



Live
Peninsula Riverside
 223 homes with sweeping views of the river are now being constructed by Bellway on the water's edge at Peninsula Riverside. Detailed consent has also been achieved for:

NC206:	306 homes
M0114:	207 homes
M0116:	163 homes

Visit: www.greenwichpeninsula.co.uk



Learn
Ravensbourne College
 Detailed consent for Ravensbourne College was granted during the year, securing the re-location of the College to the Peninsula. The new facility will be located adjacent to The O2 and the new 'TL' building.

Students:	1,700
Completion:	2010

Visit: www.greenwichpeninsula.co.uk

- Residential
- Commercial
- Educational

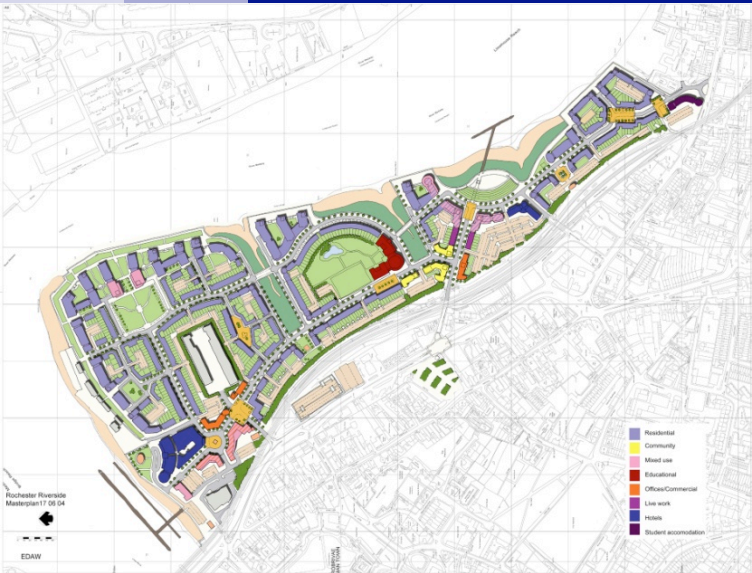


Work
Peninsula Central
 During this year Transport for London took a pre-let of 136,000 sq ft of space, and a further option on 60,000 sq ft. Construction of this building (NC206) has now started and 'TL' will take occupation in 2009.

Total commercial space:	3.5m sq ft
Total retail space:	363,000 sq ft
Completion of 'TL':	2009

Visit: www.greenwichpeninsula.co.uk

Key Aspects of the Planning System in the UK



Dr. Mike McGibbon
 University of Greenwich
 16 July 2009



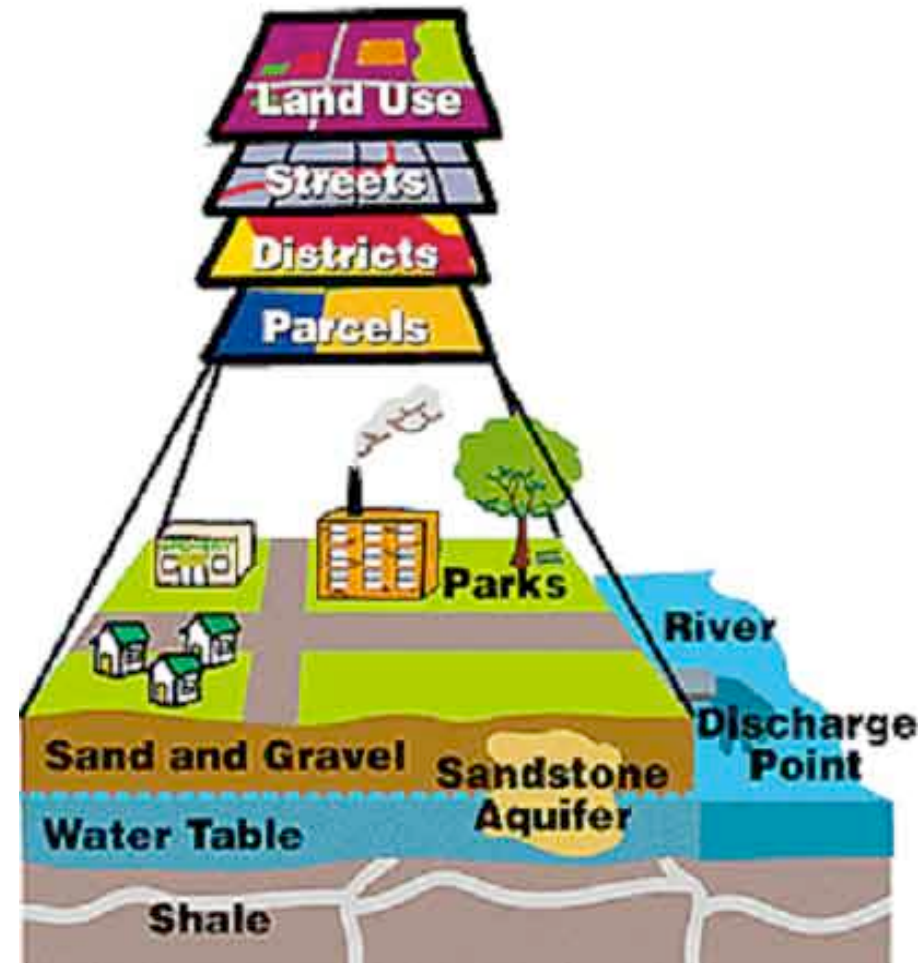
Purposes and process of planning 1

- The UK planning system “...is essentially a means for reconciling conflicting interests in land use”.
- Land use planning is a process concerned with the determination of land uses
- The broad objective of the UK system is to regulate the development and use of land in the public interest (PPG1:2)

Cullingworth and Nadin (1997:ch1)

Purpose and process of planning 2

- Urban planning is generally regarded as spatial planning i.e. it is inherently geographical
- The general objective for urban planning is to provide for a spatial structure of activities or of land uses that is in some way better than the pattern existing without planning





Purpose and process of planning 3

- The final output of the process of planning is either:

- The act of physical development.**

OR

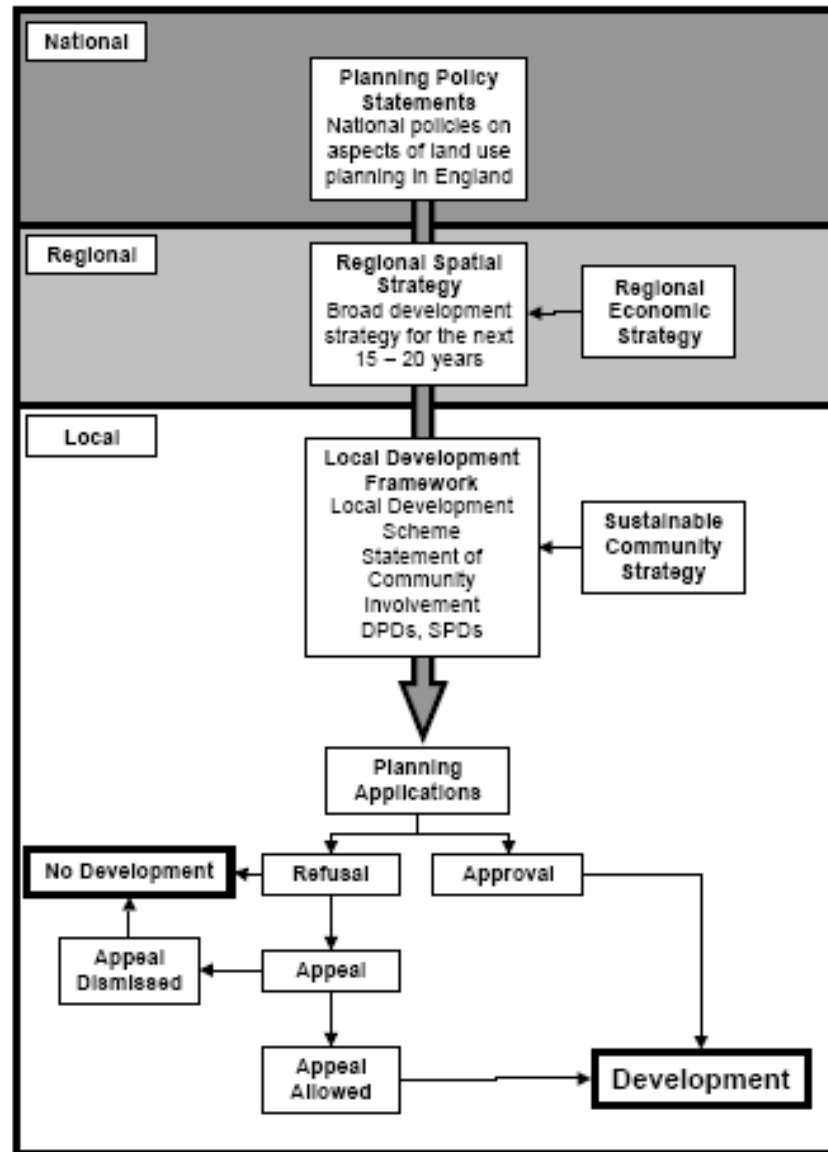
- In some cases, the decision not to develop, but to protect land and/or buildings as they are.**



Summary of Urban Planning Today

- A technical and political process concerned with:
 - Welfare of people
 - Control of use of land
 - Design of the urban environment, including transport and communication networks
 - Protection and enhancement of the natural & historic environment
 - Helping facilitate social, economic and environmental sustainability

How the components fit together





Legislative and Guidance Framework for UK Planning

- **Statute Law** – Acts of Parliament
- **EU Directives** – e.g. Environmental Assessment, Habitats Directive etc
- **National Planning Guidance**
 - Planning Policy Guidance Notes (PPG's) and, from 2004,
 - Planning Policy Statements (PPS's)



1947 Town and Country Planning Act

- The main plank of post war planning
- Compulsory purchase of land
- Responsibility for physical planning placed in hands of local planning authorities
- Control of development through system of planning permission
- Counties and County Boroughs required to prepare development plans
- Local authorities permitted to include green belts as part of their local plans



1968 Town and Country Planning Act

- Creates Structure Plans, Action Areas, and Local Plans
- **Structure Plans** – broad, strategic
- **Local Plans** – more focused and more detail on land use designations etc
- **Action Areas** – specific areas requiring special attention



1990 Town and Country Planning Act, amended by the 1991 Planning and Compensation Act (1)

- Section 54A of the Town & Country Planning Act 1990 as amended by the Planning & Compensation Act 1991 enshrines the primacy of statutory development plans and states:

“Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.




1990 Town and Country Planning Act, amended by the 1991 Planning and Compensation Act (2)

- Adoption of district wide local plans made mandatory
- Central govt approval of structure plans not required
- Counties & Unitary Authorities obliged to produce minerals and waste plans
- Creation of the Unitary Development Plan
- Part 1 – strategic policy statements
- Part 2 – detailed local planning issues



Planning and Compulsory Purchase Act 2004

- Local Development Frameworks replace UDPs and Local Plans
- Regional Spatial Strategies (with statutory force) replace Regional Planning Guidance
- Former to work in accordance with the latter, thus streamlining the system
- Sustainability of communities and environments placed at heart of planning system

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- PPS11 RSS's to provide a broad development strategy for at least a 15 year period
 - Scale and distribution of provision for new housing
 - Identify priorities for environment, transport, economic development, agriculture, minerals extraction, waste treatment and disposal, infrastructure
 - PPS12 LDF's to comprise a portfolio of plan documents permitting responsive, flexible local planning



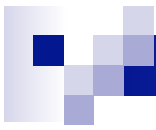
Govt arguments for changes in preparation of development plans

- Speed up the preparation of plans
- Ensure that plans are monitored and reviewed and kept up-to-date
- Achieve more effective involvement with the community




Regional Spatial Strategy (RSS's)

- Replaces the County wide structure plan as the strategic level of planning
- The RSS is to be prepared by the Regional Planning Authority (e.g. Sth East Regional Assembly)
- In London the equivalent to the RSS is the SDS or Spatial Development Strategy (prepared by the Mayor)



Local Development Frameworks (LDF's)

- A portfolio of local development documents
 - Development plan documents
 - Supplementary planning documents
 - Statement of community involvement

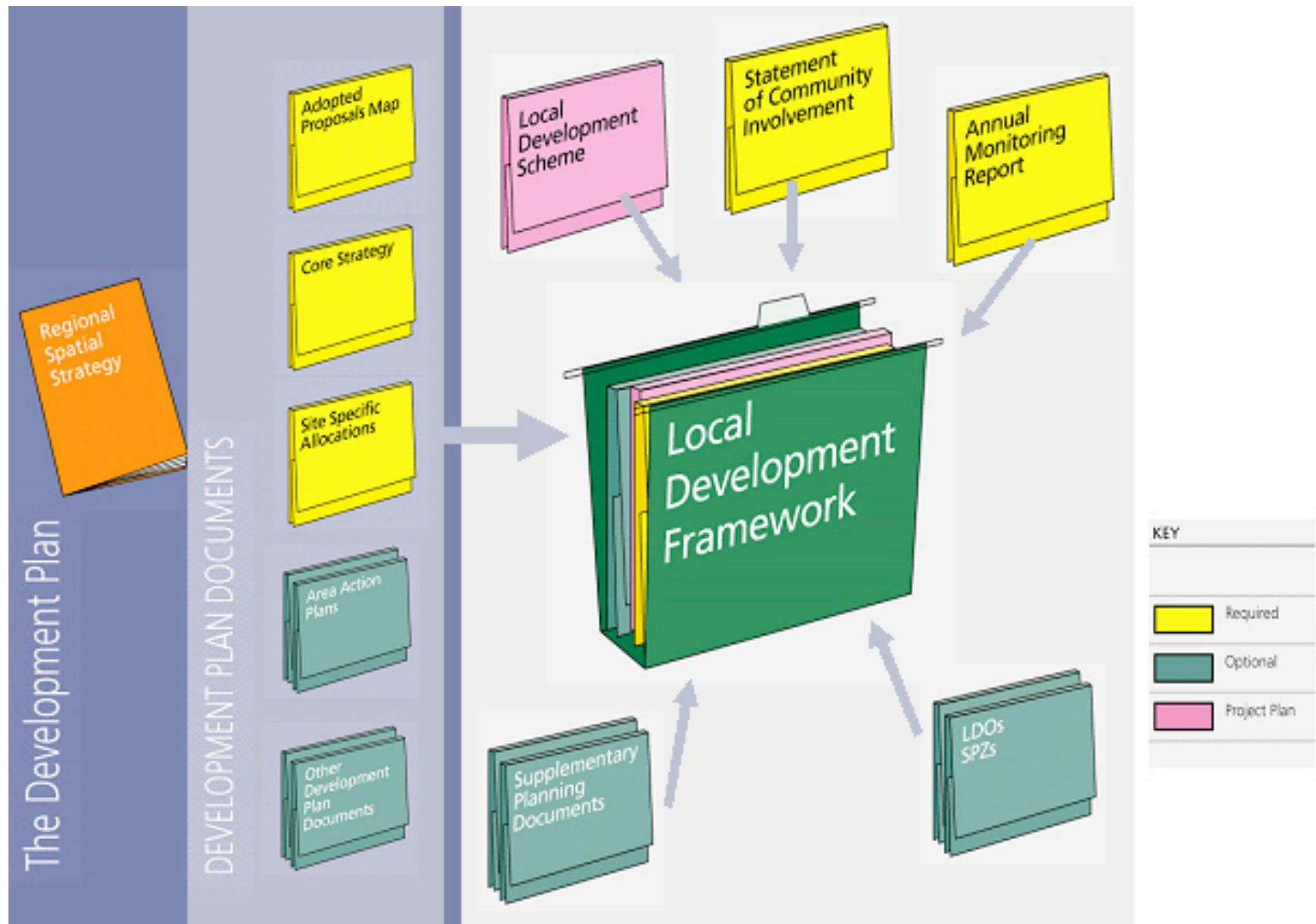
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- Collectively these will represent the local authority's policies for meeting the community's economic, environmental, and social aims for the future of the area where this affects the development and use of land

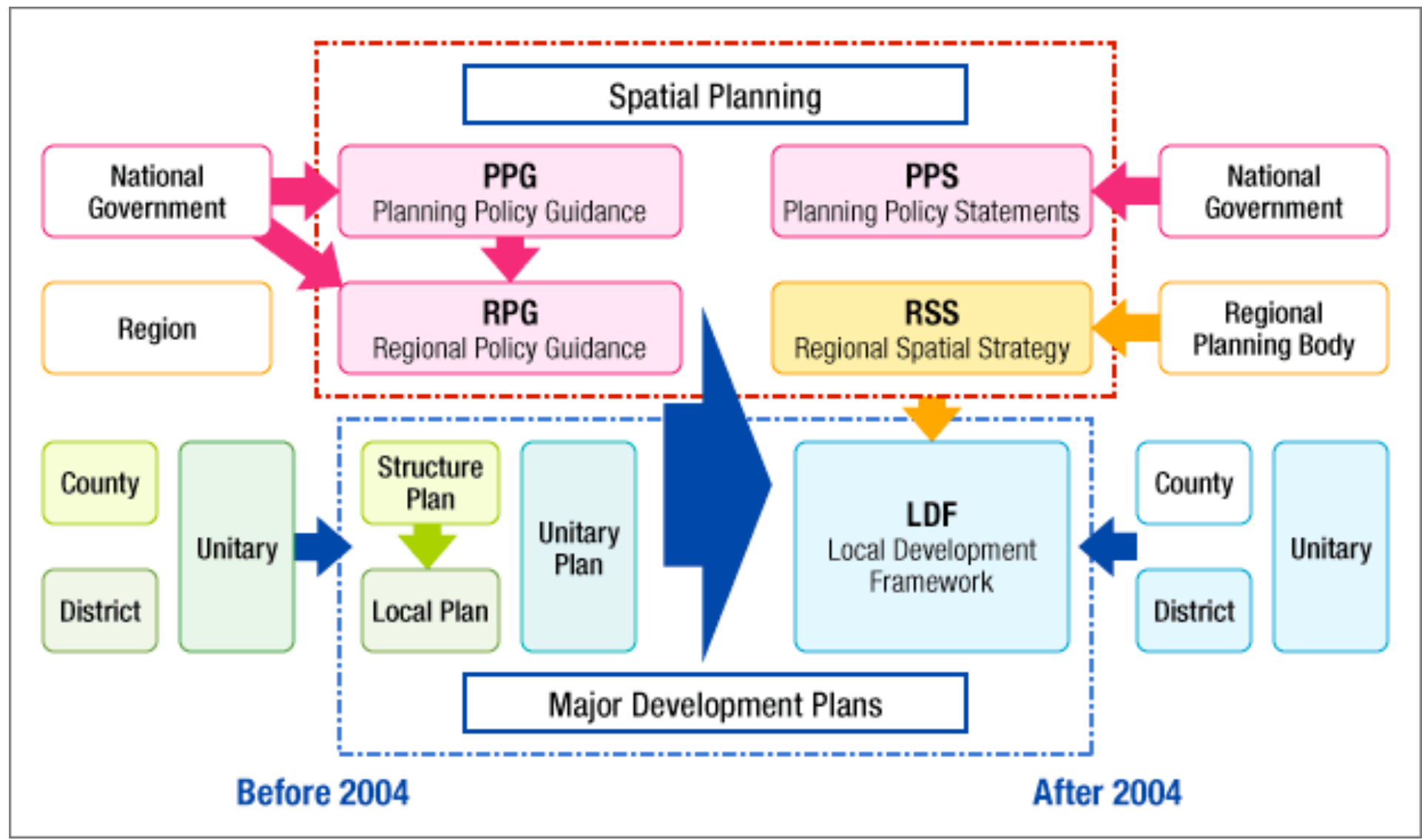
(Consultation Draft : p13)




What exactly has replaced the development plan?

- The local plan or UDP has been replaced by a portfolio of development plan documents containing the following components:
 - **Core strategy** – overall vision
 - **Site allocations** – sites proposed for development
 - **Area action plans** – for specific areas of change or conservation
 - **Proposals map** – illustrating all the policies
 - **General policies** for the control of development





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- It is hoped that the existence of several development plan documents covering a range of matters will permit more flexibility and more rapid adaptation to changing circumstances
 - All development plan documents are open to independent examination by the planning inspectorate



Continuous Community Involvement

- An underlying foundation of the new system
- The people and communities who will be affected by the planning framework should be directly involved in the preparation of the local development documents



Stages of community involvement 1

- Preparation of Local Development Scheme – the first point of involvement
 - Addresses development plan documents the LPA is proposing to prepare over 3 yr period and timetable
 - Policies the LPA wishes to save from the existing local plan or UDP
 - Timetable for preparation of statement of community involvement



Stages of Community Involvement 2

- Statement of Community Involvement
 - How the LPA intends to achieve continuous involvement in the preparation of local development documents
 - It will be subject to independent examination
 - LPA must actively consult and involve people and the community



Stages of Community Involvement 3

- Survey and preparation of issues and options
 - Involvement of local community in early stages to help LPA understand the needs and opportunities that exist
- Pre-submission public participation
 - Opportunity to comment on preferred options
 - comments from public



Stages of Community Involvement 4

- Submission of LDF Development Plan Documents to Planning Inspector who assesses its “soundness”. Interested parties are invited to attend meetings
- Inspector makes final determination
- 2007 Govt published lessons from the experience of more than 100 submissions (some of which were difficult cases e.g. Medway)



The Planning Act of 2008

- An infrastructure planning commission (IPC) will be introduced as the authority granting consent for nationally significant infrastructure projects
- National policy statements to be produced by government to be used as the policy framework for the commission's decisions
- Some streamlining of the process of approval of LDFs
- Introduction of the Community Infrastructure Levy



Development control in urban planning

- Means of implementing planning policies
- Land use proposals are brought into reality
- Unlawful & inappropriate development is prevented
- Land reserved for new industrial activity, greenbelts, housing etc
- Valuable trees and buildings retained
- Ugly signage prevented



Defining the term development

- The carrying out of building, engineering, mining or other operations in, or over, or under land (initial development)
- or the making of any material change in the use of any buildings or land
(Planning Act)



The Actors in development and design control processes

- Applicants
- Applicants' agents
- Local objectors and other persons
- Statutory consultees
- Other consultees
- Historic Buildings bodies
- Specialist consultants
- The Local Authority
- Department of Communities and Local Government



Actions the local authority can take

- Grant planning permission
- Grant planning permission subject to conditions
- Refuse planning permission
- Planning permission has a statutory life-span of 3 years for application for full permission (since 2005)
- Approval of outline permission is for 3 years, plus 2 years to address “reserved matters”
- As long as work has started within 3 years, consent cannot expire
- June 2009, housing minister announced a proposal to extend planning permission up to 3 additional years (in recognition of economic down turn)



Types of planning permission

■ Outline permission

- Obtain permission in principle for development
- Provide details of proposed use, scale of development, access points

■ Full permission

- Includes reserved matters such as layout of buildings, routes, open spaces
- Scale of buildings relative to surroundings
- Visual appearance of buildings
- Details of accessibility



Planning Applications

- Major Development
 - Residential - more than 10 units; 0.5 ha
 - Other Uses - more than 1,000 sq m. floorspace; 1 ha
 - London = over 150 units classifies as applications of strategic importance
- Decision period for applications – DCLG monitors
 - Minor = 8 weeks
 - Major = 13 weeks
 - EIA = 16 weeks
- If the application is not determined in prescribed period = appeal
- To make a planning application no need for interest in land



The General Permitted Development Order

- To avoid having to seek permission for a whole world of development types, some forms of development have planning permission automatically granted by means of the general development order
- “Permitted development” – minor works inside the home, certain alterations



Use Classes Order

- This groups together various land uses so that a change of use within a class is not actually defined as development
- E.g. Class A1 “Shop” actually includes- Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners and funeral directors. post offices and travel agencies, undertakers, laundrettes, dry cleaners
- What is excluded is important, i.e. what cannot be established in retail premises without planning permission e.g. shop to restaurant or pub


Table 1: Summary Guide to the Town and Country Planning (Use Classes) Order 1987 (as amended)

Class	Permitted Change
Part A	
A1 Shops (shops, hairdressers, post offices – Travel agents etc)	No Permitted Change (except to shop with single flat over)
A2 Financial & Professional Services (Banks, building societies etc)	Permitted Change to A1 where ground floor display window. (Also to A2 and Single flat over)
A3 Restaurants & Cafes	A1 or A2
A4 Drinking Establishments – bars and pubs.	A1, A2 or A3
A5 Hot Food Take Aways	A1, A2 or A3
Part B	
B1 Business (offices, research and development)	B8 – only where not more than 235m ²
B2 General Industrial	B1, or B8 where not more than 235m ²
B8 Storage and Distribution	B1 where no more than 235m ²
Part C	
C1 Hotels (excluding hostels)	No Permitted Change
C2 Residential Institutions	No Permitted Change
C3 Dwelling Houses	No Permitted Change
Part D	
D1 Non-residential Institutions (places of worship, crèches, museums etc)	No Permitted Change
D2 Assembly and leisure (cinemas, sports halls, concert halls)	No Permitted Change
Sui Generis (in a class of their own): for example Retail Warehouse Clubs, Nightclubs, Hostels, Petrol filling stations etc.	Sui Generis uses have no Permitted Change



Planning obligations procedures - Section 106 agreements

- Legal agreements between the local planning authority and any person interested in land in their area
- “...for the purpose of restricting or regulating the development or use of land, either permanently or during such period as may be prescribed by the agreement.”

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- An agreement must serve a planning purpose
 - An agreement must not be unreasonable
 - There must be a link or relationship with the planning application
 - The main topic areas to benefit have been affordable housing, primary and secondary education, urban open space, highways improvements and healthcare.




Typical of Section 106 Agreements assoc with a large housing development

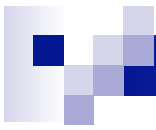
- New school constructed or existing one extended
- Highway improvements to ensure satisfactory traffic circulation
- Provision of park space
- Provision of public footpaths




Section 106 Agreements and Provision of Affordable Housing

- Over the past 17 years S106 agreements have been used by local authorities to negotiate with developers seeking planning permission for new private housing to provide a proportion of residential development as affordable dwellings.

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- Typically, the requirements have ranged from 20% of total units on a site up to 50% (seen in some parts of London), depending on the perceived housing need in the local area.
 - A sizeable increase in the numbers of affordable housing units provided by this mechanism between 2000 and 2005.



- Growing shortage of sites AND growing demand from private developers have been pricing RSLs out of the market leading to reliance on S106 agreements to supply sites.
- Land is being made available as part of market housing developments within areas that would not normally be associated with 'affordable housing'.

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- Can be argued that this is promoting the mixed communities agenda
 - Possibly can argue that it is helping reduce social segregation that would otherwise occur
 - Proportion that is social rented is going down compared to shared ownership housing, particularly in high pressure areas like London and SE.
 - Possible difficulty therefore for those in greatest need



Community Infrastructure levy (CIL)

- Part of Planning Act Nov 28, 2008
- A levy to be paid by developers seeking to develop land
- Formula for levy to be based on the size and character of the development
- All types of development except affordable housing to be affected
- Proceeds of the levy to be spent on local infrastructure
- Aim to spread burden of infrastructure costs more fairly than perceived to be case with S106 process
- Local authorities empowered (not required) to introduce CIL
- Introduction of CIL delayed to April 2010



Community Infrastructure Levy 2

- Local authorities will prepare a plan and costs for infrastructure required within the LDF
- Local authority must decide how much of the cost will come from CIL
- Local authority must set a charging schedule
- The charging schedule will be subject to consultation, including a public enquiry
- S106 agreements will remain, mainly associated with affordable housing
- Most individual householder applications will be exempt



Planning and Sustainability: Challenges

- Urban sprawl
- Traffic congestion
- Under investment in public transport and under use
- Air pollution
- Noise pollution
- Urban flooding
- Waste production, management and disposal
- Overcrowding
- Pressure on the countryside
- Facilitating the market in land and buildings
- Promoting healthy local economy/employment



Themes for planning and planners to think about re these challenges

- How do/will planners address cross cutting dimensions social, economic and environmental dimensions of sustainability?
- How will the population respond to demands of sustainability?
- What is pragmatically possible within our political system?
- What is economically possible?