

Tripwire



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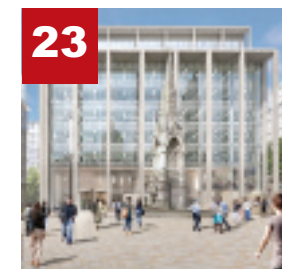
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It's been a busy three months for the West Midlands Region and for planning in general including the publication of the draft changes to the National Planning Policy Framework (NPPF) and other supporting documentation.

The RTPI held a series of round table sessions to help shape their consultation response to the draft NPPF including one in the West Midlands Region. It is important that we take the opportunity to help shape the future of planning and I am grateful to those who made sure the West Midlands view was represented.

Locally we've welcomed the 2018 RTPI president (John Acres) to the Region, taking the opportunity to share with him successful projects in Worcester City but also to have a number of strategic discussions on the issues facing the profession. We will all be aware of the difficulties in recruiting and retaining planners and this is something that is shared across the public, private and third sector. For me, recognising the need to address this by ensuring we attract young people into the profession through both the traditional academic route and through the emerging [RTPI apprentice programme](#) is particularly important.



Maria Dunn.

During the president visit we visited the University of Birmingham and Birmingham City University which provide excellent accredited planning education and the RTPI West Midlands hopes to work more closely with these universities to promote the profession and to retain graduates within the Region.

We've also recently held our annual reception – this year in Spring rather than Autumn due to programme changes to enable us to present the Regional Awards at the annual West Midlands RTPI Ball which this year will be held on 12th October – **[Bookings are open!](#)** The winners of the 2018 national awards have just been announced and whilst there were some fantastic projects the West Midlands Region was somewhat under represented in the shortlist. However, now is the time to address that issue for 2019, because the new format means that the regional winners from 2018 will automatically be entered into the national awards for 2019. I would therefore urge you all to [enter now](#) and to submit projects that you are most proud of! ■

Maria Dunn
RTPI West Midlands Chair

“ The RTPI West Midlands hopes to work more closely with universities to promote the profession and to retain graduates within the Region. ”



Michael Vout.

When I was very young one of the big treats associated with going on the annual family summer holiday trip to either an English seaside resort or to Scotland was that my mum would buy my brother and me the bumper summer edition of the Beano to prevent us from being car sick (it didn't work).

This amounted to a physically oversized version of the usual comic containing a special free gift and where many of the usual stories involved 'hilarious holiday misadventures'.

Whilst the summer 'bumper edition' of Tripwire does not come with a free plastic cover for a revised copy of the NPPF or 'hilarious holiday' themed stories, I

hope you will enjoy and benefit from a wealth of planning articles including the importance and role of infrastructure, planning as part of the wider commonwealth, what next for Neighbourhood Planning and the planning impact of air quality, as well as the usual update on what the RTPI is doing and how you can be involved.

Our thanks to the people and organisations, particularly Hannah Smith (Arup) who have contributed to and assisted in the production of this edition. ■

Michael Vout
West Midlands RTPI Hon. Secretary

“ Our thanks to the people and organisations, particularly Hannah Smith (Arup) who have contributed to and assisted in the production of this edition. ”

Infrastructure as a catalyst for regeneration

RTPI West Midlands // Summer 2018

Major investment in infrastructure brings the prospect of wider regeneration and economic growth. Consider the positive impact HS1 has already had on Kings Cross and Stratford, and the potential that high-profile rail projects like Crossrail and HS2 bring to the surrounding areas – both for businesses and potential residents. With increased connectivity comes real opportunity for economic advancement.

At MIPIM this March, we explored how – when it comes to new infrastructure – we can ensure that the full potential benefits for nearby areas are realised. How do we achieve maximum gains for existing residents and businesses, and attract future prospects? What are the key obstacles here and how can they be overcome?

Key to success here is careful strategy, planning and coordination of efforts. A central body or team should be assembled to oversee how a region touched by a large-scale infrastructure project can take advantage of the opportunities presented.

A useful example to point to is how the area of Solihull, near Birmingham, is looking to capitalise on HS2's development with "The Hub". We provided the masterplanning and transport consulting services on the project, and the Urban Growth Company (UGC) was established to lead and develop major infrastructure investment in The Hub – which includes a 1,300-hectare area in Solihull which will be the site of the HS2 Interchange Station.

Working closely with Solihull Metropolitan Borough Council and the West Midlands Combined Authority, the UGC is focused on ensuring that ambitions for the area are fully realised via detailed consideration and coordination of investment plans and growth opportunities. In other words, it acts as a catalyst for local growth, ensuring that The Hub is a key driver of the local, regional and national economies. Using a set of place-making principles and capitalising on the local area's existing assets and potential, the UGC aims to deliver a growth plan for success.

So, what are the key considerations for a body like UGC?

Firstly, a significant amount of infrastructure is often needed to realise the full potential of the original project. In the case of The Hub, this will include provision of utilities via a new network that balances the need for local distribution with wider capacity upgrades, the delivery of which will be critical to success.

It will also involve the delivery of primary infrastructure, which is the responsibility of bodies such as Highways England, Network Rail and Birmingham Airport. Secondary infrastructure – such as schools, roads etc – will fall under the remit of West Midlands Combined Authority and Solihull Metropolitan Borough Council.

The UGC has a key role to play as facilitator - coordinating the various bodies involved with provision of new systems and services, and overseeing an overarching utilities strategy, ensuring everything fits together.

Within this, investing to ensure new systems integrate with existing ones is also key. Around the Hub, the UGC will deploy around £1bn of infrastructure investment, leading and delivering major improvements in the area to enhance connectivity. The plan also directly integrates with the Midlands Engine vision for growth, ensuring travel, employment and leisure opportunities across the region.

As planners, we must consider the status and potential of surrounding sites. Many sites, particularly brownfield, can present development obstacles – the most accessible have often been used and the least contaminated developed on. This can deter developers, especially as many brownfield sites also sit close to or adjacent to green belt land. This means cities need to work pro-actively with partners to strategically identify the sites and, where appropriate, assemble the land to make them viable. It is the job of organisations such as the UGC to facilitate this, ensuring growth continues once the project is complete.

Ensuring that major infrastructure projects act as a catalyst to economic growth, benefiting as many as possible, is a complex process. Ultimately, however, it's an incredibly rewarding and crucial one. Projects like The Hub provide useful guidance for the steps to take, and I'm fascinated to see how local areas and businesses benefit from the careful planning and investment currently underway in the years to come. ■

Abigaile Bromfield,
Midlands Planning Team Leader, Arup

HS2 for Local Communities in the West Midlands

RTPI West Midlands // Summer 2018

The wider benefits of HS2 are already starting to be seen in Birmingham and Solihull including recent investment in transport infrastructure (e.g. the Midlands Metro extensions) and the surge in business relocations to the city. However, the West Midlands is a large area, and benefits which will be experienced by local communities away from the station hubs are perhaps not so obvious, despite being equally important.

Messages about the 'greater good' are insufficient for communities in Warwickshire, Lichfield or Staffordshire, where communities living near to construction works will experience varying levels of disruption and impact.

Traditional ways of assessing and presenting environmental effects to stakeholders rely on communities reading and understanding multiple topic specific, technical assessments such as those related to noise¹, landscape and visual, or air quality. These assessments can be difficult for the general public to translate into what the effects would actually mean for them. In addition, effects are assessed at a 'population' level through a health impact assessment, which assesses impacts on health determinants to identify potential changes to health across whole cities or regions. Again, it may be difficult for individuals to understand how this assessment relates to them personally.

As the largest infrastructure project in the UK, with a commitment to minimising disruption to local



communities, HS2 Ltd has taken a different approach. A new methodology for a Community Impact Assessment (CIA) was pioneered to articulate local level effects on the people living near to the scheme. The assessment focusses on four types of local level effects on communities:

1. Impacts from loss of land or demolition at residential properties, community facilities or open space, changing the ability of users in the community to access services;

2. Isolation impacts of residential properties from other properties or community facilities from either physical barriers or delay;
3. In-combination impacts of noise vibration, HGV traffic (construction only), air quality or visual effects impacting on the amenity of residents, users of community facilities or open space; and
4. Impacts on community facilities due to the presence of the construction workforce.

The assessment of Phase One, meant that local communities could more easily understand the potential impact of the scheme in their area. Crucially, it supported a meaningful discussion about mitigation solutions through the petitioning and select committee process. The CIA methodology could be applied to a variety of situations, but is particularly applicable to major infrastructure proposals, which have a larger than local impact. Planners have the right skills of understanding context around a scheme, and key

concerns of communities and residents to undertake these types of assessments.

The Community and Environment Fund (CEF) and the Business and Local Economy Fund (BLEF) have been set up to help support affected communities along the route. A total of £40m has been made available for those disrupted by construction along the line of route from London to the West Midlands through these Funds. As biddable Funds, the application portal opened online on 8 March 2017 and there are already over 300 applications in progress. In January this year the first successful projects were announced and to date 14 projects have been approved route-wide, totalling over £1million.

Of these successful projects, three are located in the West Midlands area. Upcycle Birmingham Ltd has been awarded £70,750 to support their furniture recycling business in Castle Vale, which helps people transform their homes with affordable, high quality goods. Saltley Community Association has been

awarded £41,000 to encourage more people in Saltley to cycle to improve their physical health and well-being. Tile Cross Academy has been awarded £10,000 to upgrade their 1950's-built school hall into a high-quality performance space, a facility the local community do not currently have access to.

HS2 Ltd are keen to ensure that the maximum benefits are realised in the West Midlands area. There are opportunities for collaboration with communities disrupted by the construction of HS2 who could benefit from this funding programme. Visit the website and get in touch with Groundwork, to help create a positive legacy throughout the West Midlands www.groundwork.org.uk/hs2funds ■

Louise Portelly

Environment and Town Planning Advisor, HS2; and Hannah Smith, Senior Planner, Arup

¹ See 'Demystifying Noise Assessment' by Fiona Rogerson in this edition.

“ HS2 Ltd are keen to ensure that the maximum benefits are realised in the West Midlands area. ”

Technology is lauded as a golden bullet for so many aspects of planning. While it can be used as a tool to aid understanding of how developments will impact people, it can also have a disruptive influence on the way that urban places are developed in the future. The next three articles explore how three different technologies can change cities of the future.

Demystifying the Black Art of Acoustics

A noise assessment is a key part of an Environmental Statement; not least for large infrastructure projects, such as new or altered rail or road schemes. But if you have ever read a noise chapter you may have been left feeling a little bamboozled by a host of formulaic looking descriptors... $L_{Aeq,16hr}$, $L_{A10,18hr}$, $L_{A90,T}$ to name but a few.

Then you might find yourself wondering what it means in real terms if the noise level exceeds the $SOAEL^2$ or $LOAEL^3$. What does 55 dB $L_{night,outside}$ sound like inside a bedroom, with your windows open, on a (rare) hot summer's night? Furthermore, it is difficult for quantitative noise assessments to represent how the introduction of a new sound source may affect (or otherwise) the character of the existing sound environment.

One strategy increasingly being used to unravel the mysteries of noise assessments is sound

demonstrations, using auralization technologies. Arup SoundLab is a calibrated auralization studio which allows people to experience the existing and the future 'with scheme' sound environment in detailed spatial audio, coupled with high definition projected visuals. The sound demonstrations are created by taking spatial audio recordings of the

existing sound environment at a given location, then overlaying the anticipated scheme noise. The sound levels of both the existing sound environment and the new noise source are calibrated to give a realistic and accurate representation of what is likely to be experienced.



Arup SoundLab, originally created to auralize and test the acoustics of performance spaces at the design stage, has recently been a key part of the stakeholder engagement process on projects such as HS2, A303 Stonehenge and London Heathrow. In addition to three permanent SoundLabs in the UK (and 11 globally), Arup has also created a mobile version (SoundLab Lite) which uses calibrated headphones enabling the technology to be taken out to stakeholders, which has proved of particular value for public consultation events.

As part of Arup's work on HS2, the Department for Transport and HS2 Ltd used the technology to allow people to hear first-hand what the high speed trains could sound like in different locations along the proposed route. It also facilitated the testing of design options such as the inclusion of noise reduction measures and the latest train technology including aerodynamic noise control. The sound demonstrations were presented to Members of Parliament, the Mayor of London, leaders of action groups and NGOs, several thousand members of the public through sound booths at consultation

events and the national media including Guardian, Yorkshire Post, BBC Radio West Midlands, Bucks Herald, MSN, BBC R4 'You & Yours' and 'Costing the Earth'.

The feedback during consultation suggests that the value brought to the project by using the sound demonstrations was to narrow the corridor over which people consider noise will be an issue and that many consultees moved away from "noise will be unacceptable" to "how will mitigation be provided".

The proven value of sound demonstrations has been such that they are becoming a standard part of the package expected on large scale infrastructure projects and this is only likely to increase in the future and possibly be extended to smaller and different types of projects.

In the near future, sound demonstrations will be presented alongside virtual and augmented reality to give the user an immersive experience of how a project may affect their environment visually and acoustically, at the same time, in the most realistic and accurate way possible. ■

Fiona Rogerson
Associate in Acoustics, Arup

² Significant Observed Adverse Effect Level

³ Lowest Observed Adverse Effect Level



UK Autodrive and the West Midlands

Connected and autonomous vehicles have been trialled and demonstrated in the West Midlands through the UK Autodrive project for the past two and a half years. Jaguar Land Rover and Tata Motors European Technical Centre (based in the West Midlands) together with the Ford Motor Company have been sharing glimpses of future car technology; while the RDM Group (based in Coventry) have been developing and demonstrating a fully autonomous 'pod' that has been designed to provide last-mile mobility in urban environments.

The UK Autodrive project was created in response to a government competition in 2014. The consortium came together with the objective of demonstrating the functionality of connected and autonomous vehicles in urban environments. The project can be considered as three interlinked work packages: one focused on passenger car technology, one focused on last-mile pod technology and a cities research work package that binds the vehicle project together.

Coventry and Milton Keynes act as host cities for the project, which provide two very different contexts and between them they provide examples of urban realm which can be found across the world.



The advent of connected and autonomous vehicles is one of a number of developments that have the potential to fundamentally change how we travel. The technology has the potential to democratise

mobility, making travel more affordable for all users and importantly more accessible for the mobility impaired who are for the most part excluded from easy access to urban transport.

Most of the technology is being developed to work within existing towns and cities, indeed one of the major benefits of connected and autonomous vehicles is that they will enable good place-making to be first priority, with transport systems to be based around the desired urban environment; rather than the environment being designed to meet the needs of the private car user.

Successful adoption of new mobility technologies will rely on small but important changes in the urban realm.

Government pressure for transport to become emissions free by 2050 and concerns around the effects of air quality and diesel particulates on public health have increased awareness of low and zero emission vehicles. Electric power is gaining wide spread adoption, motivated by improved battery capacities and the availability of vehicle charge posts. However, ensuring there is enough power, in the right places and at the right times is likely to become an increasing concern for planners.

Many local authorities are adopting 'car light' strategies which are seeking to limit the number of private cars that operate within town centres through the provision of innovative public and active transport schemes. For many, all-encompassing mobility schemes such as Mobility as a Service (MaaS), or Transport as a Service (TaaS) are the inevitable 'end game'. With these schemes users would no longer own a private car, but would

instead, subscribe to a service provider who provides access to all types of mobility (hire car, taxi, train bike hire etc.). Typically a range of service level provision is available for a range of monthly subscriptions. Once established, schemes may provide 'roaming' options similar to those available within the mobile phone market, enabling users to access mobility in different towns, cities and countries.

There can be little doubt that change is on the way and that the ultimate destination is becoming clearer, however the way in which that destination is reached and the time it will take is much less clear. This presents a challenge to those whose role it is to plan for the future. The near-term uncertainty makes it increasingly important that new transport schemes and urban plans prepare the ground for the developments to come. Flexibility and forethought will be required to ensure that expensive mistakes are avoided when investments are made in schemes with long asset lives.

Planners should seek out opportunities to engage with the designers and developers of connected and autonomous vehicle systems. Engagement with the connected and autonomous vehicle developers will enable planners to influence the features and functionality of the technology in a way that matches their vision of the future.

The UK Autodrive has provided the West Midlands with an exciting glimpse of one possible future. This

future will see connected vehicles communicating with each other and with traffic management systems, including traffic signals. The project has demonstrated the effectiveness of transponders fitted to emergency vehicles which provide advanced warning of their approach, well before the car driver can hear the sirens or see the blue lights. These are all technologies that are ready for roll-out and which will save lives, reduce congestion and improve air quality. ■

Tim Armitage

Associate Director in Advanced Technology and Research, Arup

A Plan for Digital Cities



The “Festival of Love” on London’s Southbank in 2014. Sometimes unattractive technologies – in this case concrete – can create great places.

As an IT Architect in the 1990s, I used Design Patterns as a tool to exchange knowledge with industry colleagues as we tried to solve what were then complex challenges - the execution of failure-proof transactions across distributed applications on the early World Wide Web, for example. Much of the digital technology suffusing today’s world is engineered to those patterns – when we use a function of an app or website, we invoke a piece of software fitting the “Command”

pattern. The Design Pattern was, of course, invented by Christopher Alexander, a town planner.

Today, the influence of technology back into the professions of the built environment is increasing rapidly. We can use computer vision, the internet of things and machine learning to measure the physical world and the behaviour of people and organisations within it; to analyse them; and to design places and services for them to use.

But whilst “Smart Buildings” have been talked about and sometimes built since the 1980s, and “Smart Cities” since the late 1990s, they are largely one-off showcases and experiments rather than our mainstream approach to creating great places in a digital world.

Partly this is because the technology, built environment and investment professions lack a common, modern understanding of value creation. A leading economist recently described the mechanism by which urban economies grow due to the presence of public physical infrastructure that enables us to travel, meet and transact, generating incentives for further investment. That description completely overlooks the astonishing growth in physical transactions that are mediated online.

From dog-walking to tool-sharing to transportation, thousands of services now make online introductions between people and companies who would never previously have connected. According to CrunchBase,

Venture Capital investments in the technology start-up companies that enable those services is between \$150 billion to \$200 billion annually. They are changing the way that we work, meet and live.

As a consequence, communities, property companies and local authorities are arguably not setting the digital agenda for the built environment - individual citizens and tenants are selecting their own technology from the market, for their own reasons. The controversies created by “gig economy” employment and the sub-letting of accommodation through peer-to-peer services illustrate that the results are not always consistent with our aspirations.

If we want to create great places which benefit from flourishing digital innovation and enterprise, our first challenge is to better articulate the potential benefits of digital services. For example, students living in University accommodation with good internal and external 4G coverage – enabled by sufficient broadband capacity - will find the streaming video and social media services they use to socialise, access content, and perform research more reliable. They will provide better feedback on their student experience, helping the University to attract more students and to increase fee income.

We next need a common process for applying our expertise. So in “Digital Masterplanning”, we complement traditional masterplanning, planning and design processes by specifying digital infrastructures, policies and services for buildings and places.



This “interface design” in Frederiksberg, Copenhagen, prioritises pedestrian and bicycle traffic along a main road over cars joining from sideroads. Open Data and Open APIs are two equivalent technology policies that seek to promote individual adaptability of digital systems.

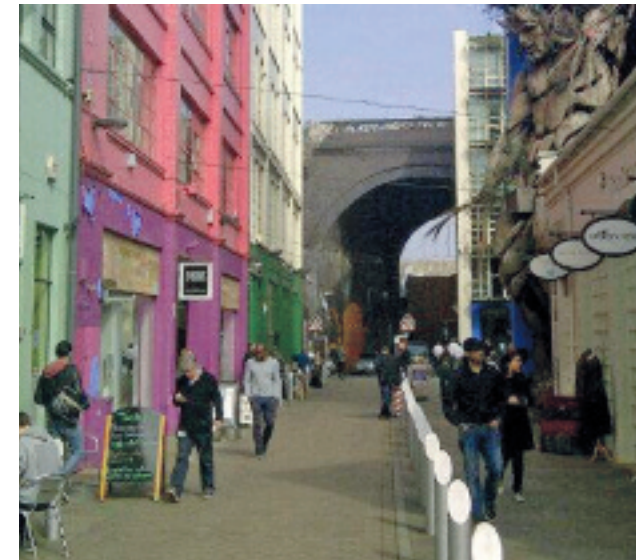
For a property developer or owner, that might involve defining a common set of digital services across a portfolio, along with open standards for interoperability so that they are not overwhelmed by a multitude of different systems. A local authority digital masterplan might require new infrastructure and property developments to provide open data and public wi-fi, so that the public realm is both physically and digitally adaptable. A digital masterplan for a new

town of 10,000 residents in Scandinavia included digitally-enabled de-centralised renewable energy and low carbon mobility schemes, playful and informative environments, distributed places of work and learning, and data privacy and security.

Finally, we need to measure the value of digital infrastructure and services, and convert that value – which is often personal, social, environmental or economic – into the creation of a financial return for investors.

For example, for companies that operate sites undergoing re-development or construction, we have explored the value of “digital wayfinding” tools that adapt as physical space is altered on a daily basis. Successful digital wayfinding can reduce time that is literally “lost” and reduce stress and frustration, contributing to productivity both directly and indirectly. In neighbourhood-scale regenerations, we can mediate a balance between the interests of local authorities to secure investment in public digital infrastructure, and the level of competition for investment opportunities at a reasonable rate of return.

In his 1964 book, “Notes on the Synthesis of Form”, Alexander explained that new multidisciplinary approaches were necessary because “new materials are developed all the time, social patterns alter quickly, they also change faster than before”. The amount of digital information in the world overtook the amount of information stored in



Digbeth in Birmingham, UK, is an example of an urban place that has attracted a variety of successful creative digital businesses, and that – despite its heritage of industrial decay – flourishes as a place.

traditional forms in the early 2000s, and is now doubling every 3 years. The creation of new digital materials and social patterns are still speeding up, and they will challenge all of our disciplines to work together to turn them to our advantage.

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Rick Robinson

Digital Property and Cities Leader, Arup

Town Centres and Retail Planning CPD Event

Wednesday 28 February 2018

One might be forgiven for mistaking the title of this article (the tabloid headline on the day of the event) as an obscure reference to the revitalised retail and commercial power of Solihull, lying as it does to the east of Birmingham.

As we experience some of the warmest days of 2018 so far, it is hard to remember that back in February, Solihull, like most of the UK, felt and at times looked like Siberia.

Napoleon Bonaparte once noted that we are 'a nation of shopkeepers' (also attributed to Adam Smith in his 'Wealth of Nations'). Whilst this may be the case, we continue to live in very changing times.

Fundamental changes in retail behaviour are taking place including the increase in internet shopping, issues surrounding business rates and fragile town centres seeking to reinvent themselves as *places* rather than just a location where we buy stuff.

The purpose of the Town Centres and Retail Planning seminar was to consider the latest retail trends, including the continued growth of convenience goods, discounters, the growing importance of the food and

beverage and night time economy and the loss of very familiar key anchors from the High Street.

An objective was to look at the opportunities and interventions which may help secure the future vitality and viability of our town centres alongside an overview of recent case law.

The Chair, **Heather Lindley-Clapp** (Associate Planner at WYG) identified some of the changes, issues and challenges and how things are evolving. The distances that people travel (will or need to) to shops has increased, larger retail centres are performing better than smaller ones and the number of food and drink establishments (reflecting the changes in the role of town centres) is increasing.

Heather also identified examples of higher vacancy rates, a drop in income from rents as well as a reduction in footfall in some areas.

The next to speak was **Daniel Brown** (Associate Director at WYG).

The purpose of Daniel's presentation was to provide an update on town centre policy and legislation and how it has been interpreted as well as recent legislative changes including the removal of permitted development rights for the 'change of use' or 'demolition' of pubs.

Daniel provided a thorough description of the issues and key legal judgements relating to retail

sequential assessment as set out in paragraph 24 of the current NPPF. The central issue of course relates to the preferential hierarchy (test) of 'in centre' locations (first) followed by 'edge of centre' and finally 'out of centre' locations and the related factors of 'availability' and 'suitability', with the focus of Daniel's presentation on 'suitability' ...or in other words, how 'flexible' an applicant needs to be in assessing (and justifying) the suitability of a site.

Guidance on how to interpret the policy test is found in the PPG, though as Daniel explained, legal judgements and appeal precedents have arguably become more significant in the application and understanding of interpretation.

There are a (limited) number of key legal judgements relating to this issue:

- Tesco Stores v Dundee City Council Supreme Court Judgement
- Rushden Lakes retail park call – in decision
- Honiton Road Recovered appeal
- Tollgate Village, Colchester Recovered appeal
- Kingswood Devco LLP v Kingston-upon-Hull City Council.

The judgements, with sometimes conflicting conclusions addressed the extent and nature of flexibility (what scope was there to adjust a proposal to be accommodated on alternative sites) when assessing the suitability of a site and comparisons with an alternative site (or sites) in a more central

location. Key to the discussion was whether 'disaggregation' (of the parts of a proposal) was feasible (to enable it to be accommodated on several smaller central sites) and indeed, whether, since this is not expressly mentioned in the NPPF, disaggregation could in fact be included in addressing 'flexibility'.

Daniel went on to describe two further judgements ; A Designer Outlet at Scotch Corner and Meols Cop Retail Park, Southport, both of which related to the impact these schemes would have upon neighbouring town centres. Whilst both schemes

were deemed to have no 'significant adverse' (the former) and 'relatively small' (the latter) impact, one can question, particularly in the Scotch Corner case, whether this will actually be the case.

The third presentation was from **Ruth Stockley** (Barrister, Kings Chambers).

Ruth observed that retail case law had dwindled over recent times whilst those involving housing and housing land supply continued to dominate. The sequential test was at the heart of many retail

planning applications and was the dominant case law issue. She reiterated that the interpretation and meaning was ultimately a matter of law and described how a LPA had been reminded that a council cannot make their policy be whatever they might want it to mean.

Ruth consolidated and expanded upon several of the points raised by Daniel, particularly the meaning and understanding of what is suitable including the need to meet 'real world' commercial interests and the importance and distinctions between a broad



The guided walk around Solihull town centre.

retail use and particular retailers – with specific requirements (which might affect the type and extent of flexibility and disaggregation.)

The presentation included further judgements:

- Aldergate Properties Ltd v Mansfield District Council
- Warners retail (moreton) limited v Cotswold District Council
- Orbital Shopping Park Swindon Ltd v Swindon BC

Once again, the interpretation of flexibility and the meaning and application of the sequential test was the dominant issue.

The final speaker was **Jonathan Cheetham** (Retail Consultant, Director, Retail Birmingham) who, in the space of 30 minutes gave a complete and remarkably comprehensive history of shopping and the town centre, from 1300 to the present day. The description included the evolution from locally sourced products to the supply of and the desire for good from around the world as well as the way in which consumerism and technology has affected and changed the way we shop.

Jonathan completed his presentation with a few thoughts about the future including its opportunities and challenges:

- Many properties are the wrong size (we need smaller units, partly because shops don't require the same level of storage)

- It's about multi platforms (internet etc.) as well as feeling and seeing products
- Property owners must obtain an increase in value (even if left vacant)
- Retailers need to employ better use of data
- The high street will remain... it is about people.

The event concluded with a guided walk around Solihull town centre. Despite blizzard conditions and sub zero temperatures, officers from Solihull council

provided an extensive tour of the key features and sites including the modern Touchwood centre, John Lewis's as well as the continuing educational aspirations and extensive improvements to the overall townscape and public realm which had made connections and revitalised the area. ■

Michael Vout

West Midlands RTPI Hon Secretary



Planning Challenges in the Commonwealth

Time to go travelling. It is so easy to concentrate on one's own working planning context and forget there is a wider world. Holidays of course can give a sharp reminder that other places offer interesting challenges and curiosities and some 43 delegates to a conference organised to discuss planning in the Commonwealth held at the University of Birmingham in late March were frequently reminded of such.

Words like “sustainability”, “equality”, “affordability” and might one even mention “corruption” were part of the day's lexicon and as such served to emphasise that many challenges confronting our profession are common across many cultures. The variation in the culture across the Commonwealth was emphasised by **Clive Harridge**, chair for the day and Secretary – General of the Commonwealth Association of Planners, when he noted that the fifty-three Heads of Commonwealth countries were meeting in London later in the month. The breadth and great diversity between nations of the Commonwealth in respect of their wealth and poverty can find expression even in the quality and quantity of professional skills. For example Bangladesh has 250 qualified planners serving a population of 1.3 billion, and Nigeria 1,677 planners for a population of 186 million.

Further emphasising the planning challenges confronting many Commonwealth planners, especially those involved in the less well developed nations, Clive Harridge drew attention to the scale of the population, over two billion, with 60% being less than 30 years old. The Commonwealth Charter, created in 2013 identified sixteen core values of which a number have substantial implications for planning e.g. good governance, environmental participation, and sustainable development. Such are critical when the scale and pace of urbanisation is taken into consideration and the pressures that are exerted on the need for modern infrastructure.

A series of case studies contextualised a number of the general points made. **Dr. Lauren Andres** (Senior Lecture – University of Birmingham) and **Riette Oosthuizen** (HTA Design LLP) spoke of their work in South Africa, whilst **Philip Clarke** (Policy and Projects Manager, Warwick District Council and vice-chair, One World Link) addressed issues in Sierra Leone.

Dr Andres referred to the complexity involved in understanding urban issues such as air pollution, water provision, environmental deprivation etc. across diverse societies especially with the ingrained problem inherent in the legacy of apartheid. There is also a need to involve the public in development. This is critical and a basic component in advancing living conditions for any population.



The speakers.

Many of the South African issues identified by Dr Andres were reiterated by Riette Oosthuizen who emphasised the importance of “common sense”, not least with regard to an evolving legal framework. Long standing problems such as energy and infrastructure deficiency, including public transport, unemployment, land ownership, housing, need attention but in a state where the nation is obsessed with security these problems can get overlooked. Riette suggested that for most native South Africans the conundrum is “home before the place” rather than “place before the home.”

Staying in Africa, Philip Clarke gave a fascinating paper on his involvement with Bo (population



175,000) in Sierra Leone. Part of this fascination arose from Philip's professional context working for an English local authority and how the relationship between the respective authorities had evolved since 1981. A main aim of the link has been inspired by a desire for justice, equality, human understanding and mutual support. Philip stressed that over the years all communities involved had benefitted from a strengthening and a greater appreciation of global and development issues.

Having originally been involved with developing a waste management scheme Philip is currently assisting with the production of a "tool kit" to enable a Development Plan for Bo, and its rapidly urbanising hinterland. The "tool kit" involves stages of visioning, mapping, identifying infill opportunities, understanding the structure of the area and implementation. Such work invariably runs into a

wide range of obstacles, from those relating to management e.g. a low skill base, costs etc. to more practical issues such as land ownership.

Returning to international relationships **Dr. Louise Brook-Smith** (Arcadia LLP and former President of the RICS) described how, as part of her involvement with the RICS, she promoted that institute's establishment of an Inclusive Employer Quality Mark and the Property Strategy for Sub-Saharan Africa. Well-rehearsed themes reappeared such as skill levels, professional standards and ethics, corruption, etc. but the re-engagement exposed an evolving passion for place-making. RICS has now established successful hubs in Kenya, Ghana as well as South Africa, counties where land tenure often reflects earlier British influence.

Cliff Hague OBE (Emeritus Professor – Heriot-Watt University and Freelance Consultant) presented the final formal paper by referring mainly to a 2018 publication "Leading Change: Delivering the New Urban Agenda through Urban and Territorial Planning" published by UN-Habitat (available free from <https://unhabitat.org/books/leading-change-delivering-the-new-urban-agenda-through-urban-and-territorial-planning>).

This manifesto considers global perspectives in respect of the rights of human and national citizens, prosperity, the urban-rural relationship in the context of international urbanisation and the creation of inclusive safety and secure places. Based on more than UK

experience (although there is much to offer) there exist an urgent need to honestly confront issues such as climate change and natural disasters. Cliff suggested there is a growing passion about planning from younger generations embracing an appreciation of place identification and that education for a "common good", involving public interest has much to offer.

Questions from an international audience provided an enlivening conclusion to a conference at which many different facets were presented, certainly enough to provide challenges beyond our normal work experience but to which many of us could well make a contribution. ■

Bryan Smith
Planning Consultant

Photographs
Helen Hu
University of Birmingham

Want to get involved in international planning?

A new International Planning Group has been set in the West Midlands. Next meeting is 10 July, 18.30 - 20.30, in Central Birmingham.

Contact Hector Pearson for more details, at hecpearson@gmail.com

Their impact on planning and development

Air pollution has once again become one of the biggest concerns for cities with hard-hitting evidence emerging on the high numbers of premature deaths and impacts even affecting the unborn. While the UK has made big steps to reduce air pollution from industry, transport emissions have over the past 40 or so years become the main contributor with the sharp rise in Diesel cars, congestion (ever increasing numbers of vehicles on the road and stop and start driving) and dirty / old private and public transport vehicles along with newer less than adequate performing engines all being part of the problem.

Poor air quality is an issue in terms of localised high pollution levels – such as toxic corridors along main commuting/transport routes – and also in the form of heightened background levels of pollutants including nitrogen dioxide (NO₂), carbon monoxide (CO), particulate matter of various very small sizes (e.g. PM10, PM2.5), sulphur dioxide (SO₂) hydrocarbons (HCs) and volatile organic compounds (VOCs).

The **CPD seminar held on 15 March 2018** completely filled the room in the Wilkes Partnership offices in Birmingham with nearly 50 participants. The presentations by four speakers were coordinated to cover the legislative background,

policy context, green infrastructure solutions and a critical appraisal of a range of mitigation measures in practice. The introduction by the Chair, **Charles Robinson**, drew attention to air quality being a cross-departmental issue of concern debated and reviewed by several parliamentary committees to reform air quality plans, policies and measures. Fiscal measures and new policies and legislation are imminent and affect planning and development. Examples already exist where development is being refused due to its negative impact on air quality (e.g. the Gladman Developments case in Kent, 2017).

Stuart Tym, Head of Planning at Wilkes Partnership LLP, provided the legal and regulatory context for the topic and following speakers. Many of the laws and regulations were initially driven by industrial air pollution and also the early-on recognised transport culprits such as NO_x, SO₂ and have been in force for many years. Strikingly though, air pollution laws and regulations have not made it to the forefront of planning. As such Part IV of the Environment Act 1995 or the 1997 UK National Air Quality Strategy largely draw a blank with planning students and many practitioners (and as Stuart pointed out are conspicuously absent in the Planning Encyclopaedia).

The 'bite' in the legislation, came with the First Daughter Directive in 1999 (1999/30/EC) and the Air Quality Directive (2008/50/EC) and its transposal into English law with the Air Quality Standards Regulations 2010 setting margins of tolerance and limit values for

key air pollutants. For example, NO₂ is not to exceed a mean concentration of 40mg per calendar month averaged over a year and stay within a maximum of 18 hours in a calendar year of emissions exceeding 200 micrograms (µg) per cubic metre (m³). A deadline of 1 January 2010 was set for achieving those limits with a maximum of 5 years extension allowed based on establishing an Air Quality Plan.

The breaches of those standards and deadlines are now familiar news items, including the litigations by ClientEarth against the UK government (unsuccessful in the High Court and Court of Appeal due to potentially high economic and social costs/implications but successful in the Supreme Court) and the third court case and ruling in February 2018 that the UK government once again failed to produce a robust and effective Air Quality Plan.

The pressure is now on the Government to produce a more comprehensive and specific Air Quality Plan and provide sufficient guidance and financial support to assist local / combined authorities in their air quality actions. Will voluntary clean air zones work? What will they exactly entail? What combination of measures should be adopted? Should we focus on the eight worst affected areas or deal with all significantly polluted air spaces? - There appear to be more questions and delays than progress for the time being even though we already breached important thresholds and deadlines. Recently, there have also been opportunities to influence various related policies and plans through

public consultations, such as the revisions of the NPPF and the Heathrow airport expansion plans.

Peter Fleming, Associate Consultant and DustScanAQ, took the floor next, sharing some sobering facts from his extensive transport and planning related research. A first key fact presented was that micro-pollutants (e.g. PCB furans, heavy metals), even in low concentrations, are very nasty.

In a nutshell: *“Dust may stuff up your nose, but PM (particulate matter) stuffs up your lungs and arteries and gets into your brain!”*

Importantly, while most attention in political debates seems currently to be focused on roadside air pollution, it is important to keep all sources relating to planning and development on the radar (see Figure 1).

Another important message was that dealing with air pollutants is not just a matter of environmental regulations but a key issue for the health sector with implications for the business and transport sectors and associated government and planning departments. An Environmental Impact Assessment (EIA) alone will not help guarantee better air quality or effective air pollution mitigation measures.

Finally, local and national level policies and new development controls need to be used to address air pollution and make it more of a focus right from the beginning and in the design phase of a development, paying attention to cumulative impact rather than relying on a project-by-project appraisal approach.

After the coffee break, **Rob MacKenzie**, Professor of Atmospheric Science at University of Birmingham and Director of Birmingham Institute of Forest Research, presented research findings from his work with Dr Emma Ferranti. The presentation started off with a useful set of statistics of just how much air we consume a day (10.8k litres, or 11kg) compared to food (ca. 1.3kg) and fluids (ca. 2 litres or 2kg) and how many premature deaths are estimated to be caused by outdoor air pollution (3.3 mio/year globally according to the UN), largely in the form of strokes and heart attacks. Reducing PM_{2.5} from 20µg/m³ to 19µg/m³ on the other hand could save 4 million life-years for those born in 2008 according to a report by the Committee on the Medical Effects of Air Pollution published in 2010¹.

NITROGEN OXIDES AND PM FROM DEVELOPMENT

- Vehicles (Increased traffic)
- Standby generators
- Construction machinery (NRMM)
- Construction traffic
- Heating
 - Gas
 - Coal (SO₂, PAHs etc.)
 - Biofuel (SO₂, PAHs etc.)
 - Wood burners! (SO₂, PAHs etc.)
 - The next “diesel” type issue?

The slide features a photograph of a multi-lane highway with heavy traffic, including cars, vans, and a truck, illustrating the source of pollution mentioned in the list. The DustScanAQ logo is visible in the top right corner of the slide.

Figure 1: Nitrogen oxides (NOx) and particulate matter (PM) pollution from development activities (Source: Peter Fleming, slide 7).

The link with urban form and how green infrastructure (GI) mitigates *and* contributes to air pollution was explained by various types and site characteristics of vegetation / green space. Mitigation can be facilitated through processes such as interception, filtering,

ventilation and dilution whereas certain locations of trees can also trap and accumulate pollutants. A very effective illustration of this was presented in terms of multi-storey buildings and where walkways and roads are positioned (see Figure 2).

Differentiated scientific information and practical advice is now available to help planners and landscape architects wiser up to what good urban design has to factor in and could look likeⁱⁱ.

The final speaker, **Graham Harker** from Peter Brett Associates, considered what data exists on the performance of various air pollution mitigation approaches and measures and what we can learn from existing air quality mitigation practices in development planning. To date transport assessment and research largely focuses on traffic flow and behavioural aspects rather than measuring the impact on air quality and human health. Real-time and open source data, however, is quickly becoming a huge field so that the challenge lies less in data per se, but the processing and ‘cleaning’ of data and their meaningful interpretation.

Graham emphasised that timing was key to mitigation actions and monitoring and attempts to calculate the associated benefits of different mechanisms and a focus on *improving* air quality in addition to *mitigating* any negative impacts from new developments. In terms of developments, the current handle on developers to make substantial contributions towards this, however, does not look so positive (see Figure 3 – over page).

A short plenary discussion session followed drawing attention to rural alongside urban air pollution challenges and highlighting the need to upskill planners on air pollution and how to draw on

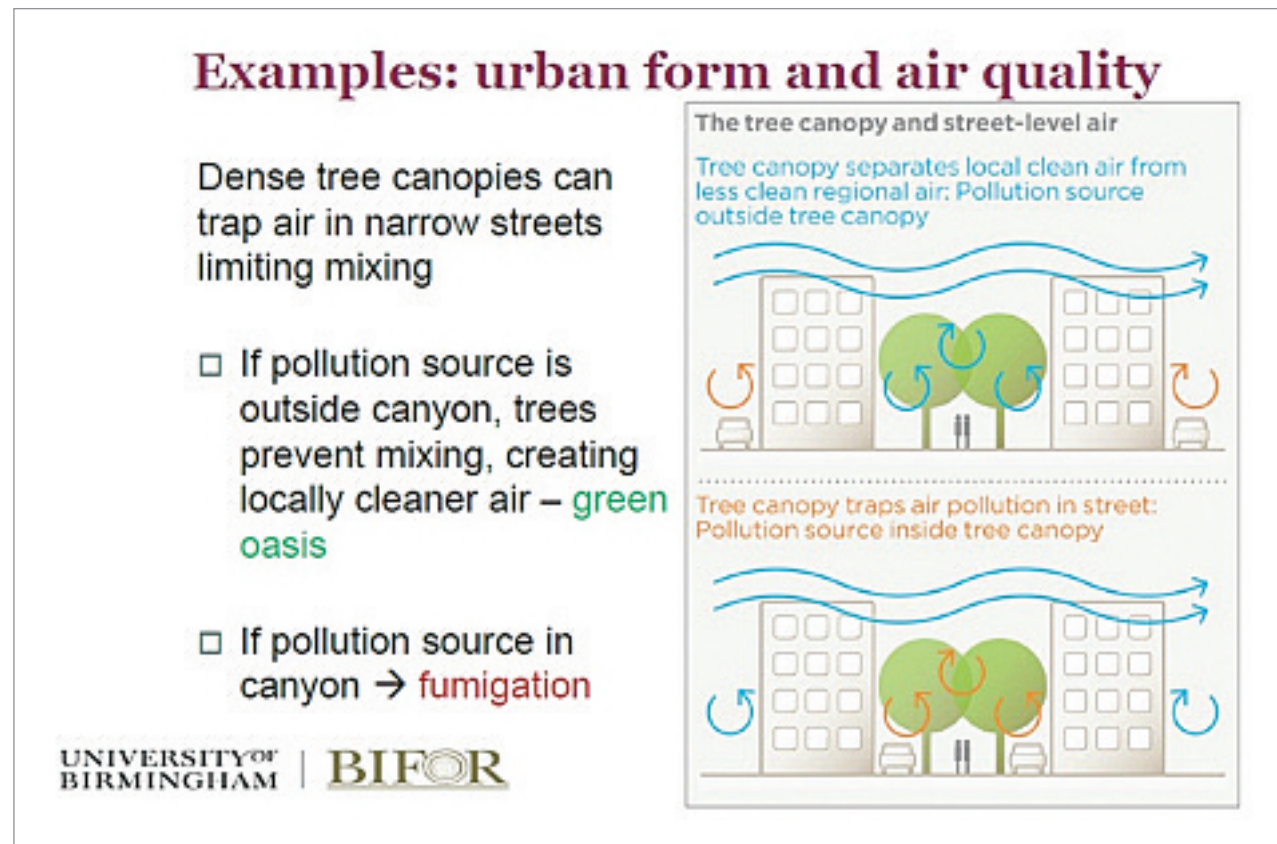


Figure 2: Trees can help reduce (top picture) and increase (bottom picture) the impacts of air pollution on human health (Source: Rob Mackenzie and Emma Ferranti, slide 12).



existing laws, regulations and guidance to negotiate and enforce the best possible outcome for human health. The crux is thus not only to have up to date regulation that facilitates human wellbeing but how awareness, application and enforcement is carried out in spatial planning and in the decision-making of individuals, communities, the nation and across the different professions from architect, to banker, to developer, to entrepreneur, to industrialist, to planner ... ■

Claudia Carter

Associate Professor / Reader in Environmental Governance, Birmingham City University

ⁱ The report can be accessed at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/304641/COMEAP_mortality_effects_of_long_term_exposure.pdf [22 May 2018]

ⁱⁱ See for example the following:
[http://epapers.bham.ac.uk/3069/;](http://epapers.bham.ac.uk/3069/)
[http://www.tdag.org.uk/trees-in-the-townscape.html;](http://www.tdag.org.uk/trees-in-the-townscape.html)
<http://designingresilientcities.co.uk/>

Figure 3: How to calculate and claim damage costs from large developments? (Source: Graham Harker, slide 6).

“ The challenge is not to get lost in policies and evidence but taking the initiative to design and plan with air quality in mind. ”

Glenn Howells Architects, Birmingham

Wednesday 25 April 2018

The importance of integrating transport and housing seems to be increasingly recognised, especially with the Government's Housing Infrastructure Fund. This Conference therefore was very timely with both transport and town planners and planners from the private and public sector assembling to hear a range of talks on *why* it is important to connect housing and infrastructure together and *examples* of how they can be linked.

There was a great range of speakers and the venue of Glen Howells Architects was very appropriate given how much the surrounding area, Digbeth, is set to change with HS2, the Metro extension and the Birmingham Smithfield development. Moreover, as having done my Masters dissertation on Transit Oriented Development and the West Midlands Green Belt, I found the Conference fascinating and was encouraged to hear the consistent theme of how the need to unlock housing development is increasingly being considered in new transport developments. Indeed, Lichfields study (2016, p. 16) highlighted that where there is public investment in preparing development sites, through infrastructure provision, the housing delivery rate is much higher like at Cranbrook (Devon) and the Eastern Expansion Area

(Milton Keynes) (see also Adams and Leishman, 2008). Infrastructure can have a huge impact on viability, especially with housing developments which are marginally viable. Nevertheless, the RTPI's very helpful *Location of Development* Report found that, between 2012-2015, an average of only 13 per cent of new houses built were within a 10 minute walk of a train station showing that we clearly still have some way to go (Royal Town Planning Institute, 2016, p.16).

The Conference was very well organised by **Danielle Nevin** (Planner, Arup) and equally well chaired by **Julian Pye** (Associate, Arup). The regional context was outlined by the first speaker, **Carl Beet** (Head of Strategy and Intelligence, West Midlands Combined Authority), who outlined the huge number of infrastructure projects coming to the West Midlands including £8bn through the Combined Authority. He explained how, alongside the £350m Housing Deal, these infrastructure projects can be used to unlock housing and employment developments such as the Metro Extension through East Birmingham and also to Brierley Hill, improvements to Perry Barr Station, Darlaston Station and, of course, HS2. He drew attention to broader developments like the Commonwealth Games in 2022 and the fact that the Combined Authority now has much greater control over the rail franchise, West Midlands Trains. Indeed, Carl highlighted how the West Midlands is becoming increasingly successful economically and that, in view of further potential devolution deals, it is very important that the Combined Authority shows it can now 'deliver'.



Julian Pye (Associate, Arup) introduces the Conference.

The next speaker, **Karl FitzGerald** (Commercial Specialist, Infrastructure and Projects Authority), gave a very interesting talk on the national context. He firstly outlined the purpose and function of the Infrastructure and Projects Authority including how it focuses on People, Projects and Place and works to provide advice across Government. He then referred to how the Government is attempting to use infrastructure to unlock housing delivery through the £5bn Housing Infrastructure Fund and large scale projects and visions like the Northern Powerhouse, the Midlands Engine and the Oxford-Cambridge Arc (CaMKOx as it is now called!) In particular he spoke about how the Oxford-Cambridge Expressway and East-West Rail Link could provide 1 million new homes. However, he said that the key issue was

moving from vision to implementation and the challenges of governance, especially of coordinating projects across a number of local authorities, without resorting to the expensive or 'iron fist' option of a Development Corporation.

Richard di Cani (Director, Planning Leader Arup UKMEA Region) then gave a more London focused presentation based on his extensive experience at TFL. However, he said that transport planning generally has moved from being focused largely on things like network capacity and reliability to thinking much more about housing and employment even with Highways England. Indeed, he argued that it is important that a broader range of measures, such as employment, should be considered in business cases and made a strong argument for integrated planning.

Richard emphasised how transit orientated development can enhance value by citing a study Debrezion, Pels and Rietveld (2007) in the *Journal of Real Estate Finance and Economics* which found that property values *within* 400m of a train station compared to the value of properties *beyond* was 16.4% greater for commercial property and 4.2% for residential property. Moreover, transport infrastructure also has the wider benefits of reducing car trips and congestion, encouraging active travel and better environmental outcomes. He then went on to the key issue of funding including land value uplift/ TIF by using the case study on Nine Elms (London) which he had worked. Nine Elms is being funded through an Enterprise Zone, the uplift of business rates and CIL.



The Paradise scheme is increasing Birmingham's east-west connectivity.

Furthermore, he highlighted that, although the Northern Line Extension to Battersea was the most expensive option costing £1.2bn, it also unlocked the most value including 20,000 homes and 25,000 jobs. Indeed, he illustrated the importance of taking a holistic and integrated view of planning by pointing out that many jobs at Nine Elms will be highly skilled with Apple moving into the old Power Station building and that it will help to expand London's central 'core'. Richard also underlined the key issue of governance, especially as this project stretches over 2 local authorities with different political control- in this case a joint Strategy Board was created.

Richard concluded by sharing other examples of how transport and housing/ employment could be integrated including Barking Riverside, the Oxford-Cambridge Corridor, Birmingham-Solihull Metro

Extension, UK Central and Crewe Station Masterplan. After questions centred on compulsory purchase, land assembly, the remediation costs of brownfield land, whether the Combined Authority would and should gain strategic planning powers and the displacement of existing businesses in development, delegates were treated to Danish pastries and chocolate brownies in the refreshment break!

Shauna Bradley (Senior Architect, Glenn Howells Architects) then gave a fascinating talk on Paradise. She outlined that, although the decision to demolish the John Madin Library was controversial, it was arguably in the 'wrong place' and that the old Paradise development consisting of walkways like Fletcher's Walk, bridges and stairs was unattractive, unsafe, bleak and very challenging for pedestrians. Moreover, she said that no less than 16 million walked through Paradise Forum each year so one of the scheme's main aims was to increase east-west connectivity and walkability, especially for people walking from the Bullring and New Street Station to Centenary Square and Brindleyplace. Indeed, she outlined how the scheme aims to restore, as far as possible, Birmingham's original street pattern through enhancing the city's legibility, creating a proper setting for the beautiful civic buildings which adorn Victoria Square and through increasing the quality of public realm. Of course this scheme benefits from being only 5 minutes' walk from New Street Station and it will also have the Metro running through it. The scheme is primarily Grade A office led with around 1.8 million ft² of office and retail space overall although Shauna



Paradise will benefit from the Metro extension.

outlined the design challenges include not detracting from the setting of the Town Hall, the overall constrained nature of the site with roads running around it and the need to keep the A38 Queensway Tunnel operational and open.

Finally, **Alan McCarthy** (Studio Director, Glenn Howells Architects) gave a very interesting presentation on Royal Wharf, Silvertown, London (very close to London City Airport and ExCel London). Alan outlined how the extension of the DLR Line to London City Airport was instrumental in opening up this brownfield site, especially as it gave it direct

access into Central London and Canary Wharf. He also said that the London Clipper boat service will stop at the site using the pier which was originally created for the oil industry. Additionally, the site benefits from some very valuable natural assets, not least the Thames itself but also the Thames Barrier Park and Lyle Park.

Alan highlighted that the aspiration was to make Royal Wharf into much more of a community than an exclusive enclave and gated community with just vast high-rise luxury apartments fronting the Thames. Consequently, a far greater mix of housing was planned taking inspiration from the mews and high-density town houses of West London

with its green squares. Consequently, while there are some high-rise luxury developments fronting the Thames, there is also a High Street and local centre with a wide range of shops, abundant and fully accessible green space interspersed throughout the development, including pocket parks, and more family based mews housing. A new £35m flood wall was also constructed to protect the site from flooding. Alan said that they wanted to integrate the development much better into the local area, especially the North Woolwich Road, by varying the density of development.

After a very busy morning delegates then enjoyed a well-earned lunch. I came away even more convinced of the necessity of linking transport with housing and impressed by the examples of where infrastructure has unlocked housing delivery. Nevertheless, while this is often more straightforward on brownfield sites, I also kept wondering whether it is not the time for Green Belt policy to be relaxed around transport hubs for new settlements as a key way to solve the housing crisis in a sustainable way?

Charles Goode is a Doctoral Researcher in Urban and Regional Planning and is evaluating whether reforming the Green Belt is a feasible solution to Britain's housing crisis. He is very interested in the views of RTPI members on this topic- feel free to contact him via email: charlesgoode@hotmail.co.uk ■

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University of Birmingham

Wednesday 23 May 2018

Neighbourhood Planning has generated a huge amount of debate in policy circles, the planning profession, media, academia and the courts. However, nearly 7 years from the introduction of the Localism Act, it appears to be here to 'stay'. It was very good and timely therefore to have a Conference which sought to take stock of Neighbourhood Planning, especially with the recent Lichfields Report (2018, p.7) which found that only 40% of Neighbourhood Plans contain a housing target or allocate sites.

The Conference was hosted in the stunning 'Dome' Lecture Theatre in the University's beautiful brick Aston Webb Building from which the expression, 'Red Brick University', is said to take its name! The Conference was very well and enthusiastically chaired by **Dr. Michael Beazley** (Senior Lecturer and Director of the Centre for Urban and Regional Studies at the University) who, as an experienced researcher in and advocate of community involvement in planning, was a good person to host this Conference.

The first speaker, **Tim Jones** (Barrister and Neighbourhood Planning Examiner at No.5 Chambers), gave a very helpful legal update although he said that 2017/18 had been a relatively

'quiet' year – he expected much more activity next year with the revised NPPF. Tim began by stressing the importance of 'frontloading' consultation in Neighbourhood Planning and outlined the limitations on examiners in providing reasons for recommendations. Tim ran through various cases:

- DLA Delivery Ltd. v Lewes DC which stated that Neighbourhood Plans have to be in "general conformity with strategic policies".
- Hoare v Vale of the White Horse DC which outlined that Neighbourhood Plans cannot be quashed in part if there is disconformity with the Local Plan.
- Bewley Homes PLC v Waverly BC which established that, unlike Inspectors deciding appeals, Neighbourhood Plan examiners do not have to give detailed reasons for recommendations.
- Legard v Kensington and Chelsea RBC which stressed the importance of not designating too many Local Green Spaces.
- Richborough Estates Ltd. v Secretary of State for Housing, Communities and Local Government which upheld the Written Ministerial Statement of August 2017 that stated Neighbourhood Plans would be valid in areas where the local planning authority could demonstrate a three-year land supply (and above).

- Kebell Developments Ltd. v. Leeds City Council where a Neighbourhood Plan was upheld despite departing from an examiners recommendation.
- Church Commissioners for England v. Arun DC Planning Inspector where a housing development was approved in a Neighbourhood Plan area because the local authority only had a 2.07 years housing land supply.
- The 2017 Neighbourhood Planning Act was mentioned as Neighbourhood Plan is stressed there as a material consideration in planning decisions and, in Section 1, it is said that the examiner's report should be made publically accessible.

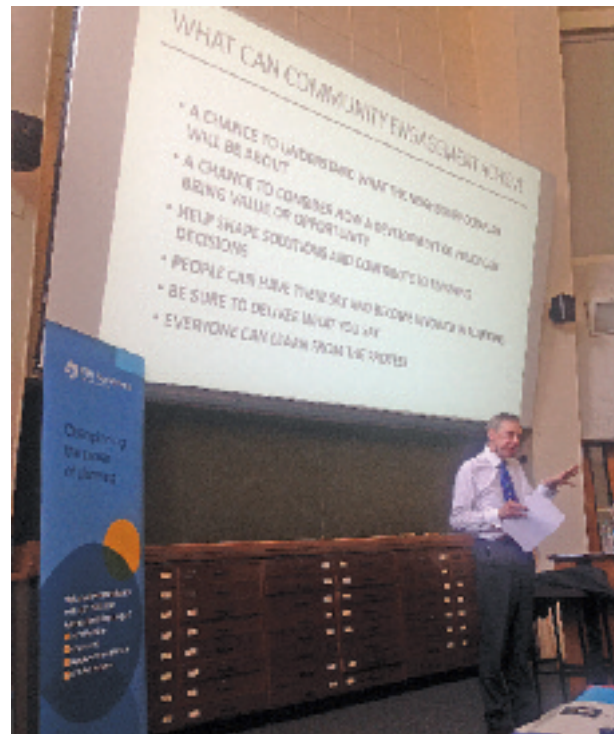
Dave Chetwyn (Managing Director of Urban Vision Enterprise CIC and author of Locality's Road Map) then gave a very interesting broader talk on the wider context of and current issues in Neighbourhood Planning.

He firstly outlined the various scales of planning from national infrastructure projects, which necessarily have limited opportunity for public involvement, down to the much more local details of Neighbourhood Plans. He also outlined the wide disparity that there is in different land and property markets across the country which impacts on viability. Indeed, he said that in some areas the priority is attracting employment so that sufficient demand is generated

for housing. Dave then spoke about the scope of Neighbourhood Plans stressing that they can be about much more than just housing including the opportunity to shape the local environment, transport and employment (whilst within the parameters set by local plans and, indeed, not replicating issues dealt with within local plans).

Dave highlighted the key issues with Neighbourhood Planning such as the Green Belt as in Basildon the Neighbourhood Plan aims to release land from the Green Belt (which at present can only be done in local plans). Additionally, there are governance issues such as tension between local authorities and neighbourhood forums, the importance of engaging with key stakeholders, the difficulties of designating neighbourhood forums in some areas, issues with Local Green Space designations and the fact that many areas have a complex geography like Lowestoft. However, Dave pointed out the positive aspects to Neighbourhood Plans such as the potential for community-led development, asset transfer and the involvement of charities.

Dan Stone (from the Low Carbon Neighbourhood Planning Programme, Centre for Sustainable Energy) then gave a very inspiring talk on the need to embed sustainability into the Neighbourhood Planning process and how this could be done. Dan, firstly, introduced the Centre for Sustainable Energy as an organisation, which aims to reduce both emissions and fuel poverty, and highlighted its extremely useful publications on Neighbourhood Planning. Dan then



Mike Barker shares his experience as a Neighbourhood Planning consultant.

outlined the importance of sustainable energy in the context of increasing extreme events (flooding and heat waves) and a gradually warming climate- he referred to the legislative response to this in the Climate Change Act. Dan illustrated his points with examples of where sustainability had been embedded in Neighbourhood Plans such as Frome's which aimed to reduce car dependency and create a more

vibrant town centre and Old Market, Bristol where old buildings could be retrofitted to improve energy efficiency. Dan pointed that out that the 'best' Neighbourhood Plans for renewable energy are those which actually allocate sites for renewables like the Colwich Neighbourhood Plan (which allocates land for a solar farm) and Farringdon's which allocates a hydroelectric scheme on the Thames. Dan also highlighted the Merton Rule which was in the Tickhill Neighbourhood Plan and argued that older buildings needed retrofitting in a sensitive way.

Dan concluded by looking at other aspects of sustainability in Neighbourhood Plans including district heating systems (Selcey), increasing walking and cycling (Frome), flooding (the need for SUDs) and increasing biodiversity (the green corridors in the Ascot, Sunninghill and Sunningdale Neighbourhood Plan).

After some light refreshments, **Mike Barker** (MB Planning Consultancy) shared his experience and advice as having worked as a consultant on Neighbourhood Plans. Mike said that the key to Neighbourhood Planning was to move people from the mind-set of it being taken up to 'stop' development to instead being about guiding development and setting a positive vision for the area which responds to local character and context. Mike stressed the importance of consulting with the community from the beginning of the process to establish what local communities would like to get out of it and so that they have ultimate ownership over



Mike Beazley enjoying the Conference.

the Plan. Mike said that a lot of people do not have much knowledge of the planning system or communities may lack the confidence to develop a Plan so ‘hand-holding’ throughout is vital. Indeed, in particular Mike highlighted that it is important to keep surveys as concise and clear as possible and stressed the value of interactive workshops but argued that, to be successful, these depended upon effective facilitation and stimulation of discussion by planners. He also emphasised the importance of consulting with the wider community and ‘hard-to-reach’ groups, especially young people, while being honest with communities about the limitations of what Neighbourhood Planning can achieve.

Finally, **Dr. Austin Barber** (Senior Lecturer in Urban Development and Planning at the University and Director of the Moseley Community Development

Trust) gave a fascinating talk on an alternative to Neighbourhood Planning - in this case a Supplementary Planning Document (SPD) for Moseley which was adopted in 2013.

Austin outlined how, when the process was begun for Moseley’s SPD back in 2008, the legislation for Neighbourhood Planning was not existent but, if the legislation had been in place, Neighbourhood Planning would have been a possible alternative to an SPD. Austin said that doing an SPD was possibly a more straightforward option although it still took 4 years. Indeed, Austin highlighted the fact that the SPD still took so long to produce even in an area like Moseley with high levels of community activism, social capital and skilled volunteers, shows the broader challenge of community led planning. Moreover, Austin said that having the backing of the local authority, Birmingham City Council, was crucial to the SPD’s success although the SPD was done largely by volunteers with little public sector financial support.

Austin outlined that some of the key challenges of the SPD included engaging with businesses, the opposition by some to the SPD, engaging with hard-to-reach groups, especially teenagers, and having to conform to local planning policy. Also, Austin reflected on how much the retail and the high street has changed even since 2013 and how the SPD has very limited control over the market and permitted development rights (for example the profitability of residential over office uses leading to an unbalanced local economy). Additionally, Austin spoke of how

unknown factors at the time of plan making can really affect local areas - in this case the proposed train station at Moseley. However, Austin highlighted that the SPD had been successful at being a catalyst for regeneration (a number of public realm improvements), for clarifying community priorities and being used to guide development.

After a very profitable morning delegates were then treated to a hearty lunch and more fruitful conversations and discussions about Neighbourhood Planning! I found the Conference very useful and inspiring, especially the possibilities and innovations which are available with Neighbourhood Planning. However, there are a number of challenges which the Government needs to address including how far Neighbourhood Plans can alter Green Belt boundaries, which ‘strategic’ matters will now be dealt with by local plans, the democratic legitimacy of neighbourhood forums and, more broadly, the need for coherent regional, spatial planning. Neighbourhood Planning is clearly here to stay but it will be interesting to see in what form over the coming years...

Charles Goode is a Doctoral Researcher in Urban and Regional Planning at the University of Birmingham where he is supervised by Dr. Michael Beazley and Dr. Austin Barber. He is evaluating whether reforming the Green Belt is a feasible solution to Britain’s housing crisis. He is very interested in the views of RTPI members on this topic- feel free to contact him via email: charlesgoode@hotmail.co.uk. ■

RTPI WM Awards for Planning Excellence: now open for entries

Nominations for the RTPI WM Awards for Planning Excellence are now open.



We are looking forward to receiving applications that highlight the inspiring and high-quality planning initiatives in the West Midlands.

With planners tackling some of the most pressing issues of our time, it has never been more important to celebrate the achievements and successes of planners and other built environment professionals and their impact on the places where we live and work.

New for 2018!

Our overall winner will be shortlisted into RTPI's national Awards for Planning Excellence in 2019.

- This year's categories include:
- Our Chair's Award
- Overall Winner
- Young planner of the Region

How to enter

Simply download the entry form here www.rtpi.org.uk/westmidsawards or to find out more, contact westmidlands@rtpi.org.uk
All entries must be submitted by 5pm on **Mon 23 July**.

A graphic for the RTPI WM Ball & Award Ceremony Dinner. It features a champagne bottle with a popping cork and a spray of bubbles. The text 'RTPI WM BALL & AWARD CEREMONY DINNER' is written in a pink, serif font. To the right of the bottle, the event details are listed in a bold, pink font: 'Date: Friday, 12 October 2018 at 7:00PM - 11:59PM', 'Venue: The Macdonald Burlington Hotel, Burlington Arcade, 126 New St, Birmingham B2 4JQ', and 'Organiser: RTPI West Midlands • westmidlands@rtpi.org.uk'.

Are you coming to the Ball?

RTPI West Midlands Ball and Awards for Planning Excellence, 12 October, Burlington Hotel, Birmingham.

For 2018, we have moved our Annual Ball and Awards for Planning Excellence to the Autumn so

that we can join in with the other English Regions in celebrating the achievements of our Regional Awards winners.

Tickets from £45.
To book your place go to www.rtpi.org.uk/westmidsball

RTPI publishes new research paper on settlement patterns, urban form and sustainability

The RTPI has published a new research paper to accompany their study on the location of development in 12 English city-regions. The



research paper provides evidence which shows how, by shaping settlement patterns and urban form, planning can make a positive contribution to the challenges of economic productivity, climate change, public health and our ageing population.

Read the research paper [here](#).
Read about the RTPI's Location of Development study www.rtpi.org.uk/locationofdevelopment

Give us your views on the RTPI's research priorities

2019 will see the launch of the new RTPI Research Programme. It will cover 3 years – spanning from January 2019 to December 2021 – and will succeed the 2015-2017 research programme (designed in 2014). We are currently collecting members views on the principles, targets and topics which will drive the



research programme. We welcome views from members on all this. More information on the Research Programme and how to respond can be [found here](#).

Find out more at: <http://bit.ly/rtpi-research-2019-21>



Want to represent your Region on the General Assembly or Board of Trustees? Nominations for elections are open now - until 3 July. Find out more [here](#).

RTPI West Midlands events

RTPI West Midlands // Summer 2018

2018 CPD Programme

Further information about the remaining events in our 2018 CPD programme is available [online](#).

Tuesday 10 July

Planning and Viability: How to Deliver Better Places and Outcomes
Cushman & Wakefield, Birmingham
SOLD OUT Fully booked, waiting list only

Monday 17 September

Preparing for Public Inquiries and Examinations in Public
De Vere Venues, Birmingham
[Book here](#)

Thursday 27 September

Design for the Real World
Bond Co., Birmingham
[Book here](#)

Tuesday 09 October

Planning Law Update (Autumn)
DLA Piper, Birmingham
[Book here](#)

Thursday 01 November

The Challenges of Delivering the 'Right Homes in the Right Places': a Regional Perspective.
Pinsent Masons, Birmingham
[Book here](#)

Other Events

RTPI Training

Thursday 06 September

Local Plans: Future Direction
Etc, Venues, Maple House, 150 Corporation Street, Birmingham
[Book here](#)

Tuesday 06 November

Understanding Development and Development Finance
Etc, Venues, Maple House, 150 Corporation Street, Birmingham
[Book here](#)



 **RTPI West Midlands**
Rural Town Planning Institute

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CHAMBERS