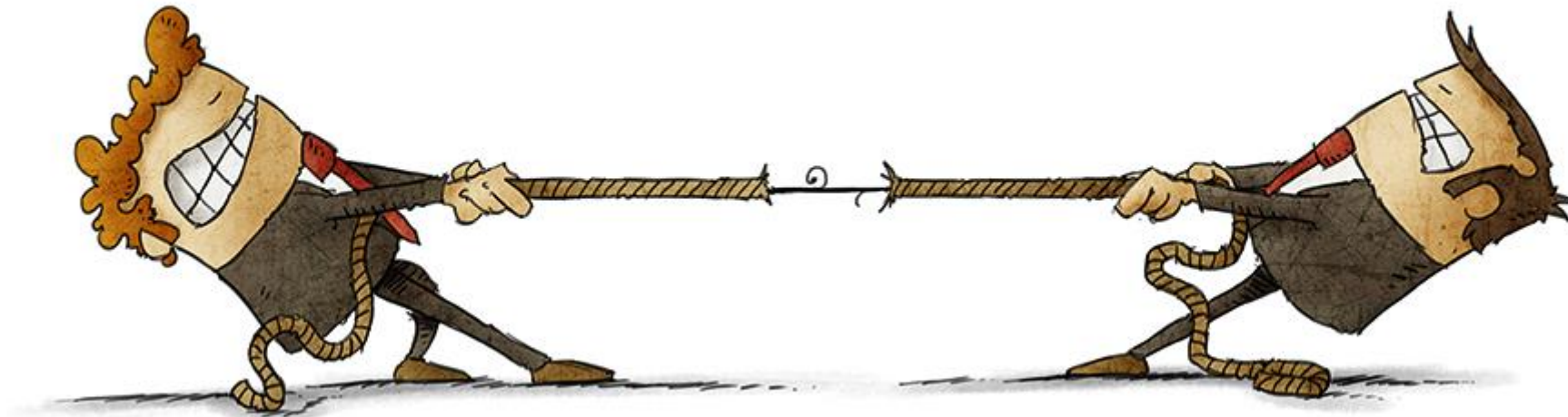
- Establishes national development management policies (NDMPs). NDMPs will sit alongside local plans in decision-making on planning applications – and have priority if any conflict.
- Creates a statutory requirement for LPAs to produce a single local plan and update it every five years.
- Gives SoS powers to direct LPAs to prepare a joint local plan.
- Abolishes the ‘duty to cooperate’, which requires LPAs to cooperate with each other and with certain other bodies in preparing their local plan.
- Introduces a statutory requirement for LPAs to prepare design codes, setting design requirements for developments in their local area.
- Introduces a new Infrastructure Levy and changes to rules for CPO and Development Corporations.

Environment Act 2021

- ...*"the most ambitious environmental programme of any country on earth"*
- Sets clear statutory targets for the recovery of the natural world in four priority areas: air quality, biodiversity, water and waste, and includes an important new target to reverse the decline in species abundance by the end of 2030
- Statutory target of at least 10% Biodiversity Net Gain (BNG) for all development (on or off site)
- National BNG metric to be used to determine calculations
- LPAs to produce Biodiversity Report every 5 years – actions taken and impacts



How do we explain the last 14 years?



Localism & Beauty

Deregulation & Growth

Apparently, there is an election on...





The Conservative and Unionist Party
Manifesto 2024

CLEAR PLAN
BOLD ACTION
SECURE FUTURE

 Conservatives

[Conservative-Manifesto-GE2024.pdf \(conservatives.com\)](https://www.conservatives.com/manifesto-2024)

“Our plan to build more houses in the right places”

- **Headline:** 1.6m homes in the next Parliament
- **Abolishing the legacy EU ‘nutrient neutrality’** rules to immediately unlock the building of 100,000 new homes with local consent, with developers required in law to pay a one-off mitigation fee so there is no net additional pollution
- **Delivering a record number of homes each year on brownfield land in urban areas.** We will do this by providing a fast-track route through the planning system for new homes on previously developed land in the 20 largest cities. Strong design codes will ensure this enables the gentle densification of urban areas.

“Our plan to build more houses in the right places”

- **Raising density levels in inner London to those of European cities like Paris and Barcelona.** We will ensure the London Plan delivers more family homes a year, forcing the Mayor to plan for more homes on brownfield sites, like underused industrial land. We will regenerate major sites like Euston, Old Oak Common and Thamesmead.
- **Unlocking new urban regeneration schemes,** by creating locally-led urban development corporations in partnership with the private sector and institutional investors. We will support the delivery of new quarters in Leeds, Liverpool and York alongside working with local leaders and the community to seize the opportunity of our ambitious Cambridge 2050 plan

“Our plan to build more houses in the right places”

- **Supporting local and smaller builders** by requiring councils to set land aside for them and lifting Section 106 burdens on more smaller sites, while ruling out Labour’s proposed ‘community right to appeal’.
- **Making sure local authorities use the new Infrastructure Levy to deliver the GP surgeries, roads and other local infrastructure needed to support homes.** We will not allow these funds to be spent on community projects that bear no relation to support for new homes.
- **Renewing the Affordable Homes Programme** that will deliver homes of all tenures and focus on regenerating and improving housing estates

“Our plan to build more houses in the right places”

- **Retaining our cast-iron commitment to protect the Green Belt from uncontrolled development**, while ensuring more homes get built where it makes sense, like in inner cities. Our national planning protections mean there is never any top-down requirement for councils to remove Green Belt protection and these will remain in place.
- **We will support those who want to build or commission their own home by making the planning process simpler**, while also supporting more community housing schemes. We will encourage the building of different forms of housing, particularly housing for older people.
- Building on our new powers for the police, we will further speed up the use and enforcement of powers to remove illegal traveller sites, while **giving councils greater planning powers to prevent unauthorised development by travellers**



Housing

- **Increasing building of new homes** to 380,000 a year across the UK (1.9m over 5 years), including 150,000 social homes a year, through new garden cities and community-led development of cities and towns
- Expanding **Neighbourhood Planning** across England.
- Building **ten new garden cities**.
- Allowing councils to **buy land for housing based on current use value** rather than on a hope-value basis by reforming the Land Compensation Act 1961.
- **Properly funding local planning departments** to improve planning outcomes and ensure housing is not built in areas of high flood risk without adequate mitigation, by allowing local authorities to set their own fees.

Housing

- Encouraging the use of **rural exception sites** to expand rural housing.
- Trialling **Community Land Auctions** to ensure that local communities receive a fair share of the benefits of new development in their areas and to help fund vital local services.
- Encouraging development of **existing brownfield sites** with financial incentives and ensuring that affordable and social housing is included in these projects.
- Introducing '**use-it-or-lose-it**' **planning permission** for developers who refuse to build.

Housing

- Putting the construction sector on a sustainable footing by investing in skills, training and new technologies such as **modern methods of construction**.
- Ensure that all development has **appropriate infrastructure, services and amenities** in place, integrating infrastructure and public service delivery into the planning process



[Change Labour Party Manifesto 2024](#)

The 5 Missions...

1. **Kickstart economic growth** to secure the highest sustained growth in the G7 – with good jobs and productivity growth in every part of the country making everyone, not just a few, better off.
2. **Make Britain a clean energy superpower** to cut bills, create jobs and deliver security with cheaper, zero-carbon electricity by 2030, accelerating to net zero.
3. **Take back our streets** by halving serious violent crime and raising confidence in the police and criminal justice system to its highest levels.
4. **Break down barriers to opportunity** by reforming our childcare and education systems, to make sure there is no class ceiling on the ambitions of young people in Britain.
5. **Build an NHS fit for the future** that is there when people need it; with fewer lives lost to the biggest killers; in a fairer Britain, where everyone lives well for longer.

Kickstart economic growth

- Deliver economic stability with tough spending rules
- A new partnership with business to boost growth everywhere
- A National Wealth Fund to invest in jobs
- **Planning reform to build 1.5 million new homes**
- **Devolution of power across England**
- A New Deal for Working People

“Planning reform to build 1.5 million new homes”

- We will immediately **update the National Policy Planning Framework** to undo damaging Conservative changes, including restoring mandatory housing targets.
- Ensure planning authorities have **up-to-date Local Plans** and reform and strengthen the presumption in favour of sustainable development
- Labour will support local authorities by **funding additional planning officers**, through increasing the rate of the stamp duty surcharge paid by non-UK residents.

“Planning reform to build 1.5 million new homes”

- Labour will take a **brownfield first approach**, prioritising the development of previously used land wherever possible, and fast-tracking approval of urban brownfield sites. But brownfield development alone will not be enough to meet our housing need.
- Labour is committed to **preserving the green belt** which has served England’s towns and cities well over many decades...Without changing its purpose or general extent, Labour will take a more strategic approach to greenbelt land designation and release to build more homes in the right places. The release of **lower quality ‘grey belt’ land will be prioritised** and we will introduce ‘golden rules’ to ensure development benefits communities and nature.

“Planning reform to build 1.5 million new homes”

- In partnership with local leaders and communities, a Labour government will build **a new generation of new towns, inspired by the proud legacy of the 1945 Labour government.** Alongside urban extensions and regeneration projects, these will form part of a series of large-scale new communities across England.
- Housing need in England cannot be met without planning for growth on a larger than local scale so we will introduce effective new mechanisms for **cross-boundary strategic planning.**
- Labour will require all Combined and Mayoral Authorities to **strategically plan for housing growth in their areas.** We will give Combined Authorities new planning powers along with new freedoms and flexibilities to make better use of grant funding.

“Planning reform to build 1.5 million new homes”

- Labour will further **reform compulsory purchase compensation rules** to improve land assembly, speed up site delivery, and deliver housing, infrastructure, amenity, and transport benefits in the public interest.
- We will take steps to ensure that for specific types of development schemes, **landowners are awarded fair compensation rather than inflated prices based on the prospect of planning permission.**
- We will **strengthen planning obligations** to ensure new developments provide more affordable homes.
- Labour will prioritise the building of **new social rented homes** and better protect our existing stock by reviewing the increased right to buy discounts introduced in 2012 and increasing protections on newly-built social housing.

“Planning reform to build 1.5 million new homes”

- Labour wants **exemplary development to be the norm** not the exception. We will take steps to ensure we are building more high-quality, well-designed, and sustainable homes and creating places that increase climate resilience and promote nature recovery.
- We will implement solutions to unlock the building of homes affected by **nutrient neutrality** without weakening environmental protections.

Angela Rayner on New Towns (1)



“In the spirit of Clement Attlee, our approach to housebuilding will be both proactive and strategic”

“We want homes on these sites within the first term of a Labour government. But these new large settlements must be built in the right place, in partnership with local people”.

“This is why an expert independent taskforce will be set up to help choose the right sites and a list of projects will be announced within our first 12 months of government, so we can start building the towns of the future within months, not decades.”

Angela Rayner on New Towns (2)

“Our next generation of New Towns will build homes fit for the future. Creating places where people want to live. Inspired by garden suburbs like Hale in Manchester, Roundhay in Leeds, and the Garden City project.

We will set out a New Towns Code - criteria that developers must meet in these new settlements:

- More social and affordable homes - with a gold standard aim of 40 per cent*
- Buildings with character, in tree-lined streets that fit in with nearby areas*
- Design that pays attention to local history and identity*
- Planning fit for the future, with good links to town and city centres*
- Guaranteed public transport and public services, from doctors’ surgeries to schools*
- And access to nature, parks, and places for children to play”*

Common themes & clear water...

- All three parties see planning mainly in terms of housing delivery
- There are shared ambitions for major housing growth (which are very 'ambitious')...but differences in approach
- Conservatives have a focus on deregulation to stimulate the private sector and strong national policy to direct growth to urban areas
- Labour & Lib-Dems both commit to a programme of New Towns
- Labour is proposing to reintroduce strategic planning and to require to MCAs to deliver strategic plans for housing growth
- Labour & Lib-Dems have a strong focus on social rented housing
- Labour has a more flexible approach to the Greenbelt

Conclusions

- It does not look like key provisions of the LURA 2023 will be unpicked by any new Government...but nor will it be fully implemented.
- If Labour wins expect early changes to the NPPF to promote housing delivery and strategic planning...but no rush to legislation
- New generation of New Towns will need to avoid the mistakes of Gordon Brown's 'Eco-towns' policy to be successful...a key test
- For Councils, 'having a plan' is always the best option...

The Planning Year – a lawyer's perspective

Presented by Jack Smyth
27 June 2024, Leicester

Ensuring that a Committee Meeting doesn't behave unlawfully: R (Simmonds) v Blaby DC [2023] EWHC 2217

- A JR of the grant of planning permission and listed building consent for demolition of a listed building (old milking shed) and construction of 13 dwellings.
- Decision was quashed on 2 grounds:
 - Procedurally unfair that a Member did not attend the meeting
 - Members were wrongly not informed about NPPF#202 when the issue of the deteriorated condition of the building in question was ventilated

What's the take-away?

- Be very careful to have the correct facts before 'disqualifying' a Member of a committee
- Be alert to new matters coming up in committee that members might need advice on

Discharging conditions: R (Laing) v Cornwall Council [2024] EWHC 120

JR revolved around a condition which required the submission and approval of a landscape and ecological management plan (“LEMP”):

“For the avoidance of doubt the LEMP shall comply with the recommendations, mitigation and enhancement measures contained within the Preliminary Ecological Appraisal Report”

Because of the contentious background the Council had, contrary to its usual practice on applications of this type, prepared a full officer’s report.

What is the take away?

- There is no need for an officer's report or reasons for discharging the condition. But if you give reasons / produce a report, then it may be vulnerable to JR if an error of law is revealed.

EIA and indirect effects: R (Finch) v Surrey County Council [2024] UKSC 20



The question revolves around correct interpretation of the EIA Regulations 2017

When considering an application involving the commercial extraction of oil should the Council have required an assessment of the environmental impact of 'downstream' greenhouse gas emissions resulting from the eventual use of the refined products of that oil?

The answer: ‘yes’

- “*The effects of a project*” within the EIA Regulations is a question of causation.
- For oil production, the causal connection plainly meets the “but for” legal test (ie but for the extraction of the oil, the oil would stay in the ground and so would not be burnt).
- Indeed, it displays the strongest possible form of causal connection - the extraction of oil is not just a necessary condition of the burning of the fuel, it is also sufficient to bring about that result because of the guarantee that it will be refined and burnt.

Overruling the lower courts

- The Court dismissed the notion that intermediate steps (such as the refining process) could break the chain of causation (#118&134).
- As to the Court of Appeal majority ruling, which left the issue to decision-makers as a matter of fact and evaluative judgment, the Supreme Court stated that *“it would be a recipe for unpredictable, inconsistent and arbitrary decision-making”* (#133). Moreover, this inconsistency *“would be all the more regrettable when issues relating to climate change and the extent to which disclosure of information about GHG emissions should be required are becoming more and more salient in policy-making and public debate”* (#60).

Other points which were slayed

- The Court dismissed the transboundary nature of GHG emissions argument as climate change *“is a global problem precisely because there is no correlation between where GHGs are released and where climate change is felt”* (#97).
- The Court rejected the notion that the resulting GHG emissions are *“outwith the control of the site operators”*; to the contrary, the Court found that such emissions *“are entirely within their control”* in that they could choose not to extract the oil (#103).

What is the take away?

- Consideration of indirect environmental effects should be drawn broadly rather than narrowly
- The Supreme Court has disregarded the “*its all a matter of planning judgment for each decision maker*” approach and been prescriptive in determining that GHGs are capable of constituting an indirect effect
- Doubtless environmental groups will ‘run’ with this and seek to apply the principle in other contexts

Reliance upon consultation responses: R (Pratt) v Exeter CC [2024] EWHC 185

- The developer applied for outline consent (except access) for 350 dwellings on a site that was part of a wider allocation for 3500 dwellings. The Claimant objected to the proposed access arrangements on amenity grounds including the impact the proposal would have on access to Ms Pratt's home.
- The Highway Authority did not object but nor did it consider Pratt's concern

Judgment - the permission was quashed

Knowing that Pratt and others were concerned about the impacts of the access scheme, the Council was obliged to have regard to the matters under the development plan and because they were a material consideration.

In not asking for further information from the County Council, the Council had failed in their Tameside duty to investigate these matters (*“did it ask the right question and take reasonable steps to acquaint itself with the relevant information to enable it to answer it correctly?”*)

Judgment Contd...

- The Council had failed in its Tameside duty in another respect:
- Mrs Pratt had suggested an alternative access to the application site which would overcome the amenity issues and which would have been consistent with the masterplan for the allocation. The Judge held that the Council should have followed up on this.

What is the take-away?

- A local planning authority cannot assume that a consultee has complied fully with their legal obligations.
- It must take steps that are reasonably necessary to inform themselves properly on the facts of the case. The authority should take steps such that it is reasonably satisfied with the adequacy of the advice received.
- Has the consultee really grappled with the important issues raised? If not, revert to it for further clarification.

S106 obligations: R (Worcestershire NHS Trust) v Malvern Hills DC [2023] EWHC 1995 (Admin)



Question

The latest case on plugging 'funding gaps' in NHS budgets through s106 contributions.

Once again, the main issue was whether the claimed contribution had been shown to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Judgment

- The Court confirmed that this is matter of planning judgment for the decision taker who had to be satisfied in respect not just of the need for “a” contribution, but also the size of it
- It was for the NHS to adduce sufficient evidence to satisfy the decision taker
- Where all contributions which met the s106 tests could not be satisfied on viability grounds, then it was a matter of planning judgment for the decision taker as to which s106 obligations should be prioritised

Punctuation in policy: Moore v Somerset Council [2023] EWHC 2544 (KB)

- Punctuation can be vitally important to meaning:
 - a. A woman without her man is nothing.
 - b. A woman: without her, man is nothing.

The sequential test: R (Substation Action Save East Suffolk Ltd) v Secretary of State for Energy Security and Net Zero [2024] EWCA Civ 12



Judgment

- The sequential test is concerned with risks of flooding from rivers.
- The Flood Risk Zones 1, 2 and 3 relevant to the sequential test are concerned with areas at risk from fluvial flooding (as appears, for example, from Table 1 to the PPG) and do not identify zones by reference to flooding from surface water.
- An applicant is not required to demonstrate that whenever there is a risk of flooding from surface water, there are no other sites reasonably available with a lower risk of surface water flooding.

What is the take away?

- Surface water flooding is still a material consideration – but not one which requires a sequential test under the NPPF.
- Whilst the risks of flooding from surface water is to be taken into account when deciding whether to grant development consent, the way in which account is to be taken of that risk raises issues of planning judgment in the application of the relevant provisions of the policies.

Timings for s288 claims: Telford and Wrekin Council v Secretary of State for Levelling Up, Housing and Communities [2023] EWHC 2439 (Admin) 2



Judgment

- The claim must be issued and served within 6 weeks
- A Claimant must proceed on the basis that they need to act sufficiently quickly so as to both file and serve within the six-week period.
- The consequences are potentially harsh but they are not by any means unworkable - The situation is not one of absurdity.

Judgment Contd

- The proper interpretation is to be undertaken having regard to the great importance of urgency and to the short time limits in statutory review cases.
- Delays of challenges to planning decisions effect not just good public administration but also those who have been given permission, have been refused permission and/or wish to arrange their affairs

Judgment Contd

- There is no obligation to – but a Claimant who does not is failing to do so deliberately having chosen to file the claim form late in the six-week period, deliberately leaving matters in the hands of the court.
- A claimant which has filed a claim form in good time and/or has acted energetically to alert the court to the urgency of the matter and need for urgent treatment is very likely to have taken all reasonable steps and have a good prospect of being granted an extension of time.

What is the take away?

Keep in mind the practicalities of filing and serving within the 6 week period:

- Do the Defendants accept service via email and what are the details; if not, how long will it take to post and by what means will that be done)?
- How long is required for that task then, working back from that, consider when the claim form will need to be filed.

Chase the court and keep a written record.

If filing up against the time limit is unavoidable, it would be sensible to consider making an application for an extension of time when filing the application or very soon thereafter.

The Planning Year – a lawyer's perspective

Presented by Jack Smyth

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June 2024



Introduction to POS & The POS Manifesto for Housing

Karen Shaw



Who are we?

- Leading body for public sector planners operating in England – we represent planners working in **80%** of the local authorities and public sector organisations around England.

Aim

- *“To ensure that planning makes a major contribution to achieving sustainable development from national to local level in ways which are fair and equitable and achieve the social, economic and environmental aspirations of the community.”*

We operate in 3 main ways

- As a support network for planners in the public sector.
- As promoters of best practice in planning.
- As a think tank and lobbying organisation for excellence in planning practice.

Support Networks

- Both subject and regional networks to support our members and subject specialists to provide advice to government, the press and others on their specialist areas.
 - Regional Networks
 - Subject Networks
 - Policy Forum
 - Spatial Planning Network
 - Development Management Network
 - Young POS

Promoters of Best Practice in Planning

- POS is recognised by MHCLG, LGA, PINS, PAS, Homes England, Historic England and others as an organisation dedicated to excellence and a key player in taking forward the current planning agenda.
- Through our trading company (POS Enterprises) we provide a wide range of services to planning authorities and other clients in the public sector, including critical friend support, service review, learning groups and training, as well as tailored services that are geared to your needs.

POS

A Think Tank and Lobbying Organisation

- You can view the POS Manifestos at: planningofficers.org.uk
 - [Local plans: an evolutionary approach to improvement](#)
 - [Infrastructure: funding it in a more effective way](#)
 - [We need to talk about the Green Belt](#)
 - [Red line submissions: a proportionate approach](#)
 - [Affordable housing: delivering it in a more effective way](#)
 - [From concept to construction: making the system more flexible](#)
 - [Compulsory purchase: three essential improvements](#)
 - [Land value capture: exploring the options](#)
 - [Spatial Planning: simplifying the process](#)
 - [iDM: managing development in industry 4.0](#)
 - [Improving enforcement services](#)
 - [Planning Resources: designing a more efficient system](#)
 - [Addressing the housing crisis](#)

POS

POS Manifestos

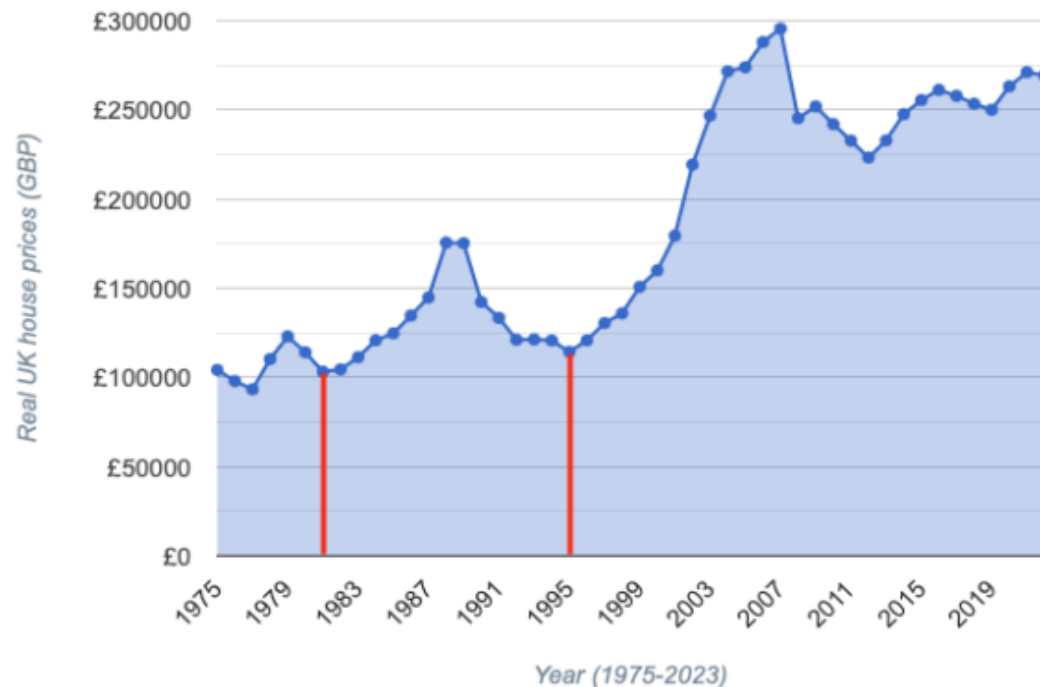
- First Manifesto in early 2014 to prepare for national parliamentary elections in May 2015; morphing into an ongoing manifesto for government.
- An informed starting point to debate issues, with recommendations evolving as debate progresses.
- The main objective is to improve the planning system to enable it to deliver its key aim of sustainable development.

Manifesto Background Paper 13: Addressing the Housing Crisis

- Comprehensive series of measures designed to reform how we identify housing need so that communities are more likely to buy into the need to deliver additional housing.
- Proposes reforms to spatial planning so that we are better places to identify the sites that are needed.
- Puts forward new measures designed to directly incentivise the delivery of housing and finally a wider series of measures to boost the supply side.

Manifesto Background Paper 13: Addressing the Housing Crisis

- Sets context by unpacking the housing crisis – highlighting that the main causes of house price inflation are not a simple supply and demand issue and continuing to see it through this lens when framing planning policy will continue to fail our communities.



Manifesto Background Paper 13: Addressing the Housing Crisis

- Current Standard Method approach does not work:
 - Based on out-of-date 2014 ONS data.
 - Affordability factor makes no sense.
 - 35% increase for 20 largest conurbations is not based on evidence.
- POS suggest new Standard Method based on:
 - Growth of population, births over deaths, ONS with local knowledge.
 - Net migration, ONS.
 - Estimate hidden households, census and electoral role data coupled with housing waiting list and other data.
- We must deal with numbers that are realistic:

“this is the number of extra people we will have to house in the future and this equates to this many homes of these types, so how we can house our children, and their children’s children”

POS

Manifesto Background Paper 13: Addressing the Housing Crisis

- Improving Spatial Planning – the need to fix the strategic layer..
 - Only with an effective, mandatory strategic level plan can effective spatial planning be restored in England. Without it we will continue to be sub-optimal at best and all too frequently dysfunctional.
 - POS advocates that the approach to strategic planning should be at a city regional level.
 - Decision making in these new structures must be by voting and not consensus.
 - Joint statutory plans need to set out strategic policies including housing numbers and broad distribution, economic investment, supporting infrastructure and environmental protection.
 - Rules around allocation of land for housing needs reform.
 - Green Belt should be revisited so that there is a better understanding of it and its potential for dealing with housing growth can be explored properly.

Manifesto Background Paper 13: Addressing the Housing Crisis...recommendations continued

- Addressing the **delivery of housing..**
 - Delivering supporting infrastructure is often key to local acceptability of new housing – we look at what is needed to make delivery more effective.
 - Exploring the taxation of housing land to incentivise its delivery- Republic of Ireland - tax on zoned residential land.
 - Setting out changes to CPO powers to enable authorities to be more pro-active in getting housing sites delivered.

Manifesto Background Paper 13: Addressing the Housing Crisis...recommendations continued

Addressing the **supply side**

- In the last decade Local Planning Authorities have granted consents for **2.5M** homes yet only **1.5M** have been built.
- In 2019 (a record year) we granted consent for **371K** homes, yet developers still only delivered **241K** homes.
- We have historically granted well over **90%** of all planning applications – often the time taken to deal with applications is spent negotiating away problems so we can grant consent, as we are required to do by the NPPF.
- LPAs do not build homes, and should not be penalised for build out via the Housing Delivery Test.

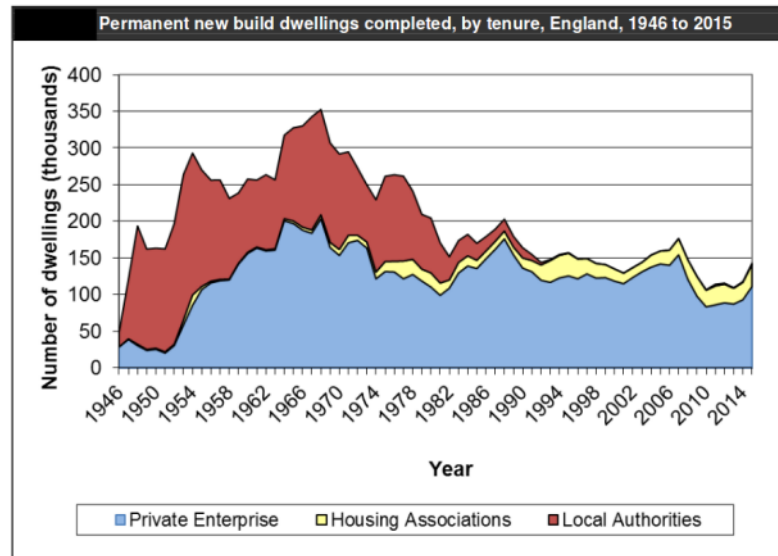
Manifesto Background Paper 13: Addressing the Housing Crisis...recommendations continued

Addressing the **supply side** contd....

- To meet housing need we need to deliver on all fronts, and we cannot rely on the volume house builders alone. We need to ensure that all sources of potentially significant supply are mobilised.
- Urges government to commission research to quantify the extent of the loss of housing to second homes, short-term lets and investment properties. Felt that this loss of housing is significant. More action on empty properties also advocated.
- Delivering Affordable Housing through the DM process has always been limited by viability issues – we set out a policy change that could deal with this.

Manifesto Background Paper 13: Addressing the Housing Crisis...recommendations continued

- History shows us that the contribution of Council Housing to deal with the housing crisis is crucial – we need to get back to doing it at scale.



- Registered Social Landlords' contribution to affordable housing has reduced in the past decade or more due to cuts in grants – this needs to change.
- Institutional Build to Rent can make an important contribution, especially in cities and other urban areas, to housing supply. There is no national policy for this sector and that needs to change.

Public Sector Capacity, Morale, Skills & Resources

Working with RTPI, TCPA and key players from both the public and private sectors in a '**call to arms**' to discuss the issues facing public sector planning.

Action Plan is being written and implemented to develop a collaborative industry wide approach to identifying practical solution addressing concerns in terms of:

- capacity, morale, skills and resources, and improving equality, diversity and inclusivity;
- restoring and enhancing trust and confidence in the planning profession;
- improving leadership and governance to enable planning and planners to play a full role in place-shaping; and
- revitalising key elements of the planning system to make it more efficient and effective.

The Voice of Public Sector Planning

Membership of POS will give your authority some of the best quality and best value CPD in the sector:

- a regular e-bulletin keeping you up to date on key planning and POS matters.
- access to draft responses by POS to Government consultation documents.
- an opportunity to participate in forums, networks and/or regional meetings.
- an opportunity to network with your peers and Government officials.
- an opportunity to participate in visits and study tours.
- excellent value or free CPD events.
- ... and more, much more.

The logo for POS, consisting of the letters 'P', 'O', and 'S' in a bold, teal, sans-serif font.

£££.....

Annual membership of POS will give your authority some of the best quality and best value CPD in the sector:

- **£450** - Authorities with population more than 350,000
- **£400** - Authorities with population between 200,000 and 350,000
- **£325** - Authorities with population between 100,000 and 200,000
- **£250** - Authorities with population less than 100,000
- **£250** - National park authorities
- **£275** - Counties in a two-tier structure

Individual membership is **£25**

POS

Finally.....

www.planningofficers.org.uk

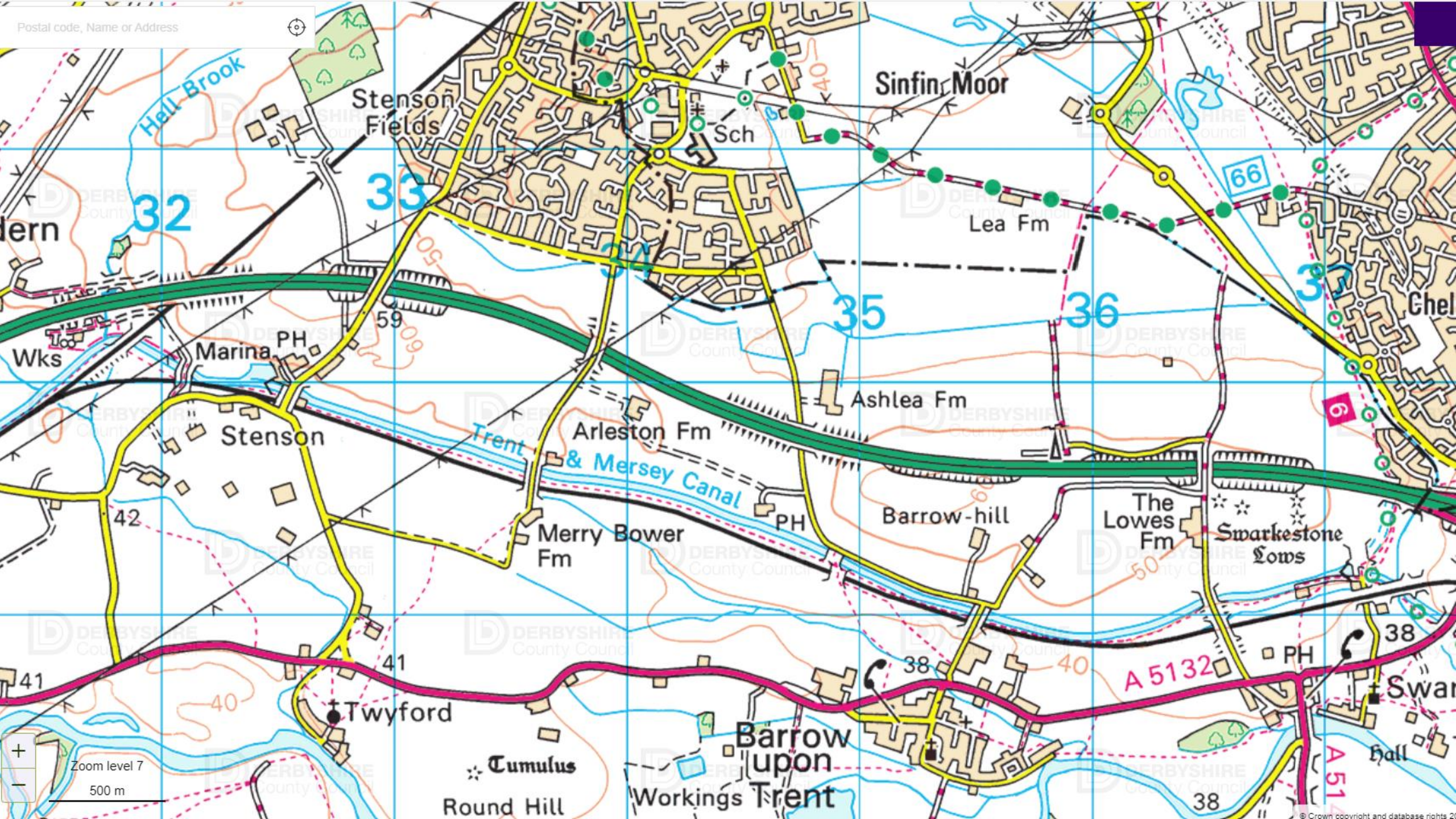
Questions?

POS

INFINITY GARDEN VILLAGE

Case Study

Steffan Saunders – Head of Planning
and Strategic Housing (SDDC)

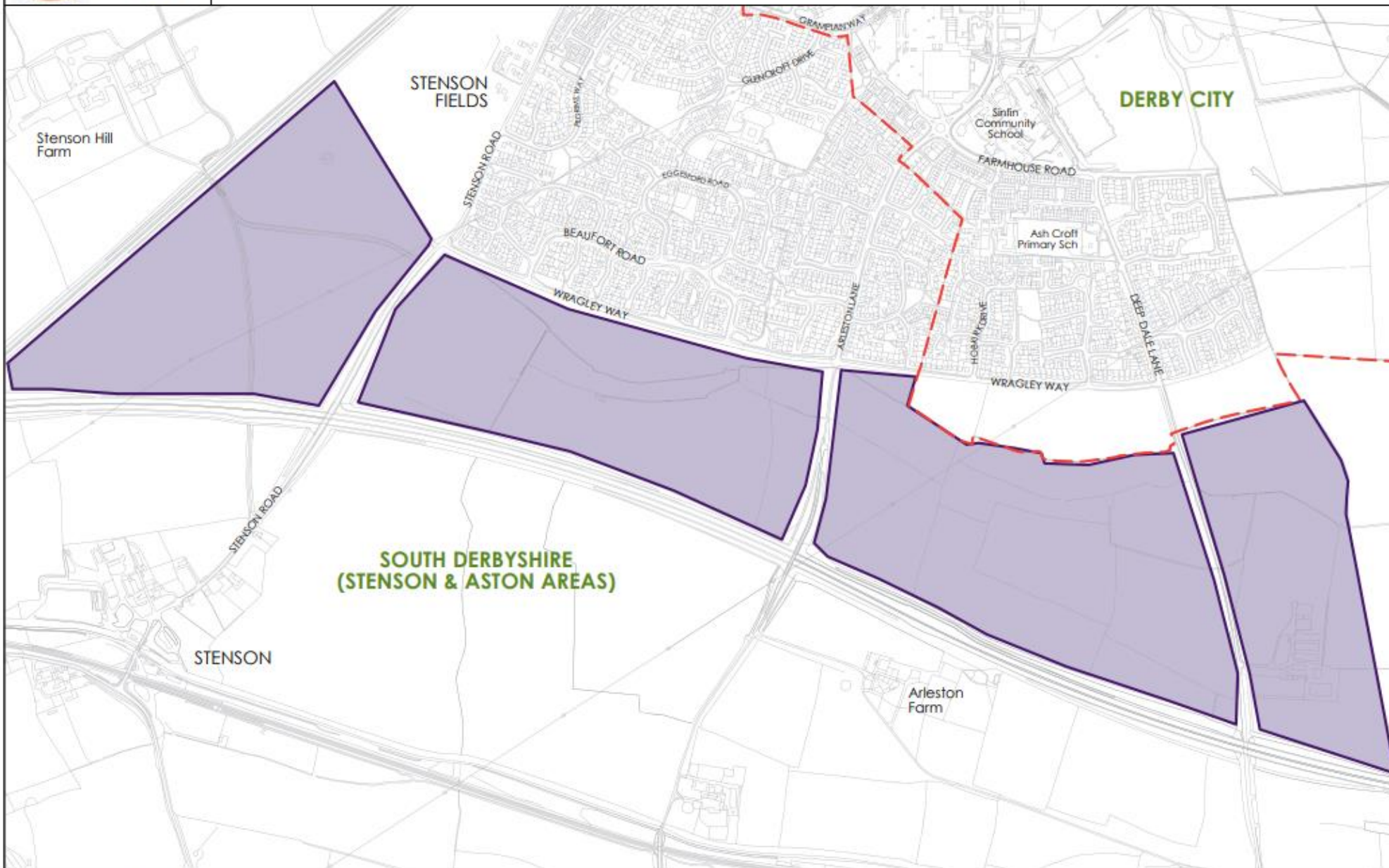




Aerial Photo of Wragley Way Area



Housing Policy 15: Wragley Way (South of Derby)



**June 2016 – SDDC
Local Plan Part 1
Approved**

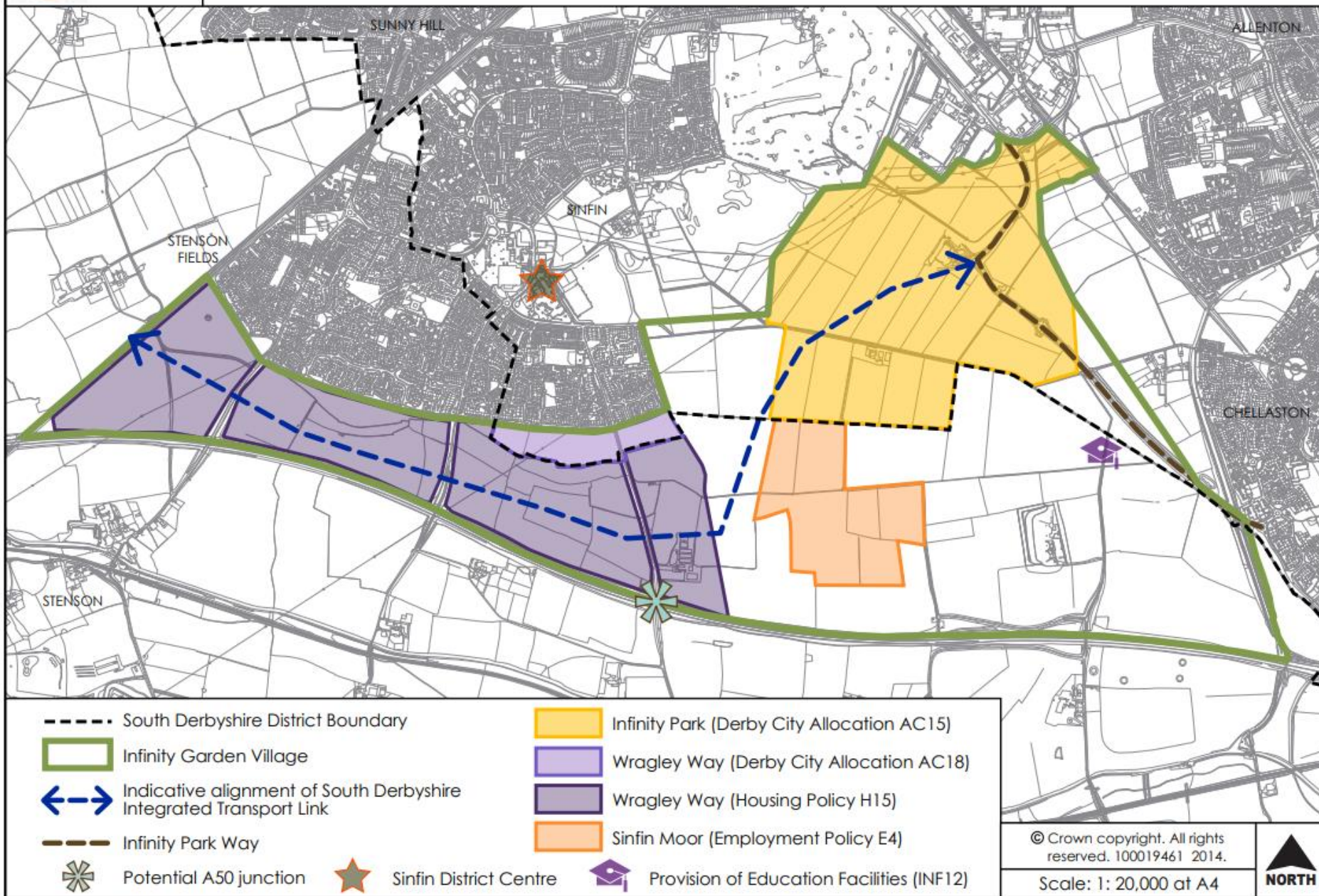
**Housing Policy 15
(Wragley Way)**

**Allocation
Boundaries**





MAP 5 - INF12 and INF13: Southern Derby Area and Infinity Garden Village



**November 2017 –
SDDC Local Plan
Part 2 Adopted–
Policies INF12 &
INF13 Relevant**

**Allocation
Boundaries**

CONCEPT MASTERPLAN

City/County & District Boundary

- Derby City - South Derbyshire Boundary

Consented Residential

Infinity Park

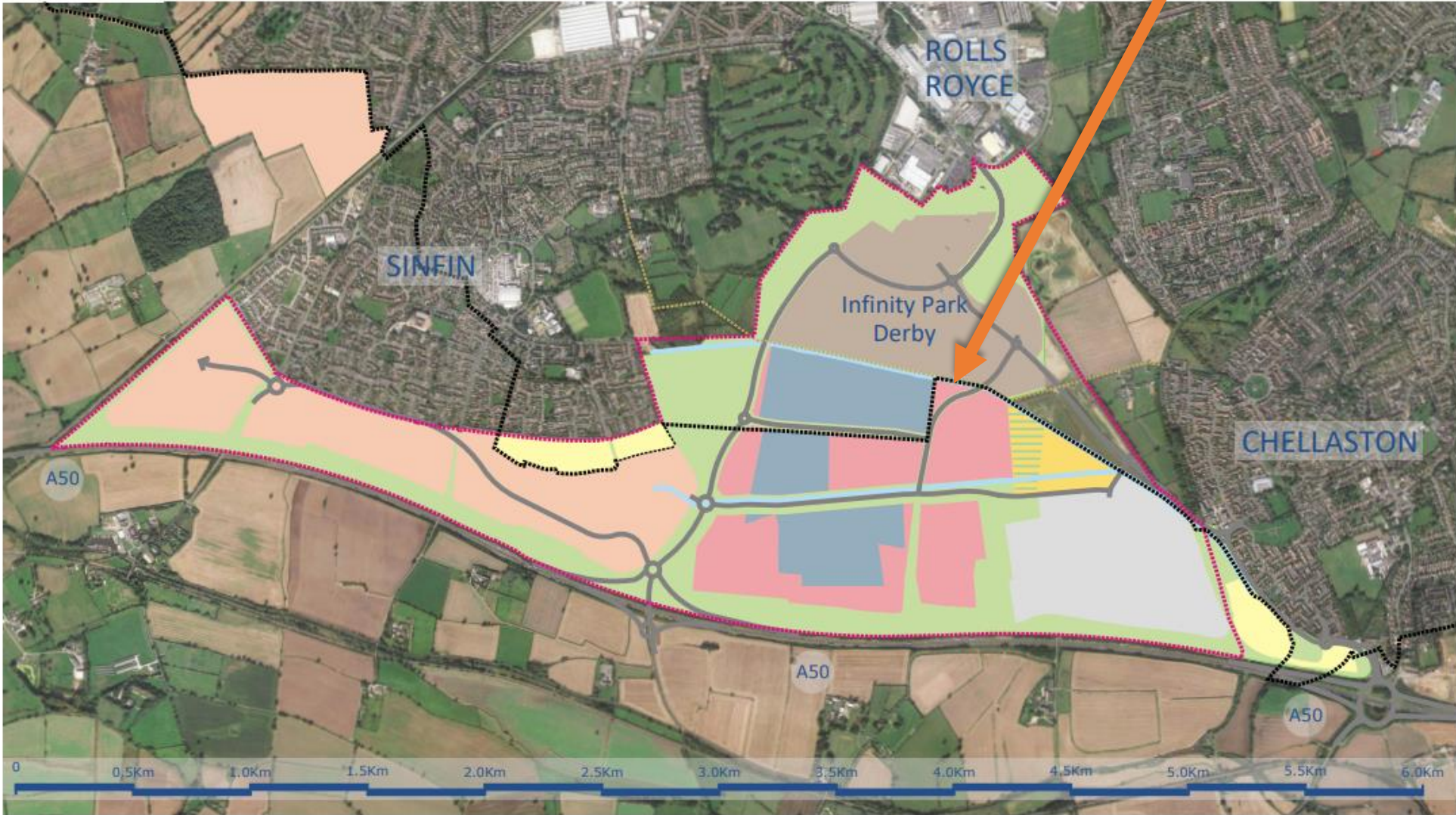
Potential Residential
- Infinity Garden Village Boundary

Allocated Residential

Allocated Commercial

Potential Commercial

Proposed School



Infinity Garden Village Concept Masterplan

An aerial photograph of a rural area with a large, irregularly shaped planning application site outlined in red. The site is divided into several colored zones: light green for open land, yellow for a central area, and a small red patch. A road, Wragley Way, runs through the site. To the right of the site is a large blue area, possibly a lake or reservoir. The surrounding area consists of agricultural fields and some scattered buildings.

**September 2019 – Wragley Way Planning Application
Submitted (currently undetermined)**

Illustrative Masterplan

First ever garden villages named with government support

The garden villages have the potential to deliver more than 48,000 homes.

**January 2017 – Government
Announces a List of 14
Garden Villages/Towns, of
which Infinity Garden
Village is One of Them**

New garden villages and towns

These developments will be distinct new places with their own community facilities, rather than extensions to existing urban areas. The 14 new garden villages are:

- Long Marston in Stratford-on-Avon
- Oxfordshire Cotswold in West Oxfordshire
- Deenethorpe in East Northants
- Culm in Mid Devon
- Welborne near Fareham in Hampshire
- West Carclaze in Cornwall
- Dunton Hills near Brentwood, Essex
- Spitalgate Heath in South Kesteven, Lincolnshire
- Halsnead in Knowsley, Merseyside
- Longcross in Runnymede and Surrey Heath
- Bailrigg in Lancaster
- Infinity Garden Village in South Derbyshire and Derby City area
- St Cuthberts near Carlisle City, Cumbria
- North Cheshire in Cheshire East

The 3 new garden towns are:

- Aylesbury, Buckinghamshire
- Taunton, Somerset
- Harlow & Gilston, Essex and Hertfordshire



The map shows a road junction with a new A50 junction and roads. The area is outlined in red, and a pink line indicates the application site boundaries. The map includes a residential area on the left and a rural area on the right.

**April 2021 – Both the
County and City Council's
Approved New A50 Junction
& Roads**

Application Site Boundaries



An initial **£203m** of investment through Round 1 of the Levelling Up Fund is backing ten projects in the East Midlands. Transport enhancements include A16 road improvements between Boston and Spalding in Lincolnshire, completing the Newark Southern Link Road between Farndon and Balderton in Nottinghamshire, and a new junction on the A50 south of Derby in Derbyshire. Gainsborough Town Centre will benefit from a new cinema and a new science centre will be built at Twycross Zoo. In Leicester, the railway

February 2022 – Government White Paper “Levelling Up” which includes £49m for South Derby Growth Zone & Infinity Garden Village – i.e. a New A50 Junction

Next Steps



Questions?

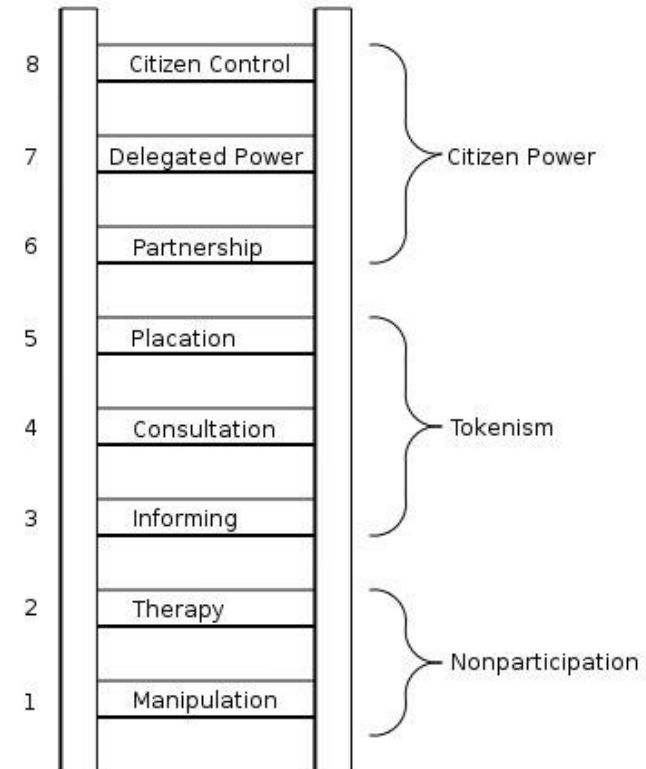


Planning for People

June 2024



Planning for people



Planning for people

Journal of the American Institute of Planners
Volume 31, Issue 4, 1965

Select Language ▼
Translator disclaimer

 Original Articles
ADVOCACY AND PLURALISM IN PLANNING

DOI: 10.1080/01944366508978187
Paul Davidoff
pages 331-338

Publishing models and article dates explained
Published online: 18 Dec 2007

Preview
PDF
Access options

Alert me

Abstract

City planning is a means for determining policy, appropriate policy in a democracy is determined through political debate. The right course of action is always a matter of choice, never of fact. Planners should engage in the political process as advocates of the interests of government and other groups. Intelligent choice about public policy would be aided if different political, social, and economic interests produced city plans. Plural plans rather than a single agency plan should be presented to the public. Politicizing the planning process requires that the planning function be located in either or both the executive and legislative branches and the scope of planning be broadened to include all areas of interest to the public.

Calls for more community-oriented planning (Davidoff, 1965); planners could work with, and on behalf of, disaffected groups.

- Set **goals and planning outcomes** that systems planning or blueprint planning could not;
- Generate **alternatives**, force public agencies to compete for resources, help generate alternative plans;
- **Localism**; pluralistic, but also legalistic.

Advocacy planning

Planner ≠ value neutral technician

Large inequalities in political and bargaining processes

Many communities underrepresented/ unorganized

“Citizen participation” programs usually react to official plans and programs

The “public interest” is plural, not unitary

A single plan cannot represent the public Interest

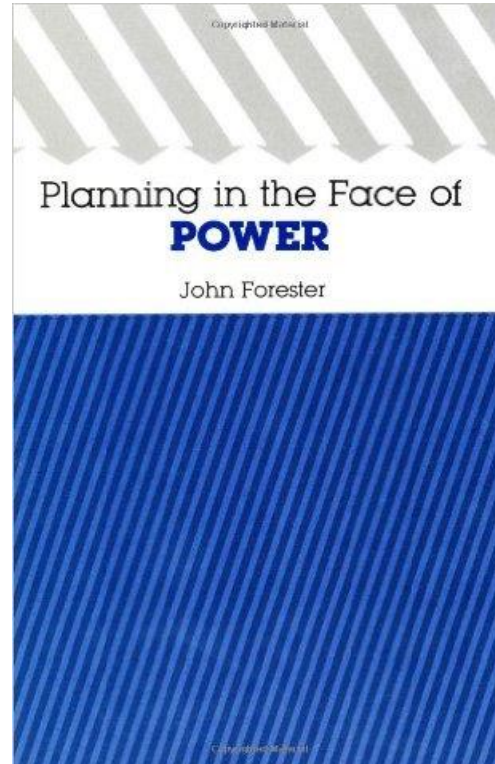
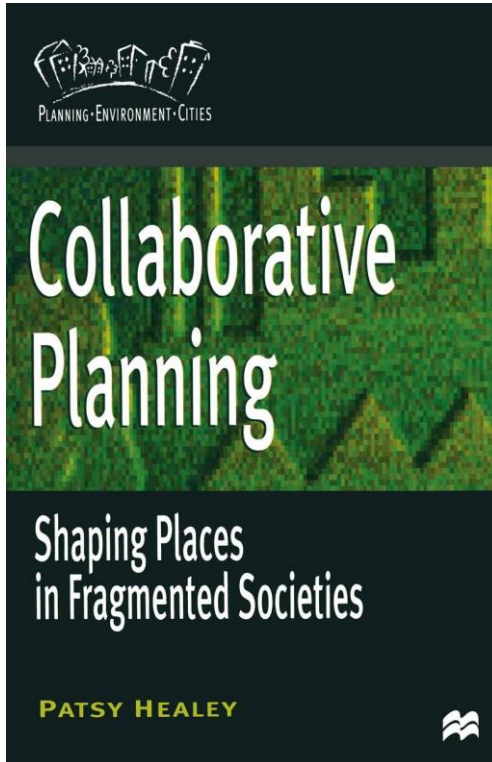
Planning should be pluralistic & represent diverse interests

Planners “represent and plead the plans of many interest groups.”

Planners assist various interest groups (“clients”) to propose their own goals, policies & plans

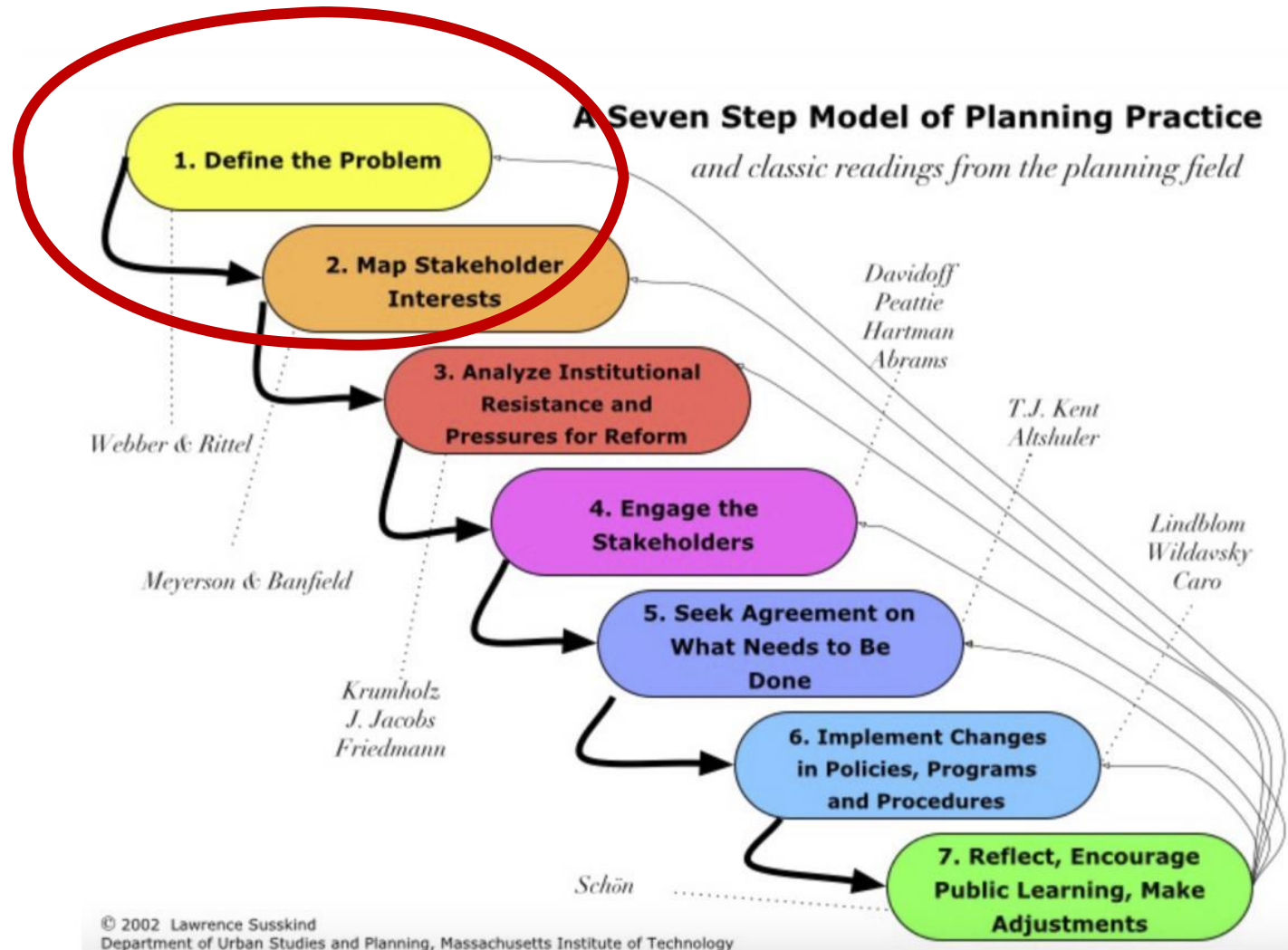
Planners advocate for the interests of their clients - Special responsibility toward marginalized interests

Communicative planning



Planning can only modify capitalism; capitalism *dictates* whatever planners want to do!

Understanding local areas



**Have we worked out how to plan
for people?**

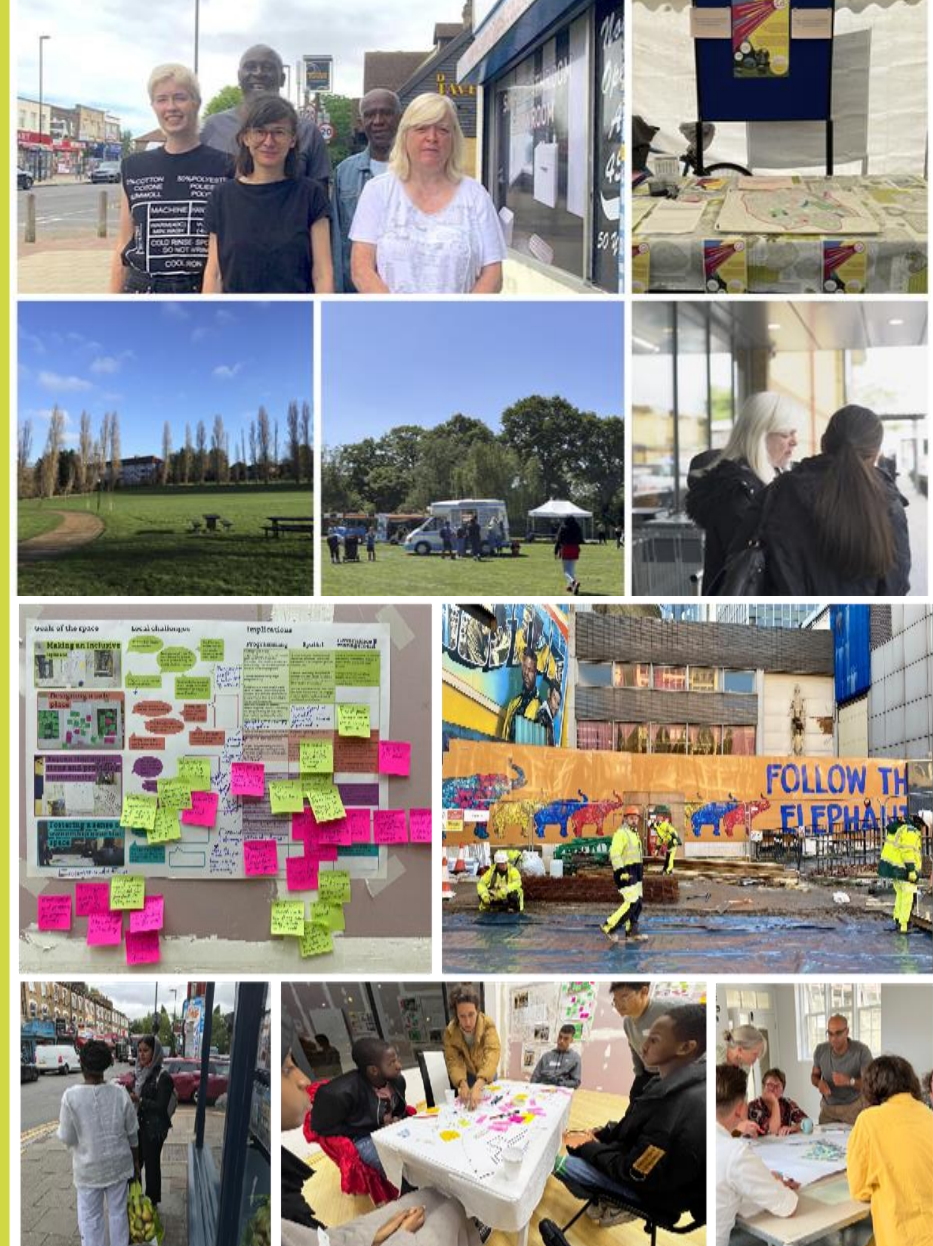
Who is Social Life?

- Social Life has a decade of experience carrying out research and community projects.
- Our work is about understanding how peoples' day-to-day experience is shaped by the built environment and how change, affects the social fabric, opportunities and wellbeing in local areas.



Our work

- We use different methods from data analysis and street interviews to ethnography.
- We look at the assets of a local area or a community alongside an awareness of vulnerabilities.
- We value everyday experience.
- We align our work to practice - we want our research and insight to make a difference.



Our starting point

Social sustainability

- Our social sustainability framework was part of a commission in 2011 from the Homes & Communities Agency.
- The focus was on understanding what makes communities thrive, rather than fail.
- And to put a structure and understanding around the social dimensions of place.



A framework for social sustainability

We have worked with our framework in the UK and internationally, with community groups, the public and the private sector.





“Thank you so much. We felt heard. “

~Stakeholder interviewee feedback

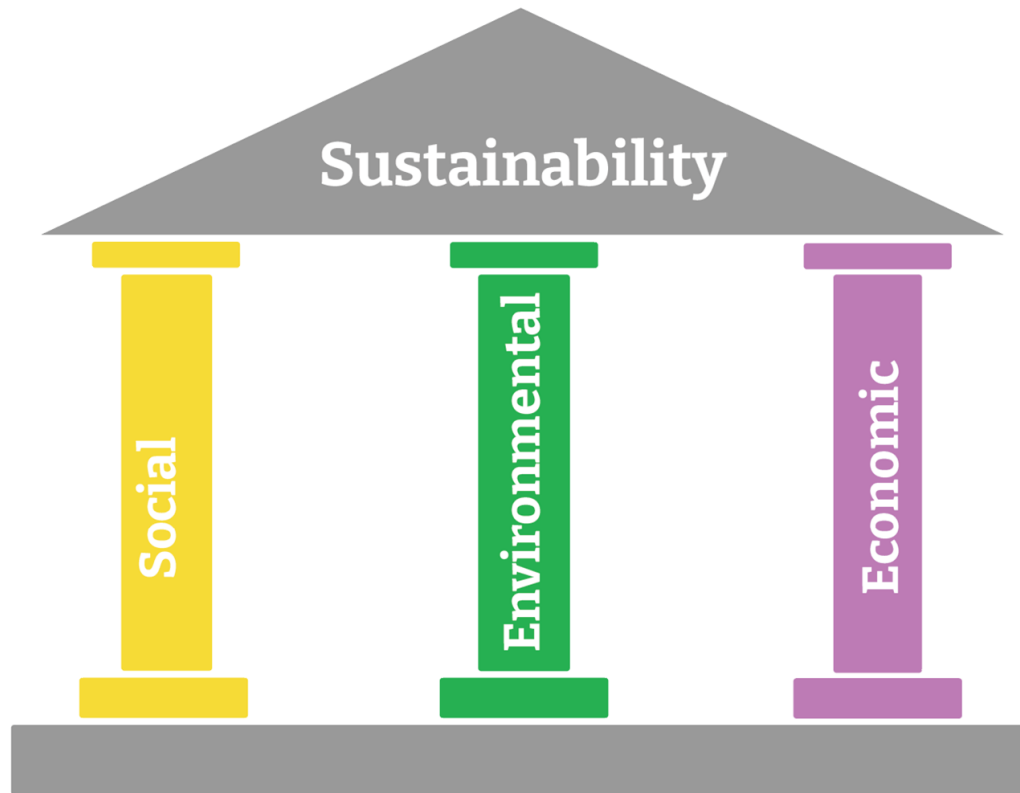
“I hope you and your colleagues had a fruitful day with your surveys. I was impressed with how you all stayed and listened to what residents told you after survey. It is not easy because you are doing an impartial job, but I hope it helped for you all to visualise what the answers meant.

As I said a few times, the residents have never been able to expressed themselves to an independent group before and I think that helped them today.”

~Residents feedback



Achieving sustainable development



National Planning Policy Framework, Paragraph 8:

Achieving sustainable development means that the planning system has 3 overarching objectives: economic, social, environmental

How we understand places

We always use multiple methods



More about methods

- We need to use a range of methods to capture the complexity of local areas and everyday life
- We use ethnographies, structured interviews, street interviews, observations, workshops ...
- We work with hard data to maximise insights and value
- We are trying to find ways to embed residents more centrally.



What questions do we ask?

How would you describe the quality of your life?

How would you describe your housing?

Do you stop and talk with other people in this neighbourhood?

Do you feel similar to other people in the neighbourhood?

Are changes in the area benefitting you & your family?

Can you influence local decisions?

Is the design adaptable to meet changing needs and wishes?

Do your children have somewhere to play?

What do you think of local services?

Do you feel lonely?

Does the design of the built environment encourage people to meet their neighbours?

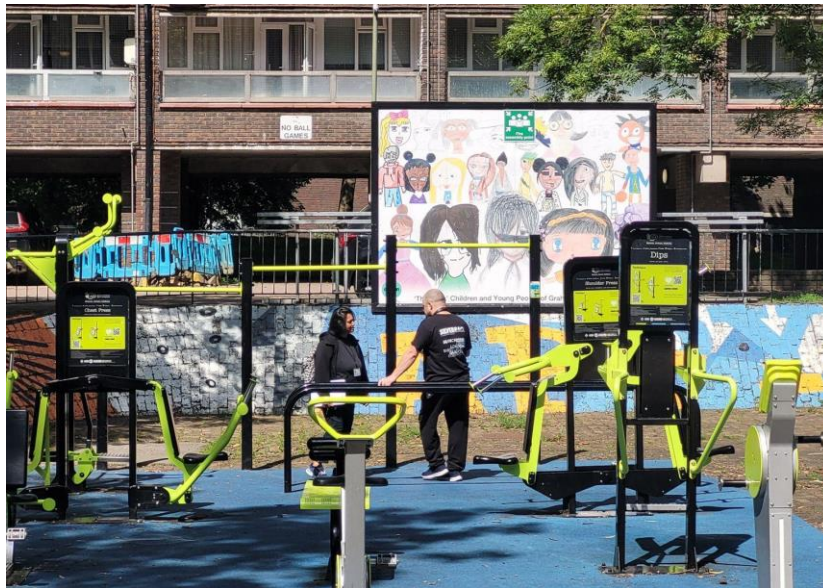
Do local facilities, shops and services cater to people like you?

Do people from different backgrounds get on?

Do you feel you belong in this neighbourhood?

Do you feel safe after dark?

Street interviews



Walking interviews

"I play by myself, or with maybe one or two people because the thing is, the basketball court is actually locked. So you're not allowed to go in. But we just sometimes climb over the fence. Because, to be honest, we want to just play and get a bit of exercise. I don't know why they would lock the basketball court, if we want to use it. We're trying to be healthy, you know. So we just have to climb over. So there's not many people that really go there anymore but there used to be a lot. There used to be a lot of people that play, but now two, three people I just play with. [...] Usually I do a trick and I climb up on the wall, and from there I drop down."

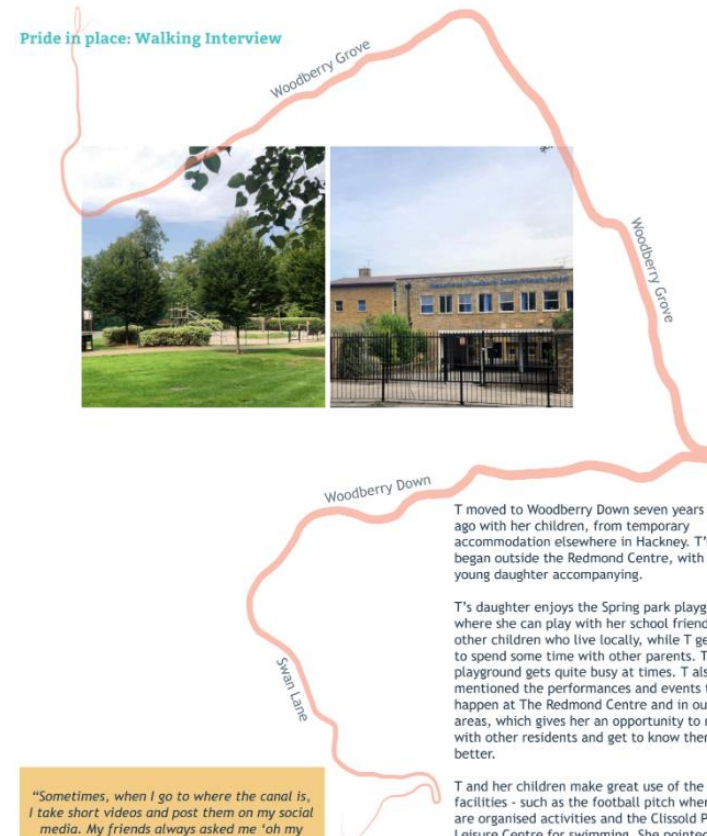


I've lived there for a year. A year and six months, at the start, you know, obviously you think it's a rough area. But it's not that rough to be honest. [...] Is that it's very... It's got a youth club near us and stuff so you can't really be bored. And there is more activities to do, then in my old area. [...] There's a lot of neighbours that I have made friends with now. [...] Yeah In the front, we just play football or hide and seek. [...] Yeah [we hang] In the front [of the house], we just play football or hide and seek. [...] A place we go to.... maybe like Sunny Hill Park. [...] Unitas. You can do boxing there, you can do basketball, football. And there is also a gym, you can do running or lifting weights.

The negatives, it's more like I would say, more people smoking, around this area. A lot more smokers. Negative like, you can see there's a group of gangs and stuff around here. You can see that sometimes. [...] Maybe, if they could do another dentist. Because my dentist is in Hendon right now. So it's kind of annoying to travel. Not dentist, I mean doctor. I think Medical Centre



Pride in place: Walking Interview



T moved to Woodberry Down seven years ago with her children, from temporary accommodation elsewhere in Hackney. T's walk began outside the Redmond Centre, with her young daughter accompanying.

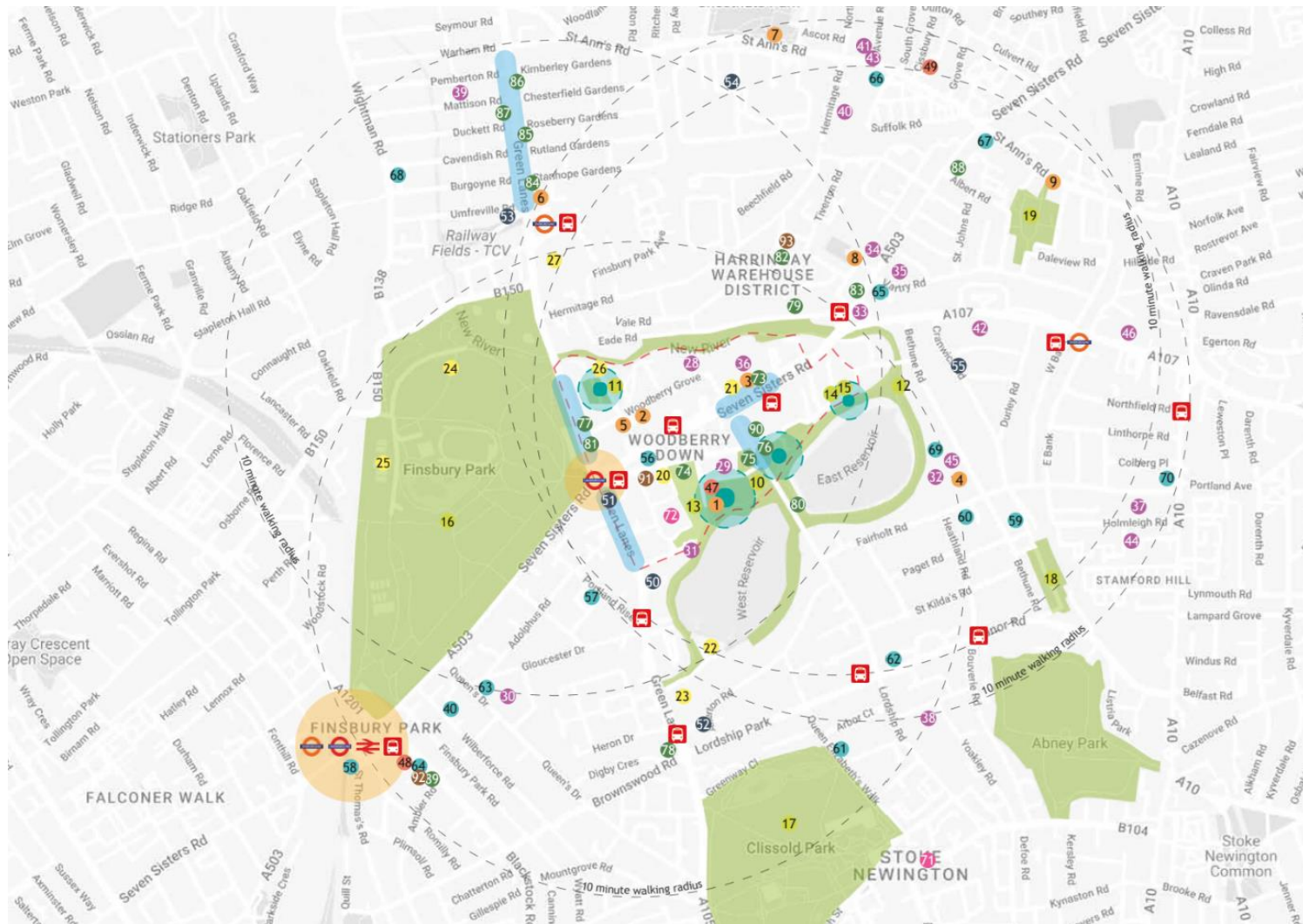
T's daughter enjoys the Spring park playground where she can play with her school friends and other children who live locally, while T gets to spend some time with other parents. The playground gets quite busy at times. T also mentioned the performances and events that happen at The Redmond Centre and in outdoor areas, which gives her an opportunity to mingle with other residents and get to know them better.

"Sometimes, when I go to where the canal is, I take short videos and post them on my social media. My friends always asked me 'oh my god, where did you go? It looks so beautiful'. I'm like, I was just across the road from my house... Not everybody has that. Makes me feel very grateful. Happy to live here. Really happy."

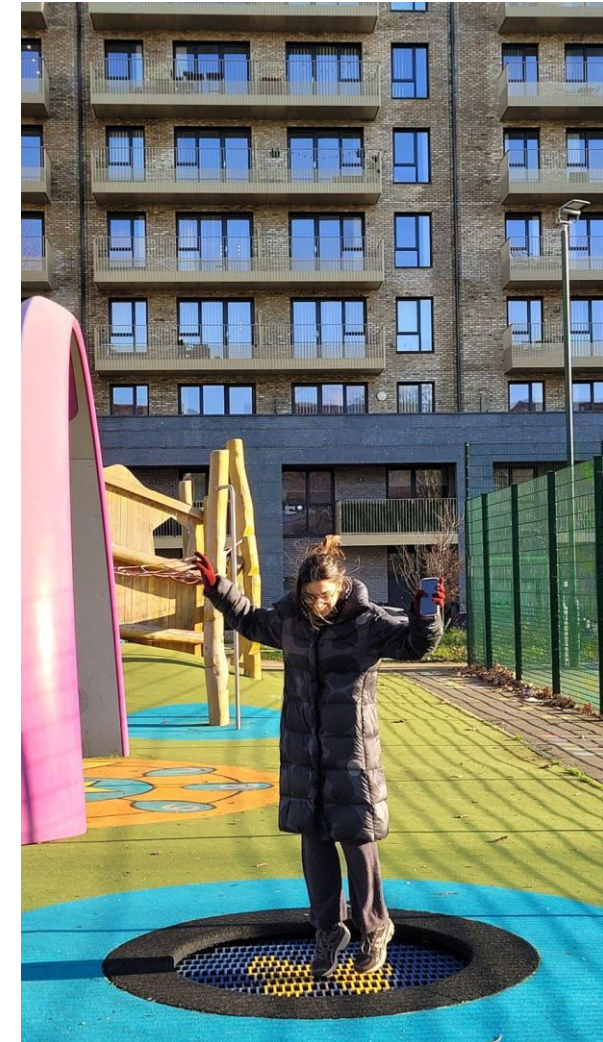
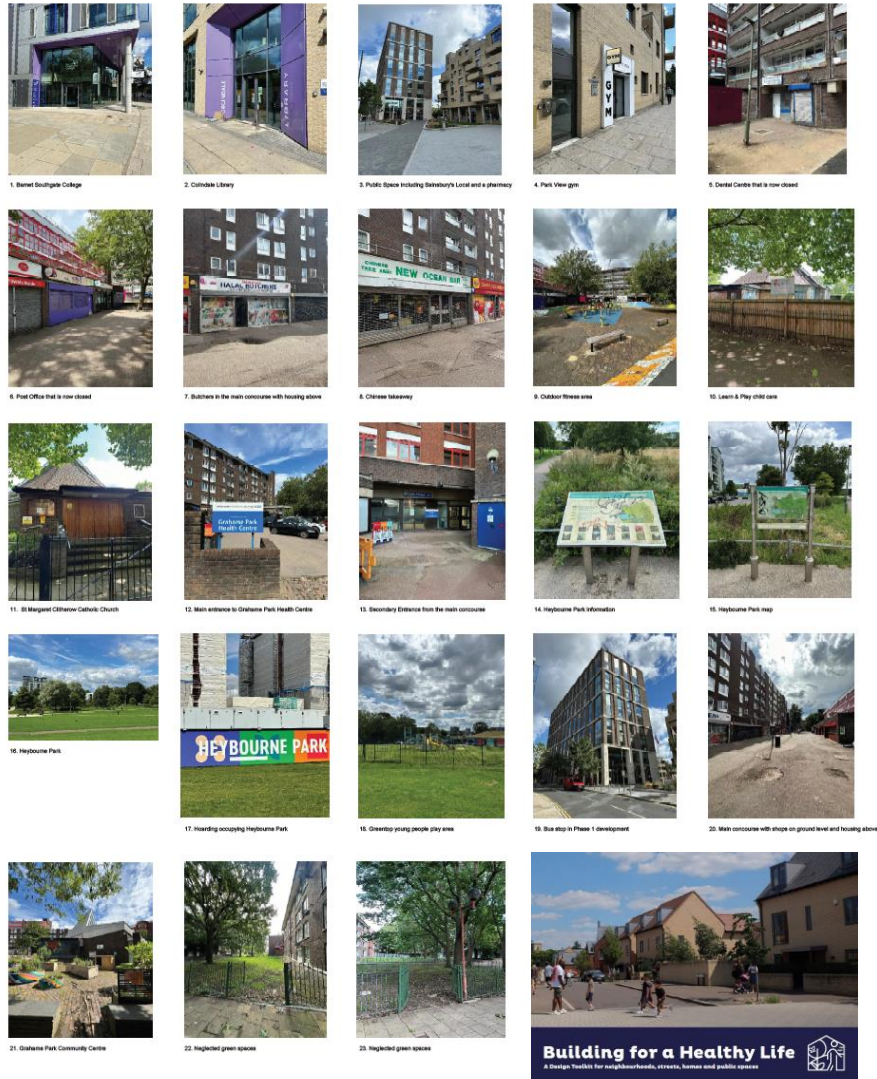
T and her children make great use of the local facilities - such as the football pitch where there are organised activities and the Clissold Park Leisure Centre for swimming. She pointed out Zer Café, which she likes because of the cosy feel. T appreciates that everything that she needs is within walking distance.

T feels a strong sense of belonging on Woodberry Down, as do her children. The kids love going to Woodberry Primary School and T is pleased that they are growing up with other children who live in the same neighbourhood. T is close to her neighbours, and finds herself surprised by how willing everyone is to help each other out.

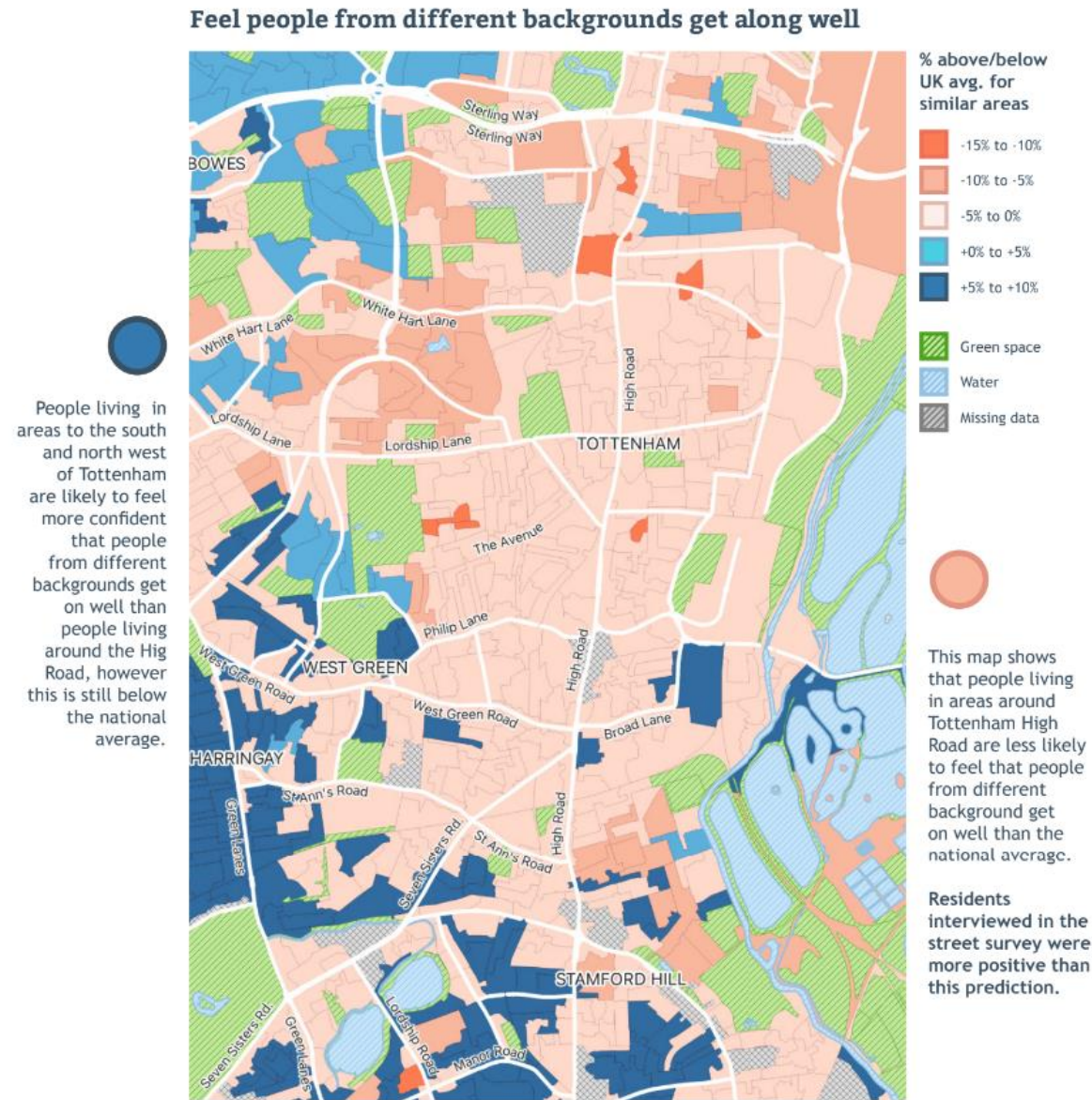
Mapping assets & social networks



Built environment surveys



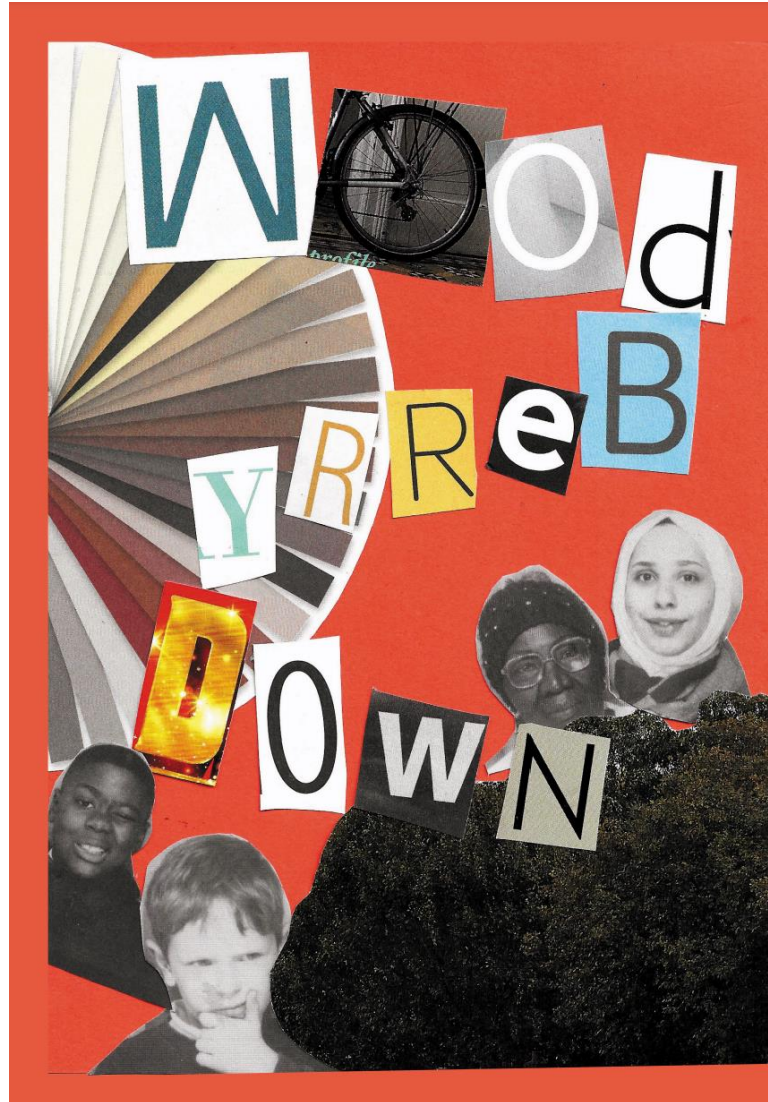
Predicting how people feel as a benchmark



Engaging young people



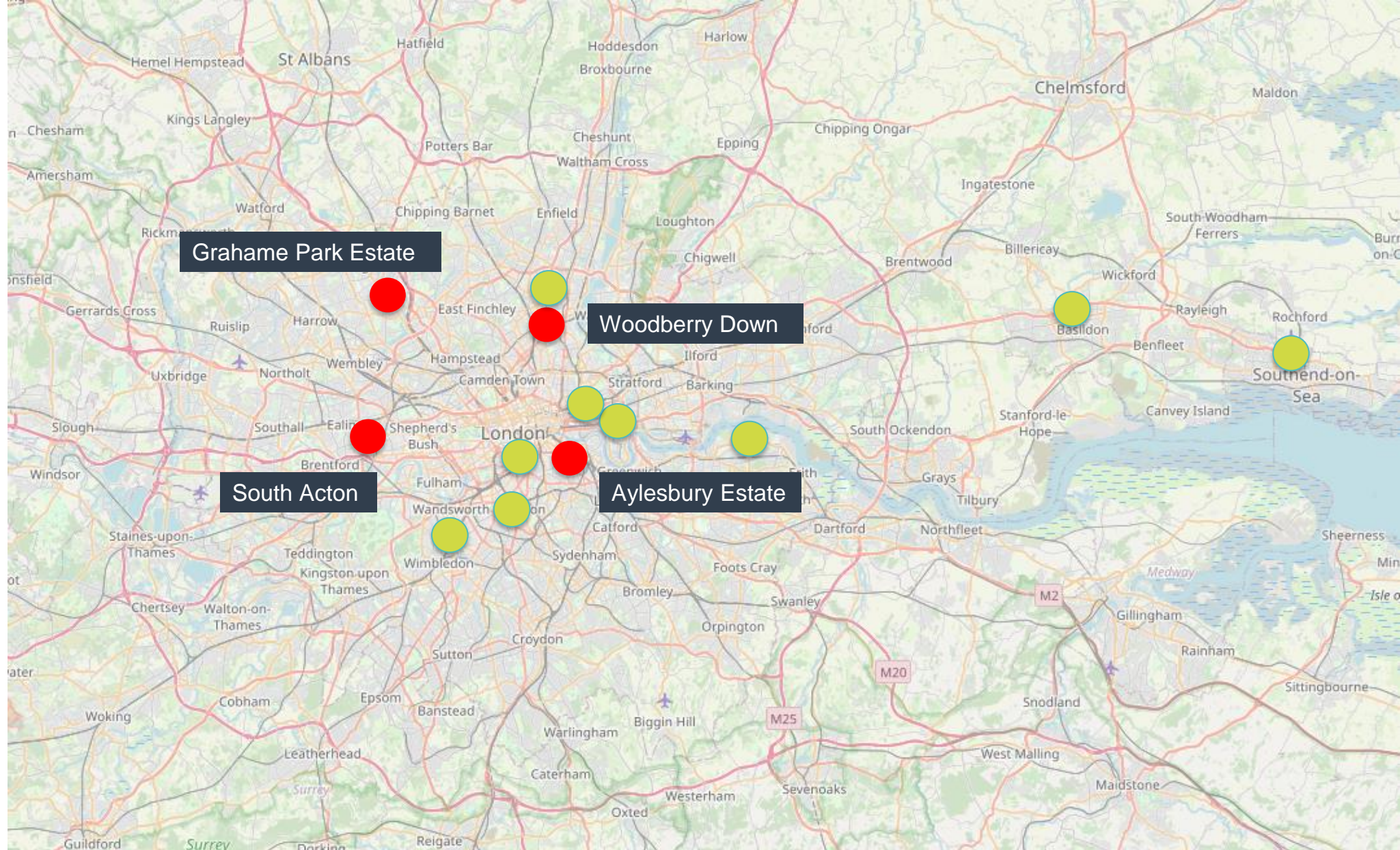
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Engaging stakeholders and agencies



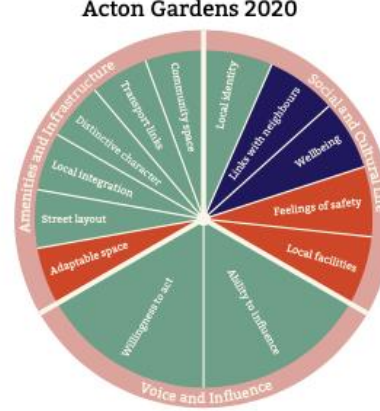
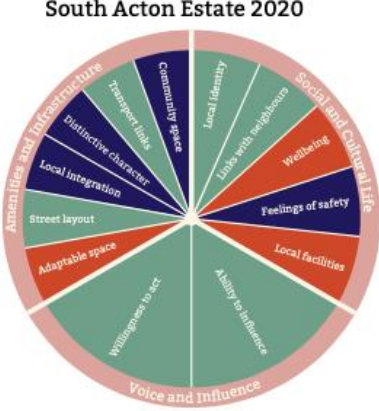
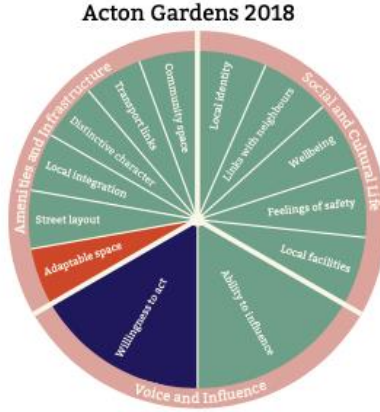
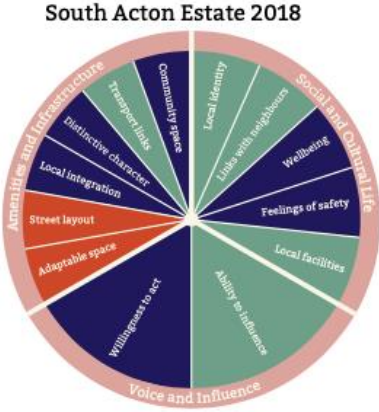
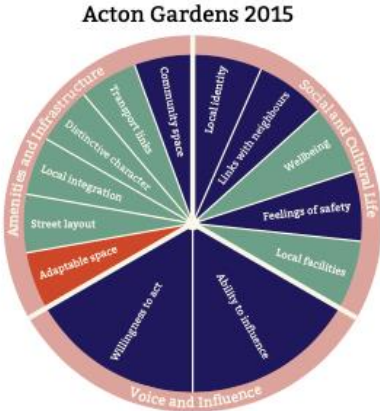
Work on social housing estates



What we do to measure impact



South Acton



Scoring explained:

Significantly better than comparable areas	Performs as expected (equal to comparable areas)	Significantly worse than comparable areas
--	--	---



Aylesbury Estate

Social sustainability assessments in 2015 & 2021



Voice & Influence
Low sense of influence, control and involvement in actions to shape environment.



Amenities & Social Infrastructure
Good schools, health services, transport, green spaces. Poor quality environment, lack of community spaces.

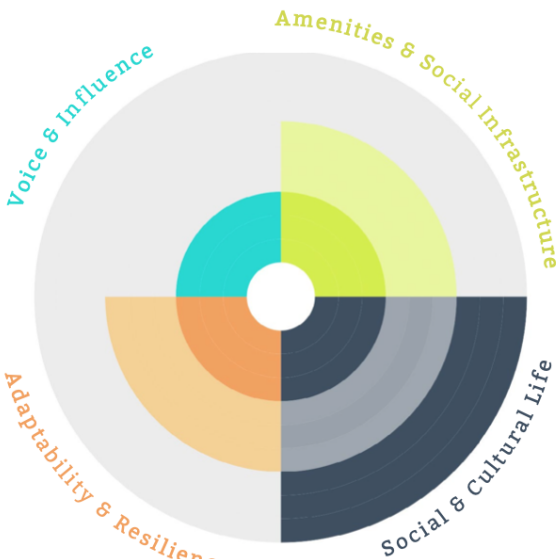


Social & Cultural Life
Good neighbourliness, sense of belonging, community cohesion.



Adaptability & Resilience
Adaptable population, good social supports. High poverty and vulnerability.

Aylesbury Estate social sustainability 2014/15



2014-15

Aylesbury Estate social sustainability 2020/21



2020-21



Woodberry Down



PRIDE IN PLACE: Residents love their home & are proud of their neighbourhood.

This dimension captures local identity & belonging, satisfaction with local facilities and with home, distinctive character and inclusivity.



EMPOWERED: Residents are empowered, skilled & have influence over local decisions

This dimension captures voice & influence, quality & level of education, skills & aspirations, & residents perceptions of the regeneration.



BALANCED COMMUNITY: The community is balanced, integrated & cohesive.

This dimension captures neighbourliness, the provision of social infrastructure, local integration, accessibility and adaptability.



PROSPERITY: Residents & businesses prosper economically.

This dimension captures the strength of the local economy, job creation and residents' economic security and employment.



WELLBEING: Residents have high wellbeing.

This dimension captures wellbeing, health and feelings of safety.



Grahame Park

Grahame Park
Social Impact Framework
February 2024



Influencing Change

The regeneration process is underpinned by strong partnerships and resident engagement.



Health and Wellbeing

Residents are healthy and enjoy good quality of life and wellbeing.



Economic Inclusion and Resilience

Residents, voluntary sector and local businesses prosper economically.



Placemaking and Housing

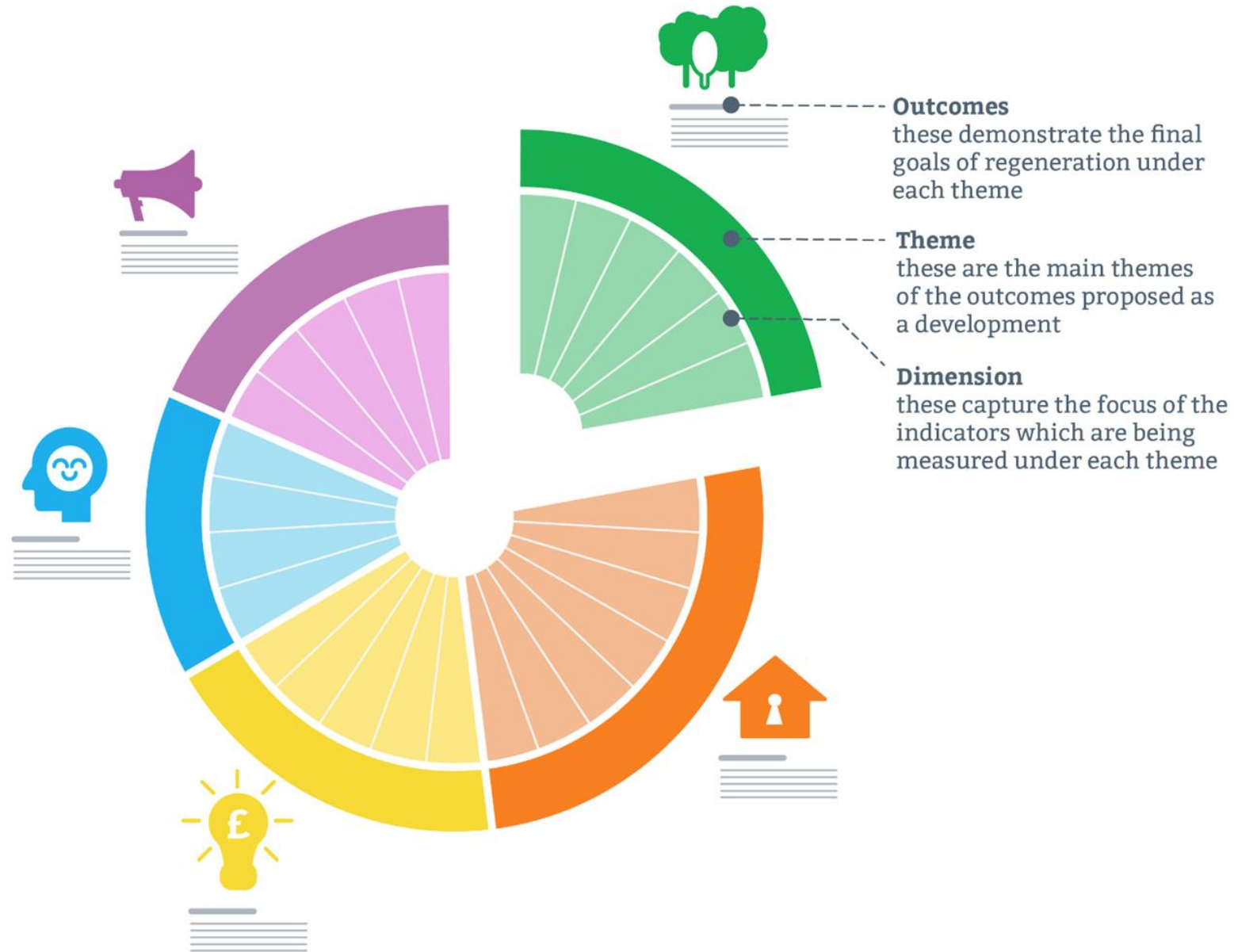
Residents benefit from suitable public spaces, social infrastructure and housing.



Community and Safety

Residents are part of a strong community and feel safe in their neighbourhood.

Place-based framework



Indicators

Indicator

This column presents the indicator, describing the type of data or question which is to be monitored

Dimension

Research methods

Resident survey, project impact monitoring, stakeholder and partner interviews, site survey and secondary data.

Type of indicator

Partner responsibility,
whether the indicator is
tracking **impact or**
performance

The image is a vibrant, abstract graphic that resembles a stylized calendar or a data visualization. It features a grid of colored rectangles in various colors: green, orange, yellow, blue, and purple. Each rectangle is divided into horizontal sections by thin lines, suggesting a structured layout. The overall design is clean and modern, with a focus on color and geometric shapes. The background is white, and the colored elements are arranged in a repeating pattern across the width of the image.

What we've learned

What we have learnt

- Rebuilding a social housing estate is a **massive intervention**
- How it is done is a **political choice**
- It means a substantial change to **systems and relationships**
- It is an opportunity **to fix housing & structural issues & increase support & services**
- **Vulnerability in the face of change** is linked to resources & power, tenancy status, alternative options ...
- **Residents voices** tend to be involved in the details of implementation rather than developing options and co-design
- **Social value** is often measured in terms of tangibles like employment rather than the wider impact of the place
- **A social sustainability lens** is an opportunity to think differently.

Limitations

A social sustainability approach can be a powerful lens on change, but

- It is a snapshot in time
- It doesn't capture the full environmental costs of demolition
- We have struggled to speak to people who have moved away from estates because of regeneration
- It helps understand the impacts of change but cannot prove causality.

For the future

- Our work shows that we can **better understand and quantify impacts of change** on everyday life
- We need to add a **social understanding** to decision making about future options of improving existing housing
- This should go **alongside assessment of carbon**, other environmental impacts to support and economic potential
- **We are developing our work on social value and reviewing our social sustainability framework: talk to us!**



Thank you

WWW.SOCIAL-LIFE.CO
[@SL_CITIES](https://twitter.com/SL_CITIES)

simeon.shtebunaev@social-life.co



Design Matters

Thursday 27th June 2024

Annabel Keegan

Associate Director at PJA and DM Panel Member

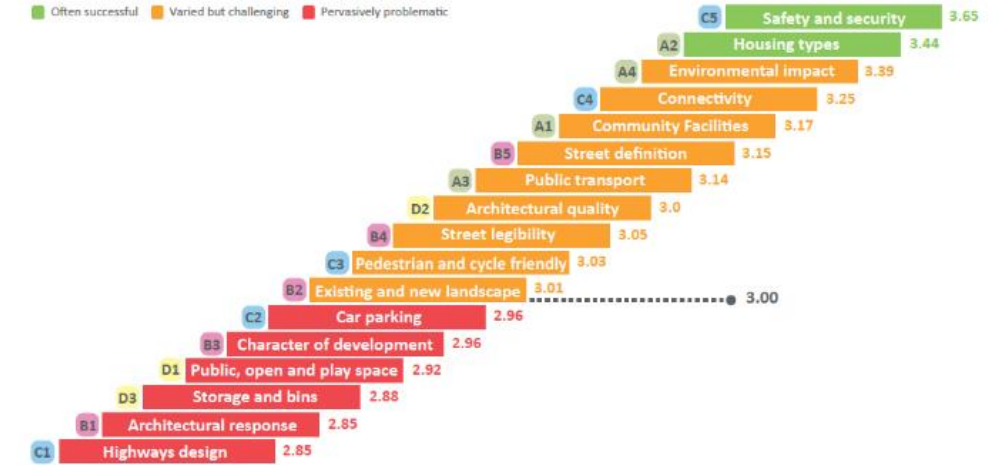
Setting the scene

What's the problem then?

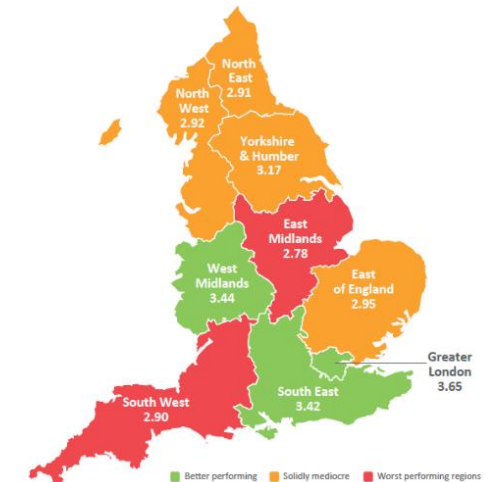


A Housing Design Audit for England (January 2020)

- Update to CABE housing audit in 2004 finds everyday standards not high enough
- Three quarters mediocre or poor
- 1/5 should never have been given planning permission
- Less affluent communities are ten times more likely to get worse design
- Low-scoring housing developments scored especially badly in terms of character and sense of place, with architecture that does not respond to the context in which it is located
- Place Alliance/UCL (Jan 2020)



SEVENTEEN DESIGN CONSIDERATIONS COMPARED BY AVERAGE SCORE



- #1 - Social Revolution
- #2 - Technology Revolution
- #3 - Climate and Biodiversity Emergency
- #4 – Public Health



- Published January 2020
- Independent report on how to promote and increase the use of high-quality design for new build homes and neighbourhoods.
- In its final report, 'Living with beauty', the Commission has set out its recommendations to government.
- Also published other evidence that has underpinned the report.
- Set out 8 key priorities for reform.



The Levelling up and Regeneration Bill (following committee stage in May 2023) currently says **three** things about Design Codes:

- That the local plan timetable must specify how the local authority propose to comply with the requirement to produce a design code under 15F(1)
 - a) In 15G “Sub-section 1 – “A local planning authority must ensure that, **for every part of their area, the development plan includes requirements with respect to design** that relate to development, or development of a particular description which the authority consider should be met for planning permission for the development to be granted”.
 - b) Sub-section 2 confirms that “Subsection (1) **does not require the local planning authority to ensure that there are requirements for every description of development for every part of their area**, or that there are requirements in relation to every aspect of design”.

In summary:

- LPAs need to say how you plan to produce an area wide code e.g. within or with LP or as a SP
- There must be design policy or design coding for every part of the district
- But this does not need to cover all possible issues for all possible areas so can have high level design policy or coding for the **WHOLE** area and pre detail for **SOME** areas or sites



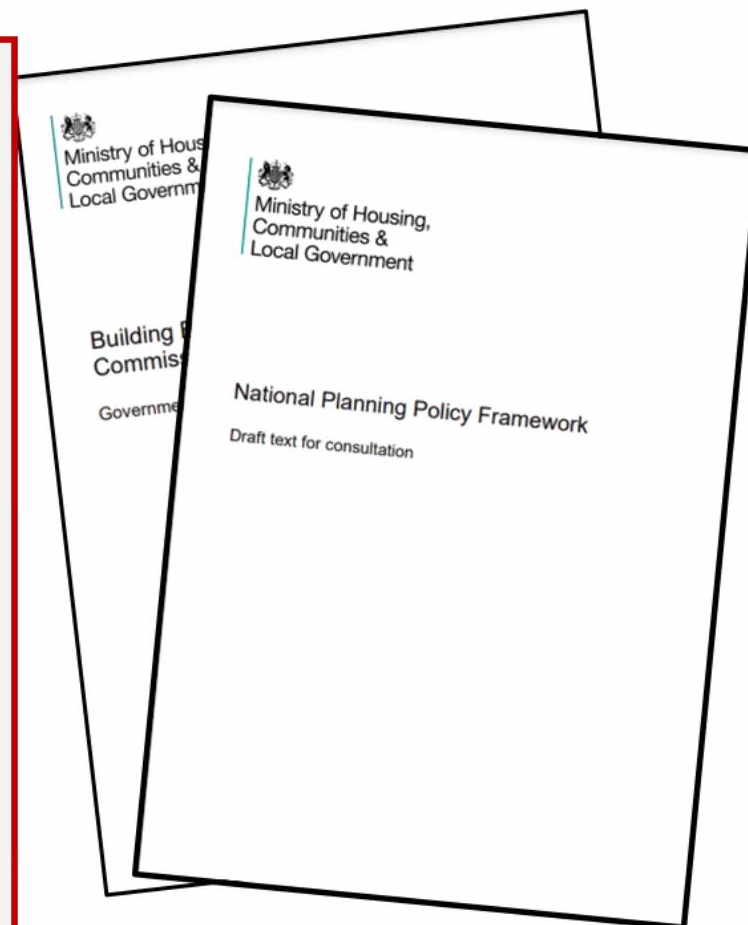
Para 126: **"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.** Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

Para 127: **"Design policies should be developed with local communities so they reflect local aspirations,** and are grounded in an understanding and evaluation of each area's defining characteristics."

Para 128: **"To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code,** and which reflect local character and design preferences."

Para 129: **"Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area,** taking into account the guidance contained in the National Design Guide and the National Model Design Code. These **national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.**"

Para 134: **"Development that is not well designed should be refused,** especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes."



Criteria for Coding Accreditation

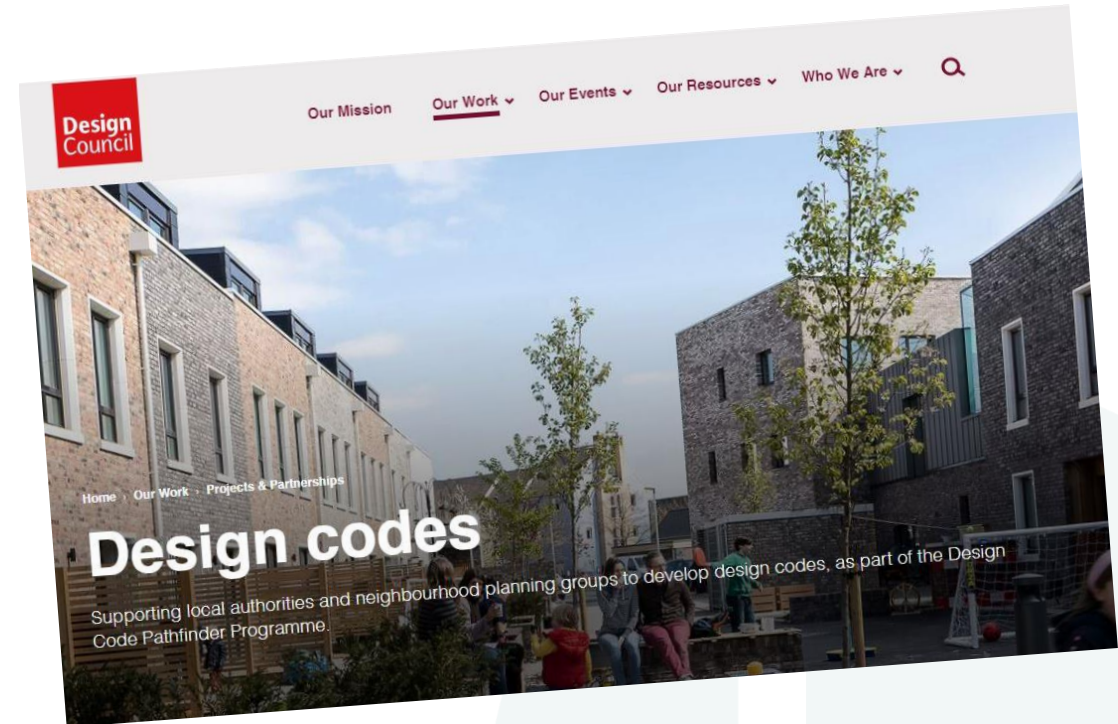
1. **Set a clear vision.** A clear and concise vision, setting out ambitions for the area must be prepared at the start. This will act as a guide, be relevant to the area and record straightforward aspirations so that future action can be evaluated.
2. **Fit in with policies and research.** Codes will align with relevant policies and have a basis in evidence of the types of places that support well being and deliver healthy and sustainable outcomes.
3. **Find out what people really like. The codes** must be based on evidence that has been obtained on what is popular about the design and character of the area and this must be apparent in the way the codes are worded and illustrated.
4. **Keep them short, visual and numerical.** The codes must be clear and brief, concentrate on essential points, should be illustrated with analytical diagrams, such as sections, not just 'reference images', and must be written and presented in a way that can be understood by both professionals and non professionals.
5. **Keep them practical.** The codes must apply to practical choices that will be made in the design and construction of new places, streets and buildings without unduly restricting the opportunities for creativity.
6. **Be consistent and clear in how you use language.** Codes must set requirements on which a design can unambiguously pass or fail (this will be based on words like, 'must', 'will ' and 'required'). Guidance can also be usefully included but this must be made clearly distinct from the codes (guidance will use words like, 'should', 'could', 'would', 'generally'.
7. **Keep them real.** Codes must provide sufficient direction only to direct design to what is demonstrably popular (see 2, above) in such a way that the results will be recognised by the relevant community, while allowing opportunities for creative input.
8. **Keep them relevant.** What is coded must be relevant to the area that is being coded. For example they might specifically be appropriate to: the density required, the context of new work, relationship to what is existing, what must be conserved; the urban, suburban, rural or new character of the area covered.
9. **Make sure they are enforced.** Procedures must be established and maintained by local authorities for the approval of codes prepared by others and for the continued enforcement of approved codes at all times and at intervals appropriate for their effective enforcement. Powers and processes must be in place for the enforcement of remedial action.
10. **Allow them to change over time.** While codes must be obligatory (see 5 above), a timetable for their review must be included. This timetable will be based on and allow enough time for feedback from their outcomes.

Design Code Pathfinder Pilot Programme

Mansfield District Council Experience



- They are a set of concise illustrated design requirements providing the parameters for the development of a site or area to deliver more predictable design outcomes.
- Codes are tailored to local conditions and priorities, which seek to support well-designed places by:
 - Enhancing local character
 - Supporting vibrant and healthy communities
 - Addressing the climate emergency



- In March 2022 Mansfield District Council was announced as one of 25 areas to share in £3 million of funding to support the production of local design codes using the National Model Design Code.
- The Pathfinder authorities have been working over the last year to develop their codes. This includes codes prepared at different scales, including authority-wide codes, site-specific codes, and codes covering new settlements or urban extensions.
- The pilot programme was followed by learning materials and a programme of events to allow for the sharing of lessons learnt and good practice.
- This will help ensure local councils and neighbourhood planning groups throughout England benefit from the work the Pathfinders have undertaken.



Planning authorities:

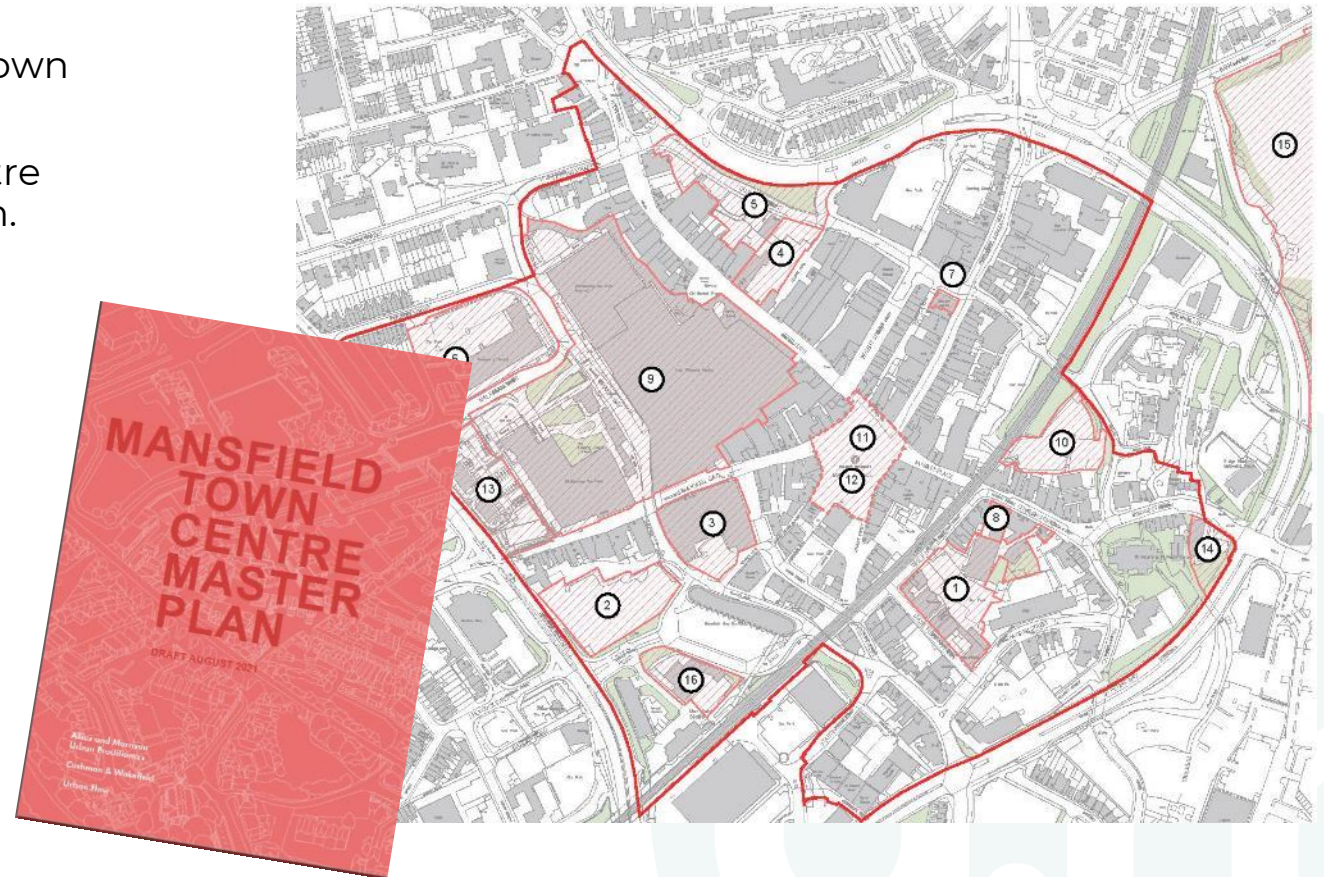
- Bournemouth, Christchurch and Poole Council
- Bradford Council
- Brent Council
- Carlisle City Council
- Darlington Borough Council
- Dudley Metropolitan Borough Council
- East Midlands Development Company
- East Riding of Yorkshire Council
- Epping Forest District Council
- Gedling Borough Council
- Greater Cambridge Shared Planning Service
- Lake District National Park Authority
- London Borough of Barking and Dagenham
- Mansfield District Council
- Medway Council
- Reigate and Banstead Borough Council
- Shropshire Council
- Surrey County Council
- Teignbridge District Council
- Trafford Council
- Uttlesford District Council

Neighbourhood planning groups:

- Bacup and Stacksteads Neighbourhood Forum
- Finsbury Park and Stroud Green
- South Woodford Neighbourhood Forum
- Weymouth Town Council



- Design Code covers the town centre (area inside the town's ring road).
- Identifies 16 development sites around the town centre.
- Builds on the vision set out in the Town Centre Masterplan developed by Allies and Morrison.



Mansfield Vision

The vision for Mansfield town centre is set out here to map out a future path for growth and regeneration. Eight key principles are set out on the following pages, designed to guide new development, strengthen Mansfield's USP and deliver this vision. These principles set out a vision to help diversify the town centre and create new reasons to visit, improve the environment in the town centre and make it a more pleasant place to spend time, and enhance and celebrate the existing special character of the town centre. The eight principles are:

- A place to live and play
- A place for innovation and education
- Valuing Mansfield's public space
- Greening Mansfield
- Celebrate and repair Mansfield's historic fabric
- A connected network of destinations and varied characterful routes
- Uniting the town centre with its neighbourhoods
- Providing a welcome worthy of Mansfield

The town-wide spatial frameworks and proposals for key sites illustrate how this vision should be delivered.

VISION STATEMENT

Mansfield will be a liveable, vibrant town centre that people are drawn to and enjoy spending time in. The town centre will be transformed as new good quality homes are delivered within the boundary, generating footfall and making the already easy to access town centre feel lively and busy during the day and into the evening.

Mansfield will be a resilient, strong, independent town with a diverse range of uses which provides a good quality of life for those who live and work there. It's USP will be a town which acknowledges its industrial heritage and enterprising identity whilst responding to its evolving needs.

The town centre requires a careful work of urban repair - knitting back together the urban fabric and giving new life to important heritage assets. The Market Square, a key differentiator and asset, will be the jewel in Mansfield's Crown - enhancing its existing character to deliver a key part of the vision for a new greened town centre.

The strategy for the town must deliver 'Mansfield Connected' and bring other workspace, employment, cultural and educational uses into the centre, celebrating and breathing new life into historic fabric where possible to achieve this.

Mansfield's evolving USP.... A town that is using its history to evolve for its future



add activity to the iconic arches...



integrating opportunities for outdoor eating and events...



refurbish, re-use and celebrate industrial history...



create new spaces for play and exercise...



reuse landmarks for employment and education...



lighting and art installations to add beauty to spaces...



greening streets to respond to climate change...



celebrate historic assets and protect key vistas...



integrating new homes into the town centre...



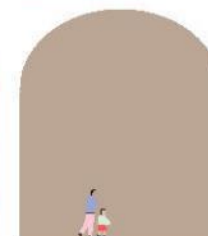
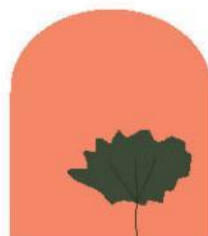
improving the arrival at the historic train station...



refurbish yards and lanes in creative ways...



diversification and greening of Market Square...



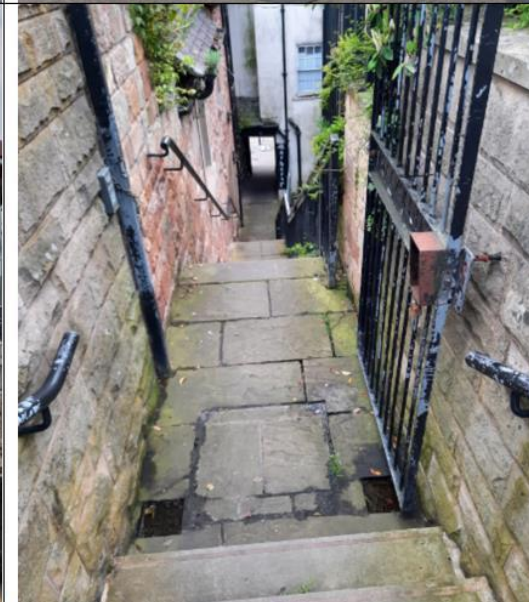
Varied town centre!



- Some impressive heritage assets – Market Place in particular.
- Financial opportunities through a £56m green recovery programme.
- Some cultural assets in the town centre – theatre, library, museum – potential cultural quarter.
- Active market in the town centre.
- Train and bus station adjacent to the town centre.
- Development opportunities supported and funded with public money



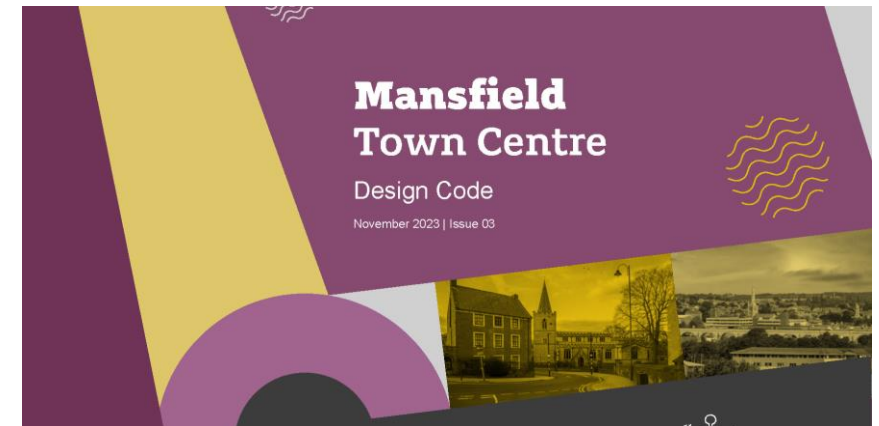
- Poor public realm / signage clutter.
- Declining retail economy – vacant and underused units
- Neglect of some heritage assets
- Barriers between public transport nodes and the centre
- ASB in town centre. Ginnels / Jitties not welcoming.
- Challenges of changes in levels

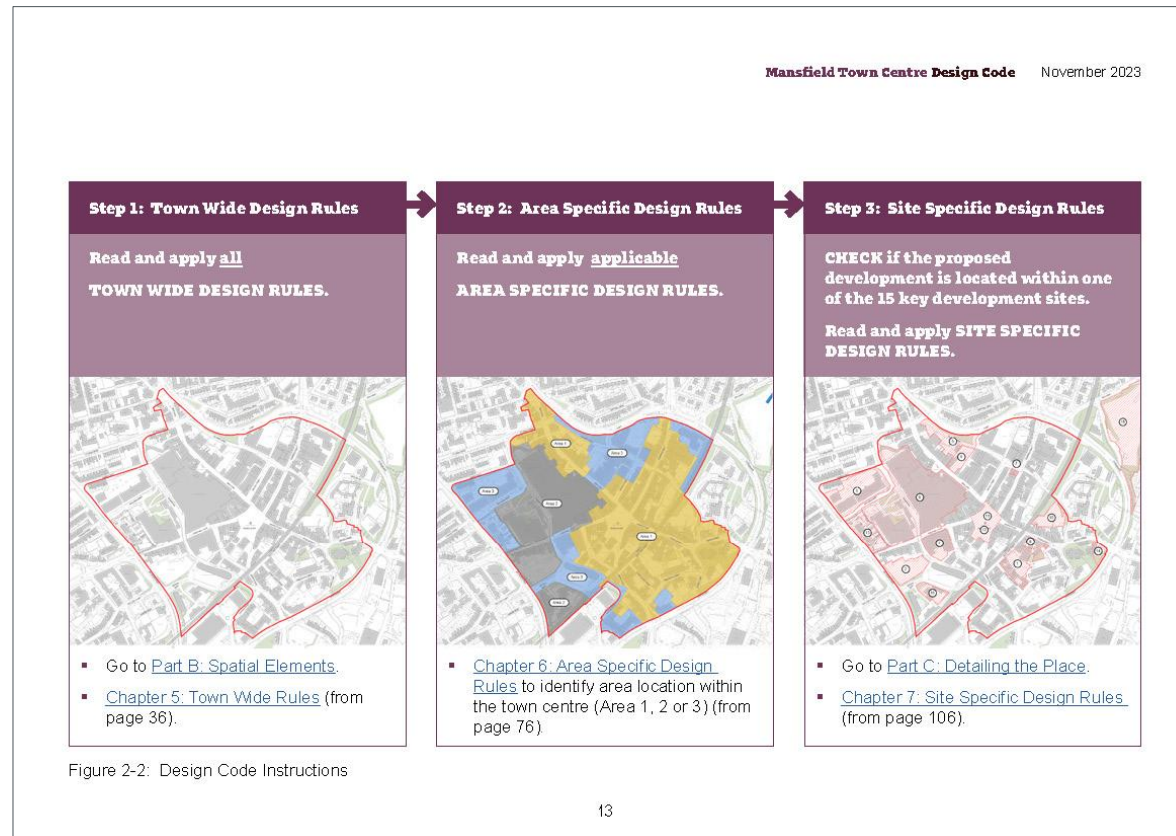


- Insensitive architecture
- Inactive edges to key streets
- Broken street pattern– large floor plate retail development from 1970s and interrupted street grain
- Car dominated streets with poor pedestrian and cycling facilities
- Private and public land in need of regeneration
- Lack of green space and vegetation in the town centre



- Formally adopted by the Council on 15th November 2023
- Sets out visual and numerical parameters for the physical development within the town centre, with site specific requirements for key sites.
- Uses simple and concise design requirements (musts) to build on the vision set out in the Town Centre Masterplan developed by Allies and Morrison.
- Sets out visual and numerical parameters for the physical development within the town centre, with site specific requirements for key sites.
- Will provide a level of certainty for the council, developers and the local community,
- Allows for some flexibility to ensure that innovation is not stifled.





STEP 1 – Town Wide Design Rules.

- Apply to all Planning Applications within the town centre.

STEP 2 – Area Specific Design Rules.

- Set out area specific rules with ‘higher control’ in sensitive areas such as the Conservation Areas.

STEP 3 – Site specific rules.

- Set out site specific rules for the key town centre development sites identified in the Town Centre Masterplan.

Figure 5-1:
The Town Wide Design Rules ('Town Rules')

Number	Rule Name	Page	NMDC Reference
Context			
T1	Historic Environment	Go to Page 40	C.2.ii
Movement			
T2	Street Network	Go to Page 42	M.1.iii
T3	Signage and Road Markings	Go to Page 50	M.1.iii
T4	Walking and Cycling	Go to Page 54	M.2.i
T5	Junctions and Crossings	Go to Page 56	M.2.ii
T6	Inclusive Streets	Go to Page 58	M.2.iii
Nature (Green and Blue Infrastructure Network)			
T7	Network of Spaces	Go to Page 60	N.1.i
T8	SuDS	Go to Page 62	N.2.ii
T9	Flood Risk	Go to Page 63	N.2.iii
T10	Biodiversity	Go to Page 64	N.3.ii
T11	Trees and Soft Landscape	Go to Page 72	N.3.iii
Built Form			
T12	Shop Front Design	Go to Page 74	B.1.iii

Town Wide Design Code Rules



Town Rule T2: Street Network: Street types

The connected street structure of the town centre shall be protected and improved through new development.

Post war development has severed the historic street pattern in some parts of the town centre. Parts of the town centre have prioritised the movement of motor vehicles, creating roads not streets. The roads are frequently inhospitable or inaccessible to pedestrians and cyclists.

The broad streets that radiate out from the Market Place form the basis of the town's historic street pattern.

New development and public realm investment **MUST** protect and strengthen the existing network of streets by repairing areas of the town where the original street pattern has been lost.

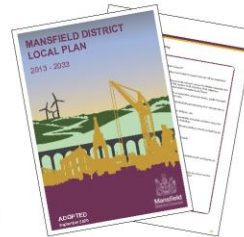
New development **MUST** be designed to ensure that 'Place' function is **NOT** subservient to 'Movement' function.

The 'Place' and 'Movement' elements **MUST** be considered in combination, with their relative importance depending on the street's function in the network.

New developments **MUST** be well connected into the existing surrounding neighbourhood by a choice of routes for pedestrians and cyclists, rather than creating inward-looking cul-de-sac layouts and car dominant infrastructure.

High-speed roads with poor provision for pedestrian activity, cutting residential areas off from each other and from other parts of Mansfield town centre will not be supported.

Protecting and improving the sustainable transport network is set out in [Local Plan Policy IN8 - Protecting and improving the sustainable transport network](#).



Code Instructions

Transport issues **MUST** be considered from the earliest stages of planmaking and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

National Planning Policy Framework, July 2021 (Paragraph 106) Consultation Draft



Attractive street scene, Church Street



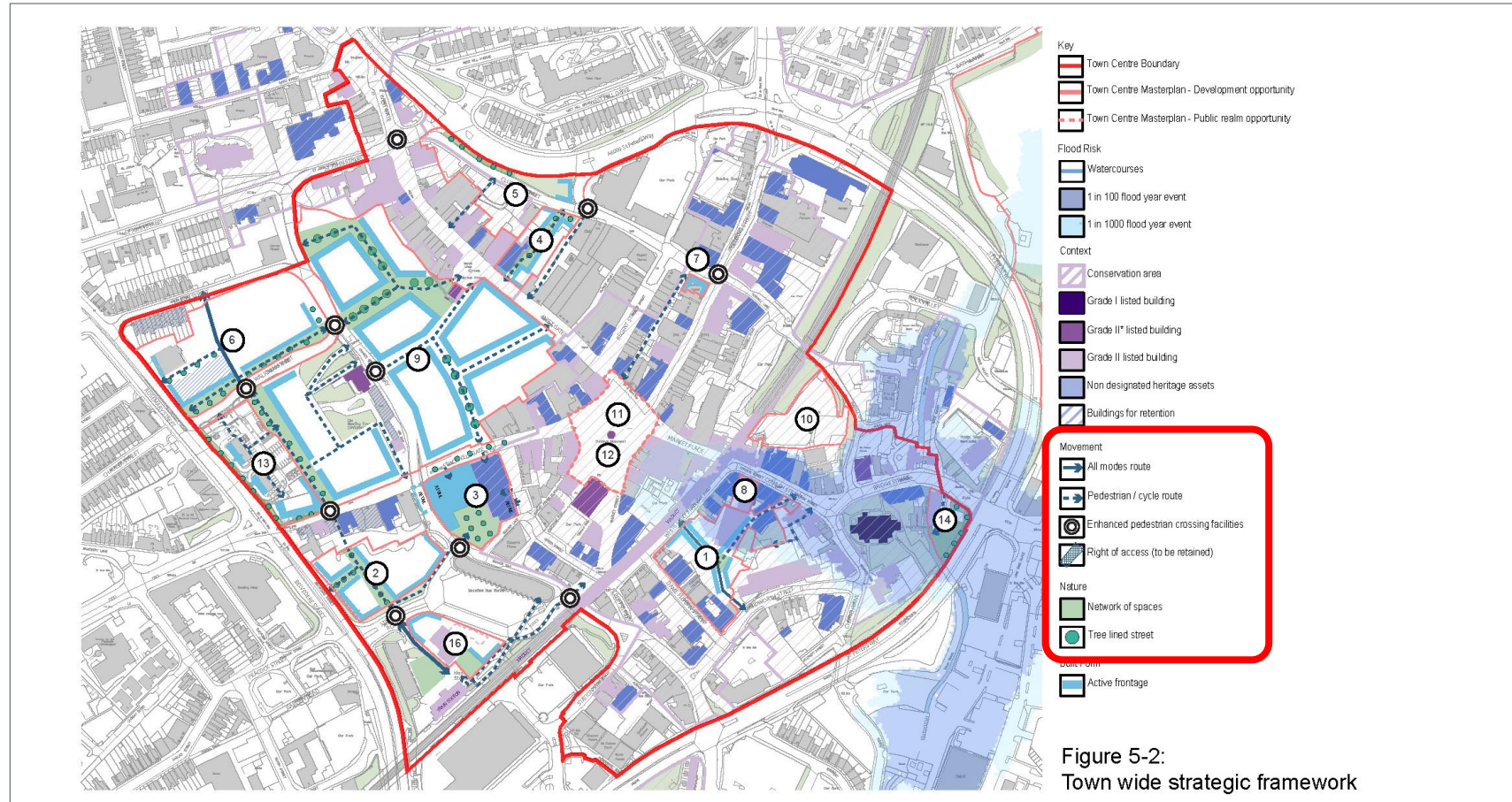
Movement functions dominate, Ring Road



Place function is well considered, Market Place



Movement functions dominate, Quaker Way



**Connections
MUST be
delivered**

Town Rule T3: Traffic Signs and road markings

Traffic signs including markings add significantly to the amount of street furniture, and it is important that opportunities are looked for to reduce excessive signing, where this would not have a detrimental impact on road safety.

Parliament sets the legislation governing traffic signs' appearance and meaning, but decisions about which signs to place and in which scenario is a matter for traffic authorities. Research carried out in 2013 by the Department for Transport to inform the Traffic Signs Policy Review showed that the number of traffic signs had doubled in the previous 20 years.

Overall Approach

Nottingham County Council is the Highway Authority covering Mansfield and are responsible for the management and maintenance of highways within the town centre.

Reducing signage and road marking 'clutter' within the town centre is a key opportunity.

The overuse of traffic signs blights the landscape, wastes taxpayers' money and dilutes important safety-critical messages. Clutter also increases risks to road workers and creates additional maintenance burdens

The principles of good traffic management are in line with good streetscape design – neither is helped by over-provision and clutter. Therefore, this increase in traffic signs is unsustainable and rather than being erected to address a perceived single

issue, they should be erected only where sound engineering principles / road safety concerns justify them.

Code Instructions

Traffic Signs

Manual for Streets contains helpful prompts for deciding on the appropriate level of signing for a street. This is set out in the table opposite.

Existing streets within the town centre should be subject to a signs audit to ensure that they are not over signed and, in particular, that old, redundant signs have been removed.

When putting up new or replacement signs in the town centre careful thought should be given to the choice of 'x' height of signage. The standard 'x' height is often inappropriate because of the impact of the sign

and because the topography, road standards, traffic flows and speeds are often all lower than is generally the case on the highway network. This means a reduced 'x' height can be justified. The impact of a reduced 'x' height on the size of a sign and its visual impact is dramatic.



Signage clutter dominates



Signage clutter dominates

	Prompts
Users	<ul style="list-style-type: none"> What signs are necessary to assist users, including non-motorised users? Are directional signs needed for vehicular traffic, including pedal cyclists? Is information provided in the necessary formats to be accessible to all? Can navigation be assisted by means other than signs? For example, landmarks or other visual cues, etc. Can road markings be dispensed with in some places?
Place	<ul style="list-style-type: none"> How can necessary information be integrated into the place without dominating it? Can some pedestrian direction signs be designed to contribute to the sense of place by using a locally distinctive format? Are traditional direction signs¹² appropriate for the setting?
Safety	<ul style="list-style-type: none"> Are there any hazards that require signs? Can significant locations, such as school entrances, health centres, local shops, etc., be indicated by a measure such as surface variation to reduce the need for signs?
Regulation	<ul style="list-style-type: none"> What signing is necessary to give effect to TROs? Is it necessary to regulate traffic or parking? Can behaviour be influenced by means other than signing? For example, can parking be managed by the physical layout of the street?
Speed	<ul style="list-style-type: none"> Are signs specified at the minimum size required for the design speed of traffic (new build) or 85th percentile speed (existing streets)? Can traffic speeds be controlled by measures (such as planting to break-up forward visibility) to reduce the need for signs?

Figure 5-7:
Extract from Manual for Streets (Table 9.1) provides prompts for deciding on the appropriate level of signing

Road Markings

'Chapter 5 – Road Markings' of the Traffic Signs Manual gives advice on the use of road markings in common situations.

The Traffic Signs Manual allows for the use of No. 310 (Primrose) or No. 353 (Deep Cream) instead. The numbers referenced are the equivalent colours from BS 381C.

Figure 5-8:
Approved regulatory signs for use within the town centre

Regulatory signs	
Statutory colours	No 310 (Primrose) or No.353 (Deep Cream) to be used. No special authorisation required.
Car parking areas	Instead of white road markings, colour - contrasting surfacing, or paving in a different pattern or appearance, should be used to distinguish parking areas from the surrounding carriageway



Narrow primrose lines should be used within the town centre



Large bright yellow lines should not be used in the town centre



Narrow primrose lines are currently used within the town centre conservation area



Excessive signage and street clutter should be removed



Excessive signage and street clutter should be removed

Town Rule T4: Walking and Cycling

In the past, road design hierarchies have been based almost exclusively on the importance attributed to vehicular movement. This has led to the marginalisation of pedestrians and cyclists in the upper tiers where vehicular capacity requirements predominate. The principle that a road was primarily for motor traffic has tended to filter down into the design of streets in the bottom tiers of the hierarchy.

The propensity to walk or cycle is influenced not only by distance, but also by the quality of the experience.

A 20-minute walk alongside a busy highway can seem endless, yet in a rich and stimulating street, such as in a town centre, it can pass without noticing.

Improving walking and cycling in Mansfield to provide a pleasant walking and cycling experience is a key aim of the town centre masterplan and design code.

[Gear Change: A bold vision for cycling and walking \(2020\)](#) recognises that:

"We want – and need – to see a step-change in cycling and walking in the coming years. The challenge is huge, but the ambition is clear. We have a unique opportunity to transform the role cycling and walking can play in our transport system, and get England moving differently."

From the 1st June 2023 [Active Travel England](#) are a Statutory Consultee in the Planning System and will review all major planning applications (over 150 units, 7,500 sq.m commercial, or over 5 hectares). Their strategic aims are to increase levels of walking and cycling to 50% of journeys in towns and cities by 2030.

Code Instructions

Our objective is that 50% of trips in Mansfield town centre **MUST** be walked, wheeled or cycled by 2030 in line with Active Travel England's objectives.

By making everyday journeys simple, easy and fun, this Design Code is working to give people the choice to leave their car at home when traveling to/ from or around the town centre

[Objective 9 of the Mansfield Local Plan](#) aims to reduce the need to travel and support improvements to transport accessibility so that people can move around, across and beyond the district easily and sustainably, including by public transport, walking and cycling.

New development in the town centre **MUST** consider pedestrians and cyclists first, followed by consideration for others in the order given in line

with the principles set out in [Gear Change](#), [Manual for Streets](#) and [LTN 1/20 Cycle Infrastructure Design](#).

Designing for walking and cycling within the town centre requires the consideration of several key principles.

The five core design principles which **MUST** be followed in Mansfield town centre represent the essential requirements to achieve more people travelling on foot or by cycle, based on best practice both internationally and across the UK.

1. **Coherent** - Routes **must form a coherent** network linking trip origins and key destinations, and they must be at a scale appropriate to the users.
2. **Direct** - In general, networks **must allow people to go where they want**, unimpeded

by street furniture, footway parking and other obstructions or barriers.

3. **Safe** - Infrastructure must not only be **safe** but also be perceived to be **safe** – this applies to both traffic safety and crime.
4. **Comfortable** - Comfortable conditions require routes with good quality, well-maintained smooth surfaces, adequate width for the volume of users.
5. **Attractive** - Aesthetics, noise reduction and integration with surrounding areas are important – the environment **must be attractive**, interesting and free from graffiti and litter, etc.

This helps ensure that the street will serve all of its users in a balanced way.



Consider First ↓ Consider Last	Pedestrians
	Cyclists
	Public transport use
	Specialist service vehicles (e.g. emergency service vehicles, waste etc...)
	Other motor traffic

Figure 5-9:
User hierarchy of consideration
Extract from Manual for Streets

Town Rule T5: Junctions and Crossings

Pedestrian desire lines should be kept as straight as possible at side-road junctions unless site-specific reasons preclude it.

Code Instructions

- Small corner radii **MUST** be used to minimise the need for pedestrians to deviate from their desire line.
- All footways **MUST** be level and at least 2m wide. This 2m corridor must be clear and free of obstructions such as lighting columns and sign posts.
- Dropped kerbs with the appropriate tactile paving MUST** be provided at all side-road junctions where the carriageway and footway are at different levels. They **MUST** not be placed on curved sections of kerbing because this makes it difficult for blind or partially sighted people to orientate themselves before crossing.
- With small corner radii, large vehicles may need to use the full carriageway width to turn. Swept-path analysis should be used to determine the minimum dimensions required.
- The footway may need to be strengthened locally in order to allow for larger vehicles occasionally overrunning the corner.
- Reduce signage and other clutter to create clutter free corridors.



Mansfield Town Centre Design Code November 2023

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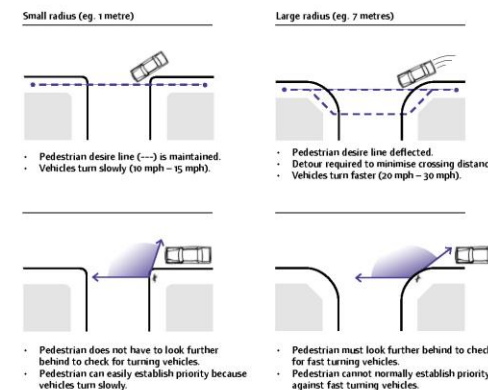


Figure 5-10:
Extract from Manual for Streets -
The effects of radii on pedestrians

Mansfield Town Centre Design Code November 2023

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Town Rule T6: Inclusive Streets

The town centre is not as inclusive as it needs to be with the design of streets, public spaces and buildings frequently making it difficult or impossible for those with visual or mobility limitations to get around easily, whether independently or with the assistance of another person without visual or mobility limitations.

This has a wider relevance because there are many people not conventionally considered to have an impairment who also encounter barriers to movement.

Why is it important?

There is also a specific obligation for those who design, manage and maintain buildings and public spaces to ensure that disabled people play a full part in benefiting from, and shaping, an inclusive built environment.

Mansfield Council **MUST** ensure that disabled people are able to move around freely through the pedestrian environment, and use it to access other modes of transport.

Local authorities are responsible for the design of their streets. It is for them to ensure any pedestrian environment scheme, including a shared space, is inclusive and that they meet the requirements of the Equality Act 2010.

Code Instructions

Street design **MUST** be inclusive.

Inclusive design means providing for all people regardless of age or ability. There is a general duty for public authorities to promote equality under the Disability Discrimination Act 2005.

You **MUST** ensure that all people are able to move around freely through the pedestrian environment, and use it to access other modes of transport. If using a cycle, whether as a mobility aid or not, you must ensure they will be able to use inclusive cycle infrastructure to support their journey.

All designs must follow the best practice advice set out in ['Inclusive Mobility: A guide to best practice of access to pedestrian and transport infrastructure'](#).



"A person (A) discriminates another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others."

Equalities Act 2010

Instructions - streets and public spaces (including surface car parks)

- All footways **MUST** be level and at least 2m wide. This 2m corridor must be clear and free of obstructions such as lighting columns and sign posts.
- Across surface level car parks edge to edge footways **MUST** be provided that comply with above.
- Crossing points shall be made level with the footway by bringing the carriageway surface up to the level of the footway. Dropped kerbs that involve wheelchair users having to roll down onto the carriageway and roll up off the carriageway are not permitted.

- Tactile paving must be provided at either end of the crossing point; it shall be mirrored. Tactile paving shall be aligned to the direction of travel.
- Public open spaces and pedestrianised streets (or streets where there is no clear demarcation between the footway and carriageway) **MUST** include a continuous 'Navigation Band Network' with junctions clearly marked. The detailed design of the Navigation Band Network shall be developed in partnership with Disability Nottinghamshire.
- Drainage covers shall be crossed designs not linear designs, preventing wheels and canes from being caught in the gaps between grills.

- Blue Badge Parking Spaces **MUST** be located on level surfaces.
- Ticket machines **MUST** be operational from a seated position and include contactless technology.

Instructions - buildings

- New toilets shall be designed for all with no segregation on the basis of physical ability or disability.
- At least one toilet cubicle **MUST** be large enough to accommodate motorised wheelchairs, provide space for movement and allow the cubicle door to be closed.

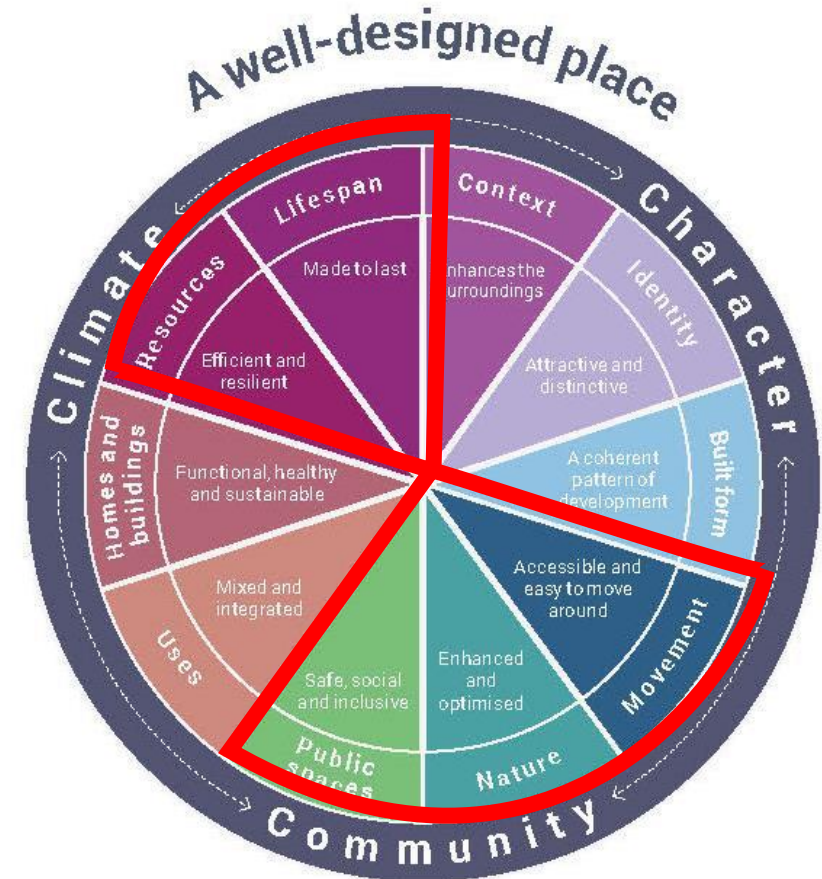
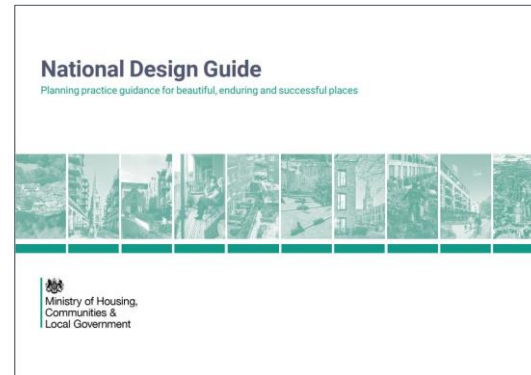
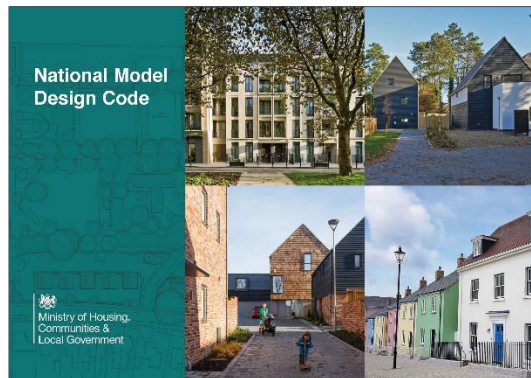


Lack of drop kerbs / level access



Footway clutter

- Structured to respond to the 10 Characteristics of Well-Designed Places from the National Design Guide.



10 Characteristics of Well Designed Places
(National Design Guide Extract)

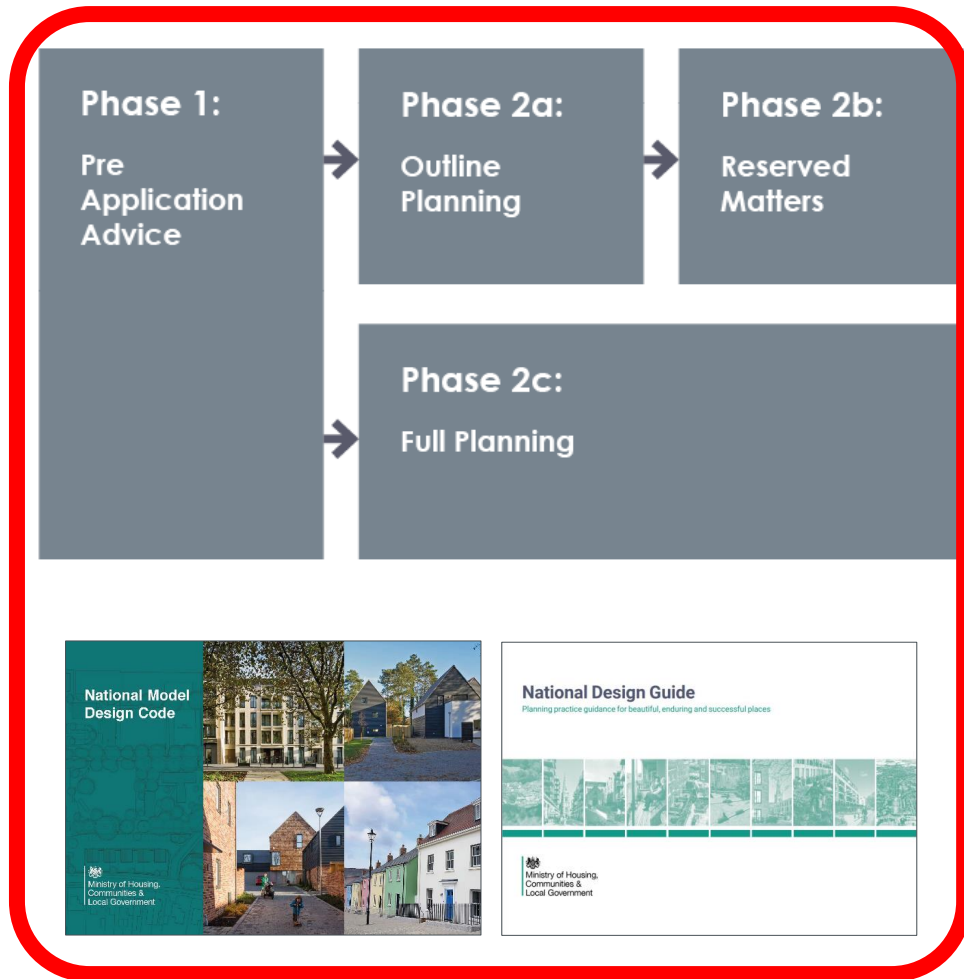
National Model Design Code (July 2021)

Focus on street design including:

- How landscaping should be approached (including the importance of streets being tree-lined wherever possible);
- Street design types
- Inclusive streets
- Services and utilities



What stages does the NMDC cover?



- Only one mention of adoption!

Lifespan

67. Lifespan relates to way schemes are managed and the way that residents are involved in design and management. These issues can be included in design codes and may include the following (See **Guidance Notes Code Content: Lifespan** for more information):

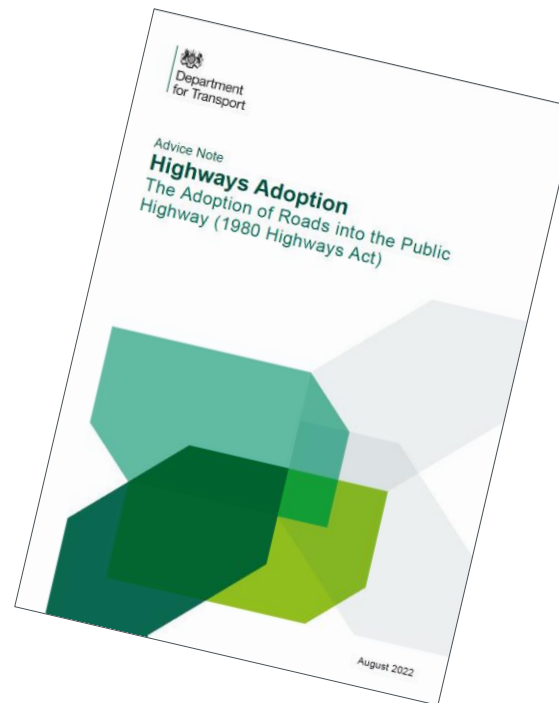
- i **Management plans:** These set out the approach to adoption and management, including the potential for community management. They may be a requirement for schemes over a certain size. See **L.1.i Management Plan**
- ii **Community participation:** Codes may require that consultation take place on all schemes prior to the submission of a planning application. See **L.1.ii Participation in Design**



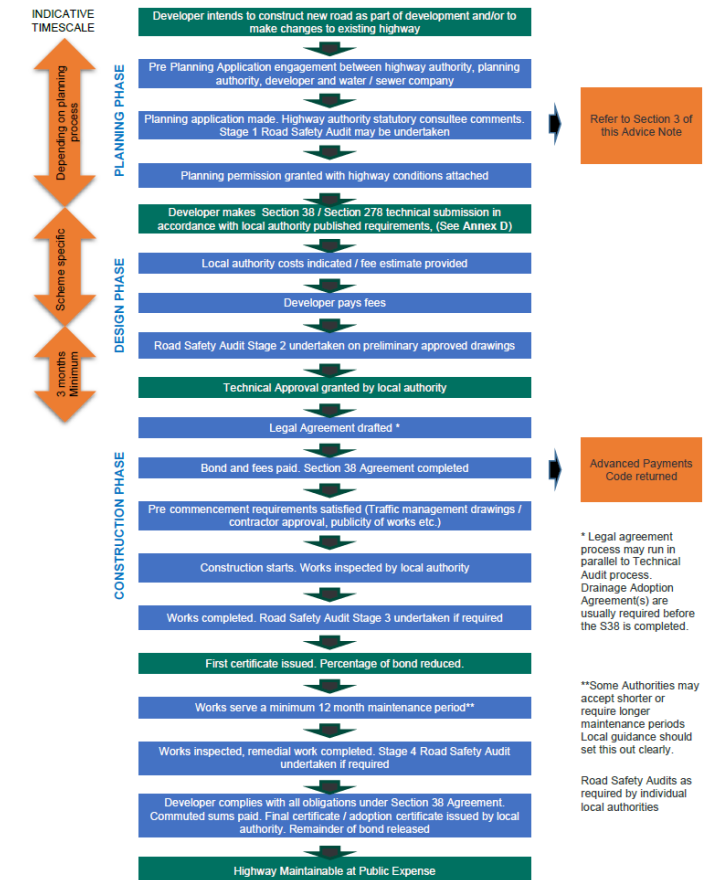
Figure 46. Management Plan Extract See **L.1.i** for example management plan

- Separate to planning process
- Often see changes to layout as a result of highways changes

[Adoption of roads by highway authorities - GOV.UK](https://www.gov.uk/government/publications/highways-adoption-the-adoption-of-roads-into-the-public-highway-1980-highways-act)
www.gov.uk






Flowchart describing adoption using Section 38 of the 1980 Highways Act, as detailed in the section titled Section 38 of the 1980 Highways Act and subsequent sections



Who should be involved to ensure quality is maintained?

- Example on the right is from 'Streets for a Healthy Life' which show how Homes England continue to be involved through the post permission highways process
- Highways Development Management and Agreements teams need to be involved in decisions during the planning process.

	Pre-planning		Planning Application		Post-permission	
	Concept	Outline Design	Outline Application	Full / Reserved Matters Application	Detailed Design	Highway Adoption
Homes England / Client						
House Builder						
Planning Authority						
• Planners						
• Urban Designers						
Highway Authority						
• Highways Development Management Team						
• Highways Agreements Team						
Other Stakeholders						
• Lead local flood authority, Highways England, Historic England etc as necessary						

 Lead
 Always involved
 Involved as necessary

Example: Northumberland Coast National Landscape (to be launched soon!)




Northumberland Coast National Landscape







Highway & public realm design guide



Protecting the Character of the AONB

Alignment with Countryside and Rights of Way Act 2000 (CROW Act 2000)

The CROW Act came into force in November 2000. Part IV (sections 82 to 93) of the Act covers AONBs. Section 85 sets out the responsibilities all public bodies in relation to Areas of Outstanding Natural Beauty:

In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Alignment with the Road Traffic Regulation Act 1984 (the RTA84)


The obligation imposed by the Countryside and Rights of Way Act 2000 is not dissimilar from the obligation of the RTA84. While section 122 of the RTA imposes a statutory duty on authorities

...to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)... the section also states: ...so far as practicable having regard to ...the effect on the amenities of any locality affected...

Interpretation of duty to the AONB

The CROW Act places a requirement on authorities to consider the conservation and enhancement of the AONB in everything they do that affects the area. This means that, to satisfy the legislation, policies that a highway authority generally applies across its area must be specifically reviewed before being used in the AONB. The organisations covered by the Act are outlined in Appendix 1 of the CROW.

Settlements and roads within the AONB should be subject to a signs audit to ensure that they are not oversigned and, in particular, that old, redundant signs, such as 'New road layout ahead' have been removed.



Policy References:

- [Manual for Streets](#)
- [Manual for Streets 2](#)
- [Design Manual for Roads and Bridges \(DMRB\)](#)
- [Traffic Signs Manual](#)
- [Well Managed Highway Infrastructure – A Code of Practice](#)

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Regulatory Signs - Traffic Signs Manual Chapter 3

Chapter 3 – Regulatory Signs gives advice on the use of signs which give effect to traffic regulation orders (TROs). A key change in the 2016 Traffic Signs Manuals is the **removal of the requirement to duplicate terminal signs indicating the start of a restriction, requirement, prohibition or speed limit on each side of the carriageway**.

Within the National Landscape designers should use this change to reduce environmental impact, but care should be taken to ensure that, where a single sign is used, it is clearly visible to all relevant road users, and does not give rise to issues relating to road safety or enforcement. There remains a duty on traffic authorities to place such signs as they consider will give adequate guidance of a regulatory measure.

Use of Regulatory signs within the National Landscape

	Within the settlement Within settlement and villages	Unclassified roads	Beyond the settlement B Roads	A Roads
Regulatory signs				
Stop signs	It is expected that most junctions that satisfy the criteria for STOP signs already have signs in place. New junctions should not be constructed with very poor visibility, so the provision of new STOP signs should be exceptional.			
Give way	Give Way marking is not normally used at private accesses, or on minor residential roads where traffic speeds and flows are low and visibility is good.	Give way road markings to diagram 1003A alone.	Give Way road marking to diagram 1003A with an approach triangle marking to diagram 1023A.	Give Way road marking to diagram 1003A with an approach triangle marking to diagram 1023A with the upright GIVE WAY sign to diagram 602. Will require illumination when placed within a system of street lighting at a junction with an A class road.
Speed limits	Terminal signs indicating the start of a restriction, requirement, prohibition or speed limit should not necessarily be duplicated on each side of the carriageway. Provisions that previously required signs to be paired have been removed from TSRGD. Table 8.4 within TSM Chapter 3 provides details relating to the size and maximum spacing of repeater signs. Require illumination only when placed on an A class road within 50m of a system of street lighting.			
Mounting	Posts should never project above the top of the sign. This practice is unsightly, and needlessly increases visual intrusion and clutter.			

Table 3-1 Size of upright GIVE WAY sign

85th percentile speed of private cars approaching on minor road (mph)	Size of GIVE WAY sign (mm)
Up to 30	600
31 to 40	750 (600)
41 to 50	900 (750)
51 to 60	1200 (900)
Over 60	1200 (1500)

Table 3.1 (Traffic Signs Manual Chapter 3) provides the size of upright give way signs. The smallest permissible sign size should be used.

Designers Notes:

- Research has shown that the greater the number of signs that drivers are presented with simultaneously, the greater the difficulty they are likely to have in assimilating all the information.



'Give way' signs are not required on unclassified roads



Speed limit signage in Lesbury - Duplication of signposts not required and yellow backing boards should not be used.



Opportunities to amalgamate warning signs should be taken wherever possible

Example: Northumberland Coast National Landscape (to be launched soon!)



TOOLKIT

Warning Signs - Traffic Signs Manual Chapter 4

Chapter 4 – Warning Signs: gives advice on signs used to warn of potential hazards.

Warning signs can play an important part in improving road safety. However, they **should only be used where there is a specific safety issue or hazard**, not to sign readily apparent conditions or routine features of the road, such as bends and junctions. Overuse of warning signs can dilute their effectiveness and tends to bring them into disrepute.

Use of Warning signs within the National Landscape

	Within the settlement	Beyond the settlement		
	Within settlement and villages	Unclassified roads	B Roads	A Roads
Warning signs				
Vehicle Activated Signs (VAS)	Not to be used*			
Sign sizes	Signs need to be of a size appropriate to the prevailing traffic speed on the road on which they are used. Within the National Landscape the smallest prescribed size should be used.			
Mounting	Posts should never project above the top of the sign. This practice is unsightly, and needlessly increases visual intrusion and clutter.			
Backing boards	Yellow backing boards can be especially environmentally intrusive. They should not be used within the National Landscape.			
Illumination	Not to be used**			
Lighting of traffic signs				

* Vehicle Activated Signs remind motorists of the speed limit and ask them to slow down if they are speeding. A radar that automatically activates when a car exceeding the speed limit passes it triggers the signs. Flashing signs by their nature are visually intrusive. Their use should be carefully considered within the National Landscape.

Permanent VAS flashing signs shall not be erected within the National Landscape. When strong evidence shows a need for their use, portable VAS flashing signs are to be used.

** The lighting of signs should be avoided except in circumstances where lighting is a requirement of the regulations or safety is an issue. Where signs need to be clearly seen at night, consideration should be given to signs made of retro-reflective material.

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Designers Notes:

- Appropriate warning signs can greatly assist road safety.
- Traffic Signs Manual Chapter 4 - Warning Signs states that to be most effective, however, they **should be used sparingly**. Their frequent use to warn of conditions that are readily apparent tends to bring them into disrepute and detracts from their effectiveness. **unjustified signing should not be used at individual locations simply in response to complaints from the public.**



TOOLKIT

'x' heights

When putting up new or replacement signs in the National Landscape careful thought should be given to the choice of 'x' height. This is a typographic term which refers to the height of the text and characters on the sign.

The standard 'x' height is often inappropriate because of the impact of the sign and because the topography, road standards, traffic flows and speeds are often all lower than is generally the case on the highway network. This means a reduced 'x' height can be justified. The impact of a reduced 'x' height on the size of a sign and its visual impact is dramatic.

		Advance Direction Signs				Direction Signs		Route Confirmatory Signs			
1	2	3	4	5	6	7	8	9	10		
85 percentile approach speeds of private cars	Examples of typical roads for which Column 1 may apply	x-height	Minimum clear visibility distance of sign	ONE SIGN Distance of sign from junction	TWO SIGN Distance between 1st and 2nd sign	x-height	Minimum clear visibility distance of sign	x-height	Minimum clear visibility distance of sign		
		mm	m	m	m	mm	m	m	m		
1	Up to 20 mph	Very narrow and urban roads	75 (60)	45 (35)	20	—	60 (50)	35 (30)	Not normally needed		
2	21 to 30 mph	Urban and rural roads of local character	100 (75)	60 (45)	45	45	75 (60)	45 (35)	75 (60)	45 (35)	
3	31 to 40 mph	Urban and rural single 2-lane roads	125 (100)	75 (60)	90	50	100 (75)	60 (45)	100 (75)	60 (45)	
4	41 to 50 mph	High standard rural single roads. Urban all-purpose dual carriageway roads	150 (125)	105	90-100	70	125 (100)	75 (60)	125 (100)	75 (60)	
5	51 to 60 mph	Dual carriageway and wide single carriageway roads	200 (150)	135	150-225	100	150 (125)	105 (80)	150 (125)	105 (80)	
6	61 to 70 mph	High standard all-purpose dual carriageway roads. Motorways with a speed limit less than 70 mph	250 (200)	180	225-300 See also Note 1	100	200 (150)	135 (105)	200 (150)	135 (105)	
7	70 mph speed limit	Motorways and all-purpose grade separated dual carriageway roads	300 (250)	180 (160)	See Note 1	See Note 1	300 (250)	180 (160)	300 (250)	180 (160)	

Extract from Traffic Signs Manual - Table of x-heights and siting distances

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Yellow backing boards should not be used within the National Landscape



Oversized 'x' height and excessive signage results in visual intrusion in the National Landscape

- Make sure you involve the Highway Authority in the Design Coding Process.
- Agree any 'departures from standards' early in the process.
- Set parameters for design expectations – e.g. are all new streets being designed to 20mph, white lining and signing?
- Get 'early buy in' on Design Principles to feed into Design Code Rules
- Build in 'check points' in the Design Code compliance checklist to involve Highways in decision making / approval process at planning.



Planning – it's what we do

Anna Rose – Head of the Planning Advisory Service
East Midlands Councils 27th June 2024

What is PAS?

*PAS exists to support local planning authorities to provide **efficient and effective** planning services, **drive improvement** and **respond to and deliver changes** in the planning system.*



Department for Levelling Up,
Housing & Communities



Department
for Environment
Food & Rural Affairs

We've changed a bit...

DLUHC grant fund is the lion's share of our work:

- Plan making, DM, Infrastructure
- We continue to expand gently with more work from Natural England and DEFRA

Interesting (and useful) to link planning and wider environmental agenda – we now cover Biodiversity Net Gain, Nutrients, Protected Sites Strategies and Local Nature Recovery Strategies

- Business as usual – Local Plans June 2025
- Planning reform – plan making between planning systems
- BNG – LPAs taking up the mantle, but extent of change shouldn't be underestimated (+ NAO report)
- Pathways to Planning and PSDF – showing commitment in a crisis
- Planning applications – less income and more designation and delay
- Uncovering strategic planning in the planning system – NSIPs, LNRS, Freeports

PAS Projects & Support

June 2025 - working with councils “getting plans to the line”:

- Project management
- Evidence base
- Duty to cooperate
- Project management good practice presentation, templates for project management, evidence-based audit

Planning reforms

- No regrets work – cohort of councils ‘working between planning systems’
- Prototyping

Training, clubs and network events continue to support design

- AWC, NMDC, Coding Evidence, Green & Blue Infrastructure, and much more

Key findings

- Huge desire from LPAs to be informed about design
- Concerns about resourcing code production and access to urban design skills
- Lots of authorities waiting for the Supplementary Plan requirements to progress their Authority Wide code
- Plan age and plan timetables are a driving factor

LPAs have a tricky choice

- They could make it part of the local plan (present or new plan), or
- They could progress as an SPD - but there is a risk that SPDs disappear, or
- They wait to do a Supplementary Plan

The likelihood is that there are a few frontrunners that provide the best practice for the rest to follow!

Planning Applications

Supporting councils designated or close to designation

- Provide tailor made support to individual councils where weaknesses are found
- Help councils put their case to DLUHC to come out of designation or avoid designation
- Identify those councils that are getting in trouble and ensure they get the help they need

Promote best practice in Development Management

- Seek out national best practice and share with others
- Improve decision-making by Planning Committees
- Help DLUHC to understand problems and solutions in Development Management through engagement with councils

Accelerated Planning System

- Help DLUHC understand the implications of an "Accelerated Planning Service" i.e. 10 week consent
- Test out the new performance measures with councils and implications of restricting extensions of time
- Helping to find the solutions to the problems of varying and overlapping consents through S73b process
- Finding common ground between councils and developers

Capacity & Capability

- Understand the resourcing and skills challenges and provide support to authorities.
- There is a lack of leadership & championing to the wider profession to the public and within local government.
- Top technical skills “gaps”: General DM, Environment, Design, Digital
- Supported councils through their Planning Skills Delivery Fund

Capacity & Capability

Pathways to Planning new graduate scheme

Vision: to create a wider, more diverse pipeline of graduate talent into local council planning teams.

Cohort 1 & 2: recruited 100 graduates to start by September 2024.

Cohort 3: recruiting up to 120 graduates to start work in 2025.

Bursary of £10k or £5k per graduate

Mainstreaming BNG

- DM, Plan Making, Enforcement

Support LPAs

- Opportunities to enhance the quality of, and investment in the local environment

Promote strategic opportunities

- e.g. environmental, LNRS

Monitoring & Enforcement

- establish the key principles
- *Q1-3 Understand & implement*
- *Q4 - Learning & normalisation/integration ('mainstreaming')*

Challenges

- A new approach to decision making & legal agreements
- Exemptions (we're all self-builders now!)
- Engagement;
- Offsite markets; LPA role
- Monitoring and enforcement; emerging

Opportunities

- LPAs rising to the challenge
- Good LPA guidance and practice taking shape
- Legal templates emerging
- Issues with exemptions – government is acting
- Software suppliers rising to the challenge – investment in tools is crucial

Whatever next?

A new government

Potentially

- A return to strategic planning
- New towns
- Back to pre-2023 NPPF
- Mandatory housing targets
- More affordable homes
- Strengthened planning obligations to deliver them

Looking forwards – difficult questions

- What is an LPA responsibility, and how do they discharge this effectively?
- What is needed in the LPA area, and can a plan deliver this?
- How does an LPA generate interest in delivering the plan's ambition?
- How can an LPA expedite the decisions it makes?
- What is the mechanism for rebuilding trust with communities?
- How can LPAs measure success and guarantee outcomes?
- What does this cost, and who pays?

Thank you

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Close and Round Up

