Explaining the Planning System – What are its limitations and opportunities? Workshop your Q & A

How can health and community development colleagues best influence planning applications at an early stage to ensure new developments support healthier, more active communities and reduce health inequalities, particularly around access to green spaces, walking, cycling and community facilities?

Engage early – approach planning departments, build relationships, offer planners workshops or attendance at team meetings or training days to build those connections. Use consultations such as local plan and policy consultations to feed in comments.

How do you measure whether planning has actually created healthier places for people to live, work and grow up in? For example, do you look at whether people are walking and cycling more, have better access to green spaces, feel less isolated and enjoy a better quality of life? And how do you use this evidence to learn from past developments and improve future planning decisions?

This is a difficult one, Nottinghamshire use a Spatial Planning and Health Framework with an HIA and are currently working out how they measure the impact of its use.

How can we ensure that the voices of local communities, particularly those experiencing the greatest inequalities, genuinely influence these decisions and address barriers such as accessibility, connectivity and perceived safety are heard?'

Planning is full of statutory consultation periods, where people can make comments, but this relies on people being aware, checking the website regularly or seeing a site notice. Other routes would be utilising digital platforms more for further reach, looking at ways parishes and ward members can voice the views of the local area more effectively – through training for parishes and members.

How can we work more collaboratively to ensure that creating healthier, more active and inclusive communities is embedded within local planning decisions, rather than being an afterthought?

Build relationships, champion working together, engage with planners early in the process, offer help and information to planners in their roles. Use forums such as this to share knowledge and understanding and best practice so it can become more widespread.

How can the planning system help us make better use of existing community assets, green spaces and walking and cycling routes?

Planning can protect theses assets through local plans and local policy making routes. Planning has a role to play in joining up partners to maximise these benefits. Planning can't do this alone, but it can play a part in this.

Which planning interventions have the strongest evidence of increasing physical activity and supporting healthier lives, particularly amongst communities experiencing the poorest health outcomes?

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The use of the Joint Strategic Needs Assessment in the Local Plan writing process would help provide a date rich and reliable evidence base which combined with community engagement should be encouraged. Unfortunately, some JSNA's are limited with qualitative evidence and this needs to be changed.

What are the biggest opportunities that strategic planning at a regional level creates to support healthier and more active communities, which would be difficult to achieve through individual local plans alone?

The ability to look across a wider geography and join up green and active networks.

How do we ensure Section 106/CIL can be used for healthier infrastructure such as open space, community facilities, play, multi use connectivity links – is it about having Infrastructure Plans in place?

S106/CIL currently does provide for healthier places, through contributions to NHS, parks and leisure and infrastructure. To maximise it, it needs to be clear in S106/CIL and policy what the priorities and asks are and being clear in infrastructure plans.

What are the constraints for Planners (Development} to compel Developers to change plans or fund infrastructure?

We can't compel them to change plans – we can request amendments, but ultimately the developer will either agree or not. If not, it depends if that issue is severe enough to sustain a refusal of the application. This requires balancing a range of things and often, if it is a small design improvement, it is not enough to refuse on.
In terms of funding infrastructure, developers are bound by CIL/S106 requests, and local plans should set out what infrastructure allocated sites are expected to provide. They are able to reduce contributions if they can demonstrate the site is not viable to withstand them.

When planning has been given to a development that includes conditions to ensure community benefits how do we ensure that the conditions are actually abided by. Experience has shown that the planning authority is very loathe to use enforcement powers. An example is Stanton ironworks the developer wanted to close an existing cycle route and were obliged to build and open a replacement route (but didn't). Erewash were very unkeen to enforce this and the route was closed for over a year.

Several things here – the conditions need to be worded correctly so that they are clear and enforceable. Secondly, planning enforcement is not a fee-earning element of the overall planning service and is a discretionary service. Therefore, it's decisions on what to enforce are often heavily bound by resource and capacity within the services. Thirdly, whilst a development may be in breach of a condition, the enforcement service will assess the 'harm' as a result. Often, this will result in action being determined as not expedient, due to the limited harm of it's impact.
In addition, enforcement interventions require a lot of evidence and information gathering and the process can take a long time – this often results in the appearance of 'nothings happening' even when an authority are actively pursuing the breach.

Developments often include various active travel enhancements (e.g. cycle / pedestrian routes on site) but rarely, if ever, deliver on the important linkages beyond the development site. For instance, a planned housing development in Breadsall is close to an existing greenway (part of the national cycle network). The developers do not plan to connect the housing to the greenway (as outside their red line planning boundary). How do we ensure that developers are obliged to

address the "beyond site" links at their cost (e.g. by purchasing additional land or negotiating land access).

This is an element outside of the planning system – planning applications, conditions and obligations are limited to the impact of the site only, and the red line boundary. There is very little planning can do to force interventions outside of the red line, even though this does often leave areas of dis-connect.

Often planning is permitted with various active travel commitments but, in some cases, these can be diluted once development begins. For example, another housing site near Breadsall was obliged to provide a path linking to the greenway. During development it was decided that providing this path was "too hard" technically and the planning authority (Derby) allowed the developers to just discount this requirement. How can this be stopped?

The planning system allows developers to come back post-permission to request amendments to approved plans and this isn't something we can stop. It will depend on a case-by-case basis and what the justification/evidence is that is put forward as to whether a local planning authority will find these amendments acceptable or not.

Housing developments often include the need to develop and implement an Active Travel Plan. I believe there are consultancies who propose such plans on behalf of the developers to minimise their cost / effort. In practice the plans are generally very poor and consist of providing the new householders with a map of local existing cycle routes and a bus timetable. How can better quality active travel plans be required?

Potentially one for County and their active travel/sustainable travel teams to discuss.