



RTPI

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The voice of RTPI Cymru

CYNLLUNIO

Autumn 2011 Edition

Business at the Eisteddfod 2011



INSIDE this edition of Cynllunio:

- TAN 20
- Renewable Energy
- RTPI Cymru Nominations
- Policy & Research News
- Events
- Historic Characterisation
- Enforcement
- University News
- Volunteering
- and much more



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Welcome to the autumn edition

Welcome to the autumn edition of Cynllunio. I trust that you have had a good summer and have been able to 'refuel' in preparation for what may well be a busy time in the planning world.

With the new Welsh Government in place and the announcement of the preparation of a Planning White Paper and Bill over the next couple of years, there is bound to be activity leading up to this.

Joined by RTPI President, Richard Summers, and RTPI Cymru Chair, Anna Prescott, we met with the Minister John Griffiths AM earlier in the summer. We had a good conversation around the role and strength of planning and setting up the opportunity for future dialogue.

The cover story for this edition is the Eisteddfod. RTPI Cymru considers the event positive to link with. Each year our seminars draw together a mix of professionals, often from outside planning too, and we always have a good discussion on the seminar topic. This year was no exception, and under the excellent chairmanship of Eira Hughes, we had a very interesting discussion about planning and the Welsh language. It is not only RTPI Cymru that sees the Eisteddfod as a good

opportunity for discussions; we also have an article, see page 9, about an event on renewable energy in Wales and the agreement to organise a further event in October.

I want to draw your attention to the positions available for nominations on the RTPI Cymru Management Board. Full details are available on pages 4 and 5. The RTPI is a member-led organisation and it is important that we have representation from across our membership - geographically as well as sectorally. So please think about whether you could put yourself forward, or give someone a nudge that you think would be good.

The shortlisted entries for the Wales Planning Award are given on pages 10 and 11. I am also very pleased to announce Nathaniel Lichfield & Partners as our new sponsors of the Award.

We have a range of interesting articles in this edition, including items on enforcement, characterisation, volunteering and an exploration of the role of statutory and city planning, as well as a useful piece on Community Infrastructure Levy appeals.

Cynllunio,
Summer 2011

There are a number of events coming up and some of these are set out on page 18. But, as is the nature of organising events, there are some in the pipeline which aren't ready to be promoted yet. So please stay in touch - either through the website www.rtpi.org.uk/rtpi_cymru or by registering your e-mail address with us to receive the twice monthly e-bulletin - see the box on page 19.

Roisin Willmott
Editor

Contributing to Cynllunio

Contributions are welcome from RTPI members and others on a wide range of topics and in a variety of different forms:

- Conference announcements
- Reports on conferences
- Critical thought pieces
- Updates on policy in Wales
- Recent project successes
- Humorous items
- Images, photographs

Croesawn erthyglau yn y Gymraeg.

The copy deadlines for the next 3 quarterly issues of Cynllunio are:

- Thursday 27th October 2011
- Thursday 26th January 2012
- Thursday 18th May 2012

If you want to make contributions to the newsletter then get in touch on 029 2047 3923 or email: roisin.willmott@rtpi.org.uk.

Advertising

Cynllunio is distributed to all RTPI members in Wales and also to Chairs of Planning Committees, Assembly Government Ministers with a relevant portfolio and other key organisations, and therefore provides an excellent way of reaching the wider planning community across Wales. Circulation is currently approximately 1,150 each quarter, plus editions are available more widely on our website.

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Discounts are available for multiple editions.

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RTPI Cymru Facilitates Discussion at the National Eisteddfod on TAN 20

Given that the Welsh Government had consulted on a revised Technical Advice Note (TAN) 20: Planning and the Welsh Language earlier this year, it was felt this was a topic of interest for this year's RTPI Cymru National Eisteddfod seminar at Wrexham. We had an excellent line-up of speakers and the seminar was chaired by Eira Hughes of Hughes Isherwood. Concern was expressed by the audience of land use planning, language and housing practitioners that the position of those areas where Welsh is part of the social fabric would be weakened as a consequence of the Welsh Government's latest proposals. The consultative draft TAN20 proposes amendments to the existing TAN published in 2000. Eira Hughes said "Everyone was keen to ensure wider use of the best contemporary techniques. We saw examples of recent very good work to assess the impact of planning policies and new developments upon communities where the language is strong, or strengthening, or weakening. We saw how these could inform the contents of Local Plans, and also decisions on the larger and more significant local planning decisions, in line with the current TAN 20 (2000). But, it was clear that much of this current good practice may not be deemed appropriate in the future."

Meri Huws, Chair of the Welsh Language Board, asked whether there is an understanding of the symptoms of the impact of the Welsh language as planners? There is a need for local authorities to recognise Welsh speaking areas; but on what basis do you make the judgment? This leads to a major point echoed by other speakers: what information should be used and how should it be interpreted?

Through discussion it was highlighted that a uniform process for using standardised data should be established,

but this does not mean that the outcome will be the same in different areas, so for example, the outcome in Gwynedd could be very different to that in parts of Flintshire. It was also recognised that planning is not the only tool to strengthening the Welsh language.

Aneurin Phillips of Snowdonia National Park, making comments in a personal capacity, asked how effective the current TAN 20 (2000) has been? It does not give sufficient support to LPA officers. The unwillingness to take risk, with the threat of costs, has led LPAs not to push the language. Looking at planning appeals, 27 in Wales referred to language as a reason for refusal, however LPAs were not willing to use it solely as a reason for refusal, illustrating the lack of confidence.

The view of Snowdonia National Park Authority is that the draft TAN 20 is superficial, not clear when the Welsh language should be recognised, and when and how to do an impact assessment. It is a missed opportunity.

Suggestions made for the future include an open study is needed to guide LPAs; advertisement regulations need to change to allow for bilingual provision; allow financial contributions from developers; and remove existing permissions for large applications that do not comply with the language.

Elliw Owen provided a briefing on the policies in Snowdonia National Park's newly adopted LDP. The Vision for 2035 includes measures to encourage the viability of the Welsh language and protect it.

There was a full assessment of policies on the community, not just on language; this allowed for a holistic view to be formed. Criteria based opportunities are spread across the policies. There is also a specific Welsh language policy which can request a Language Impact Assessment (LIA), if it is felt to be needed. This has been

through a LDP Inquiry.

The Inspector wanted to see more detail on when the policies would be applied, so Supplementary Planning Guidance (SPG) has been produced. Language issues can be addressed as part of the Design and Access Statement (DAS) rather than standalone, or as part of an environmental statement. But there is concern on who will be responsible for checking the Welsh language aspect; for example the Countryside Council for Wales (CCW) and Environment Agency Wales (EAW) have responsibility for checking other aspects.

Owain Wyn reflected on the RTPI Cymru response to the TAN20 consultation. TANs are to provide guidance; to expand on policy. For TAN20 there is not a lot to expand on, there are only three paragraphs in PPW; although it recognises language and that planning should reflect this.

There are communities where Welsh is strengthening, even some small areas where the use of Welsh is increasing, for example Pontcanna in Cardiff. How can it be promoted / strengthened in these areas?

There has been no review since 2000. We thought that research would be undertaken, but this has not happened.

RTPI Cymru is concerned about the scope of the TAN. There seems to be too much for LPAs to do. The scale of development needs to be looked at, this should be done at a higher level. If mitigation cannot be built into a scheme, then this should be a reason for refusal.

To move forward, the Draft TAN needs to be reconsidered. We shouldn't sit back as in 2005 and wait for something to happen. The policy and legislative context may be an opportunity to move forward and reflect our aspirations.

The audience were unanimous in their opinion that there were major weaknesses in the draft TAN and it was obvious that a number felt extremely

frustrated that this draft does not move us forward from the position 11 years ago. Indeed, some questioned whether there was any technical content in the draft TAN at all.

The most controversial section of the TAN is the advice on Development Management and in particular the advice introduced in para 4.1.1. Its result would be to do away with the powers of LPAs to require applicants, in some circumstances, to include linguistic evidence or LIAs as part of their planning application.

There was criticism also that the TAN has not included guidance on how to prepare LIAs nor reviewed the experience of local authorities, developers and language planners who have tried to develop methodologies over the last decade. Questions were raised about the status of those recently adopted LDPs with policies that require LIAs to accompany some planning applications. Such assessments may be an important step towards setting fair and appropriate planning conditions and agreements, at a later stage in the planning process.

Those attending decided to express its concerns to the Welsh Government, and to ask for a meeting of RTPI Cymru with the Ministers concerned with the Welsh Language and Planning and the Welsh Language Board. Delegates were anxious to voice their concerns about the lack of an effective and co-ordinated policy response and to request a comprehensive review for this policy area. The aim will be to ensure that a planning policy and technical guidance framework will be in place as part of the Government's legislative programme for the regeneration of the Welsh language and the creation of a bilingual Wales.

Copies of the presentations and notes on the seminar discussion are available from www.rtpi.org.uk/rtpi_cymru



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PRELIMINARY NOTICE OF THE ANNUAL GENERAL MEETING 2011 & NOMINATIONS FOR THE MANAGEMENT BOARD 2012

FRIDAY 2nd DECEMBER 2011, 2pm, Cardiff

ANNUAL GENERAL MEETING - NOMINATIONS:

1. Nominations are invited for an officer to serve on the Management Board for a period of one year in the following post: **Junior Vice Chair** (corporate members may nominate).
2. Nominations are invited for one **Student Member** (Student members may nominate), **Licentiate Member** (Licentiate members may nominate), and **Associate Member** (Associate members may nominate) to serve on the Management Board for a period of two years. Nominations are also invited for three **Corporate / Legal Members** to serve on the Management Board for a period of two years (corporate members may nominate). Nominations (corporate members may nominate) are also invited for the **Hon. Secretary** and the **Hon. Treasurer**, and one RTPI Cymru Representative on the RTPI's **General Assembly**.

(See pages 4 and 5 for further information on each position and what is involved).

In the event that nominations exceed the number of vacancies, a ballot will take place. Nominees please note that should an election be required, this may be your only opportunity to submit an election address (200 words maximum) prior to the AGM.
3. Following the first meeting of the Management Board in 2012, in the event of any place remaining unfilled, the Management Board shall have the power to fill the vacancy with a member in Wales of an appropriate class of membership.

MOTIONS:

4. A member giving notice in writing to the Honorary Secretary by **29th October 2011** may have a motion set out for consideration on the AGM Agenda. Any motion raised should be relevant to the powers and purpose of RTPI Cymru* and signed by the proposing Member(s).

DEADLINE FOR SUBMISSION OF NOMINATIONS AND MOTIONS:

5. All nominations and motions should be received by **Friday 28th October 2011** to:

Tony Humphreys, Hon. Secretary, RTPI Cymru, PO Box 2465, Cardiff CF23 0DS

* The Rules of RTPI Cymru are available to view on the members' area of the RTPI Cymru webpages. Go to: www.rtpi.org.uk/rtpi_cymru and follow the link on the left to the 'Members Area'.

Call for Nominations to RTPI Cymru



Above: Anna Prescott, RTPI Cymru Chair 2011

It's that time of year, where nominations for RTPI Cymru's Management Board are invited.

Could you add something, have you got ideas and would like to have a say in the activities of RTPI Cymru?

The positions open for nominations are:

- **Junior Vice Chair (JVC)**
The JVC is the route to Chair of RTPI Cymru: 1 year is as JVC, then 1 year as Senior Vice Chair (SVC) before becoming Chair for a year, followed by a year as Immediate Past Chair. The Chair's role is to provide a figurehead for RTPI Cymru, chair the Management Board meetings and representing RTPI Cymru at events. You also host the RTPI President on their visit to Wales. The JVC, SVC and IPC also provide support.

From July of the JVC's year to July of the SVC (a total of 12 months) you are asked to be the RTPI Cymru representative on the Planning Aid Wales Board, which meets quarterly.

- **Hon Secretary**
This position is for a year only. The principal role of the Secretary is to run the AGM in December, oversee elections and advise the Management Board on issues relating to the

RTPI Cymru Rules, elections. You are the RTPI Cymru representative on the RTPI's Regions and Nations Panel, which meets between three and four times a year.

- **Hon Treasurer**
As with the Secretary position, this post is for a year. The Treasurer does not perform a traditional treasurer role, but provides a focus on the Management Board for financial considerations.

- **Student Member**
The Student Member represents the interests of Student Members, as is done for Licentiate, Technical and Associate Members. This is a two year position.

- **Licentiate Member**
The Licentiate Member represents the interests of Licentiate Members. This is a two year position.

- **Associate Member**
The Associate Member represents the interests of Associate Members. This is a two year position.

- **Three Corporate / Legal Members**

There are five Corporate / Legal members on the Board, but to provide continuation, two positions are elected in one year, and three the next; three positions are available for 2012. The positions are for a two year period. Whilst these positions do not have a focused role, they are expected to actively contribute at meetings to the various papers and development of strategies and initiatives within and outside meetings, as are all members of the Management Board.

- **General Assembly Representative**
RTPI Cymru has two positions on the RTPI's General Assembly (GA). This is the representative membership body of the RTPI. The position is for a two year term; an alternate position is elected each year. You are expected to attend the RTPI Cymru meetings as well as the three or four GA meetings per year,

Creation of Joint Planning Policy Unit



Uned Polisi Cynllunio ar y Cŷd Gwynedd & Môn Gwynedd & Anglesey Joint Planning Policy Unit

Gwynedd Council and the Isle of Anglesey County Council have agreed to work together to provide a joint planning policy service for both Councils. As part of this agreement the Anglesey and Gwynedd Joint Planning Policy Unit (JPPU) has recently been created and is now operating from Gwynedd Council offices – the Host Authority - in Bangor.

The Policy Teams of Anglesey and Gwynedd have merged to form the JPPU which is a team of 12 Officers and work has commenced on a single Local Development Plan (LDP) for Gwynedd and Anglesey (excluding the National Park). The Councils have also agreed

to the creation of a Joint Planning Policy Committee made up of elected Members from both Councils, who will have some cross-boundary decision making powers in the process of producing the single LDP.

This is currently the only joint working arrangement of its kind in Wales for planning policy services. This type of joint working arrangement is a step towards meeting the expectations of the Welsh Government, who have made it clear that collaboration will be required between Authorities in order to deliver local services more effectively and efficiently.

In addition to producing a single LDP, the JPPU will

also be responsible for all the other standard planning policy service functions for Gwynedd and Anglesey to include:

- Providing specialist advice and consultation responses on planning policy issues to the two councils, external organisations and the public
- Carrying out annual housing land availability surveys across both counties
- Working on development briefs and strategies

A Joint Delivery Agreement for the single LDP has been produced by the JPPU and has been out to public consultation, with a view to reporting to the Full Councils of both Councils for approval within the next few months.

Members of the public requiring further information about the work of the Joint Planning Policy Unit (Anglesey and Gwynedd) should visit: www.gwynedd.gov.uk/planningpolicy or contact the Unit at planningpolicy@gwynedd.gov.uk or phone 01766 771000.

Planning Appeals Consultation launched

The Welsh Government has launched a consultation into changes to the planning appeals system.

This is part of the Welsh Government's wider drive to make the development management process more responsive to users' needs. The proposals aim to simplify the appeals process to save time and expense.

The consultation proposals are:

- Introduce a fast track system for householder appeals
- Enable the Planning Inspectorate, on behalf of the Welsh Ministers, to determine the appeal method for each case, based on Ministerially approved and published indicative criteria
- Extend the costs regime

to written representation planning appeals

- Simplify the procedure for correcting error(s) in appeal decisions
- Transfer authority to inspectors to determine appeals involving old minerals permissions
- Change the current arrangements for payment of enforcement application fees when enforcement appeals are lodged so that the entire fee is paid to the LPA
- Require that Statements of Common Ground are submitted earlier in the appeals process
- Introduce a formal process and guidance for undertaking bespoke time tables for complex inquiries

These proposals flow, in the

main, from provisions in the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008.

The consultation closes on 17 November 2011.

Full details of the consultation are available from: wales.gov.uk/consultations/planning/planningappeals/?lang=eng

LDP Update

Two more LDPs have been added to the adopted list: Snowdonia National Park and Merthyr Tydfil have now both adopted their plans.

This takes the total of adopted Local Development Plans to five; previously adopted plans include Pembrokeshire Coast, Caerphilly and Rhondda Cynon Taf.

as you need to be in contact with what's happening in Wales, to be able to represent us on the GA - but at least you get to travel a bit. If you have aspirations of becoming (RTPI) President one day - this is the position for you (but this is not a compulsory aspiraton)!

What is involved?

We are looking for members who feel they can contribute to the work of RTPI Cymru.

Normally four meetings are held per year - 1 in Cardiff, 1 in Swansea, 1 in north Wales and 1 where the AGM is held (the location of the AGM is decided by the SVC); although the Board is always open to moving. We need members from across Wales, so that we are representative of the RTPI Cymru membership. Reasonable travel and subsistence payments are made to support attendance at meetings. In return for your contributions, we also offer discounts to the Spring Conference and the Wales Planning Conference.

What do I need to do?

If you are interested in standing for one of these positions, you will need to complete the nomination form and return it to us by **Friday 28th October 2011**. The nomination also needs to be supported by two Members (see page 4 for details).

If you know of someone who you feel would do a good job, why not give them a nudge?

The forms are available from the RTPI Cymru website, or by e-mail from: wales@rtpi.org.uk or by telephone: 029 2049 8215 (to save on paper and valuable RTPI resources, we no longer send these out to all members).

In the event of more than one nomination for any position, an election will take place and the result announced at the RTPI Cymru AGM on 2 December.

If you would like to discuss any of the options please contact Roisin Willmott (see page 2 for contact details).

A practical guide to Community Infrastructure Levy appeals

Mair Coombes Davies outlines the appeals process for CIL

Community Infrastructure Levy (CIL) appeals are a maze. This is an easy to follow, practical guide through that maze.

Background

All Welsh county, county borough councils and national park authorities have power to impose CIL and the majority are preparing to do so within about the next two years.

The new planning charge will be levied upon commencement of development for most buildings that people will normally use, that is, any new build (whether a new building or an extension) of 100 square metres or more of gross internal floor space, or involves the creation of one dwelling even when that is below 100 square metres.

A dispute resolution and appeal procedure exists within The Community Infrastructure Levy Regulations 2010 (as amended) Part 10 against most aspects of the collection and enforcement of CIL except for social housing relief and exceptional circumstances relief.

Collection and enforcement

The procedure leading up to the collection of CIL on the commencement of development will be:

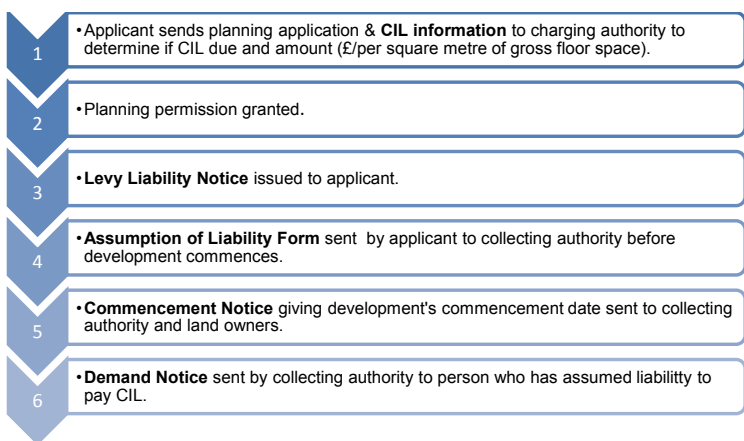


Figure 1: Collection

The ways in which a collecting authority can enforce payment of CIL include:

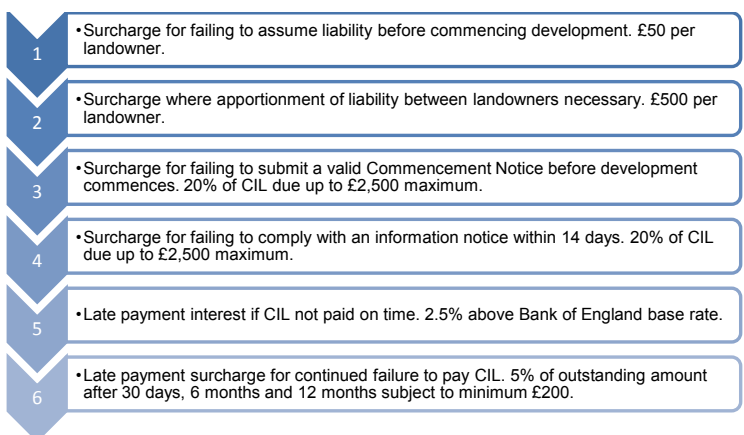


Figure 2: Enforcement

Further, more severe enforcement powers are available to a collecting authority if it believes that interest and late payment surcharges will be ineffective in securing payment of the overdue CIL:

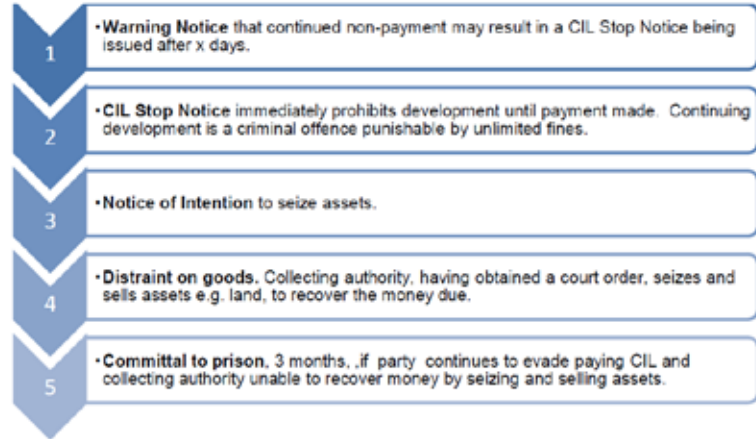


Figure 3: Severe enforcement measures

Dispute resolution and appeal

The system of dispute resolution and appeal against the CIL's collection and enforcement falls broadly into three steps:

1	Community Infrastructure Levy r. 113 ¹ charge review by collecting authority			
	Valuation Agency Office (Collection)		Planning Inspectorate (Enforcement)	
	r. 114	Chargeable amount	r. 117	Surcharge
	r. 115	Apportionment of levy	r. 118	Deemed commencement date
	r. 116	Charitable relief	r. 119	CIL stop notice
3	Judicial Review			

¹ The **Community Infrastructure Levy Regulations 2010**, as amended

Figure 4: Dispute resolution and appeal

Step 1: Review Request

The first step in the dispute resolution process is a regulation 113 request for review of a chargeable amount made to the collecting authority by, 'an interested person', i.e. the person who has assumed liability to pay the CIL (provided there has been no earlier review decision and development has not commenced):

- The written review request must be made within 28 days from the day on which the Liability Notice stating the chargeable amount was issued.
- The collecting authority' review of the calculation must be carried out by a person senior to the person who made the original calculation and who had no involvement in the original calculation.
- Within 14 days of the review start date the collecting authority must give written notification to the person requesting the review of its decision and the reasons for either confirming the original chargeable amount or calculating a revised amount.

Step 2: Appeal to the Valuation Office Agency or the Planning Inspectorate

The second step of the dispute resolution and appeal process is an appeal under regulations 114 to 119 which must be made within the time limits given by The **Community Infrastructure Levy Regulations 2010** (as amended):

Appeal to:	Regulation	Appeal	Days	Calculated from the day:
Valuation Office Agency	r.114	Chargeable amount. (Cannot appeal if development has commenced).	60	On which the liability notice stating the original chargeable amount was issued.
	r.115	Apportionment of levy.	28	On which the demand notice stating the amount payable by an owner with a material interest is issued.
	r.116	Charitable relief. (Cannot appeal if development has commenced).	28	Of the decision of the collecting authority on the claim for charitable relief.
Planning Inspectorate	r.117	Surcharge.	28	On which the surcharge was imposed.
	r.118	Deemed commencement.	28	On which the demand notice is issued.
	r.119	CIL stop notice.	60	On which the CIL stop notice takes effect.

Figure 5: Appeal time limits

There are only certain people who can make an appeal. They are:

Regulation	Appeal	Person who can appeal
r. 114	Chargeable amount	The person who requested a review of the chargeable amount under regulation 113 and: <ul style="list-style-type: none"> Disagrees with the review decision. Not notified of the review decision within 14 days.
r. 115	Apportionment of levy	An owner of a material interest in the land e.g. <ul style="list-style-type: none"> A freehold interest. A leasehold interest with more than 7 years to run at the date planning permission was granted. Who disagrees with the collecting authority's decision on the apportionment of liability with respect to that interest.
r. 116	Charitable relief	The person who claimed charitable relief or who has assumed liability to pay CIL.
r.117	Surcharge	<ul style="list-style-type: none"> The person who is liable for the unpaid amount. The land owner.
r. 118	Deemed commencement	The person who has been served with a demand notice.
r. 119	CIL stop notice	<ul style="list-style-type: none"> A person liable to pay the unpaid amount. The land owner. The occupier of the land. Any other person who the collecting authority considers may be materially affected by a CIL stop notice.

Figure 6: Appellants

The grounds of appeal vary depending under which regulation the appeal is brought. They are:

Regulation	Appeal	Grounds of appeal
r. 114	Chargeable amount	<ul style="list-style-type: none"> The revised chargeable amount (or the original chargeable amount) has been calculated incorrectly. Decision has not been made in 14 days of an application for review.
r. 115	Apportionment of levy	Disagree with the apportionment of the CIL liability in the Demand Notice issued by the collecting authority.
r. 116	Charitable relief	The collecting authority incorrectly determined the value of the interest in land in respect of which the claim was allowed.
r.117	Surcharge	<ul style="list-style-type: none"> The breach which led to the imposition of the surcharge did not occur. The collecting authority did not serve a liability notice of the chargeable development to which the surcharge relates. The surcharge has been calculated incorrectly.
r. 118	Deemed commencement	The collecting authority has incorrectly determined the deemed commencement date.
r. 119	CIL stop notice	<ul style="list-style-type: none"> The collecting authority did not serve a warning notice before imposing a CIL stop notice. The development in respect of which the CIL stop notice was imposed has not commenced.

Figure 7: Grounds of appeal

If an appeal is made to the Valuation Office Agency about CIL collection or to the Planning Inspectorate about CIL enforcement then the procedure is:

Period	Days	Valuation Office Agency	Planning Inspectorate
Representation period	1	Appeal Form and supporting documents submitted by appellant. r.114 Chargeable amount. r. 115 Apportionment of levy. r. 116 Charitable relief.	Appeal Form and supporting documents submitted by appellant. r. 117 Surcharge. r. 118 Deemed commencement date. r. 119 CIL stop notice.
	As soon as practicable	Acknowledgement of receipt sent to appellant with: <ul style="list-style-type: none"> Appeal reference number. Address to which correspondence about the appeal to be sent. VOA / Planning Inspectorate copy to interested parties (including the collecting authority): <ul style="list-style-type: none"> Acknowledgement. Completed appeal form. Notice that written representations in relation to the appeal may be sent to VOA / Planning Inspectorate before the end of the representations period. 	
	Within 14 days of appeal start date.		Interested parties written representations on the appeal must be received by VOA / Planning Inspectorate.
	Comments	As soon as practicable	VOA / Planning Inspectorate copy representations to the appellant and other interested parties.
	Within 14 days of the end of the representation period.		Appellant and interested parties must send their comments on each other's representations to VOA / Planning Inspectorate.
	As soon as practicable		VOA / Planning Inspectorate copy comments to all parties.
Decision	-		VOA / Planning Inspectorate notify appellant and interested parties of: <ul style="list-style-type: none"> The appeal decision. Reasons for the decision.

Figure 8: Appeal procedure

Step 3: Judicial Review

The third step of the procedure is judicial review. It is appropriate only if all alternative procedures have been used and there is no suitable alternative remedy which could solve the problem.

Mair is a Barrister and Head of the Dispute Resolution Division, Civitas Law - specialists in Civil & Public Law.

National Assembly Inquiries

Two National Assembly for Wales' Committees are holding Inquiries relevant to planning.

The Environment and Sustainability Committee has launched an Inquiry into energy policy and planning. This has been largely prompted by the demonstrations and discussions earlier this year on the issue around grid connections to wind farms in mid-Wales. The Committee will consider how the current devolution arrangements for

energy policy and planning affect the delivery of the Welsh Government's desired future 'energy mix' in Wales, as set out in A Low Carbon Revolution – Energy Policy Statement and the UK Renewable Energy Roadmap.

The Business and Enterprise Committee is conducting an inquiry into the regeneration of town centres.

Further information about the inquiries can be found at: www.assemblywales.org

The Historic Character of Towns: An Asset for Regeneration

The historic character of our towns is a powerful asset that can inform regeneration, help sustain local distinctiveness and contribute to social, economic and environmental well-being, argues Judith Alfrey.



Above: Eldon Square, one of Dolgellau's biggest open spaces, was the site of the original market

© Cadw, Welsh Government (Crown Copyright)

Historic character is part of the unique make-up of every place: everywhere has its own history which has given it character and identity. Respecting historic character in physical regeneration activity helps to foster local distinctiveness and to strengthen a sense of place.

Historic character is not confined to listed buildings and conservation areas: Blaenau Ffestiniog, for example, has relatively few listed buildings and no conservation area, yet it has a strong and unique character as a remarkable industrial town whose development was exclusively tied to the rise of the slate industry in the nineteenth century. Many urban neighbourhoods have no particular heritage status, yet have a character and identity of their own. We need to recognise historic character wherever it may be, and find ways of responding to it that will help create sustainable and

distinctive places for the future.

Over the last three years, Cadw has been looking at the character of a series of towns across Wales, working closely with local authorities both to support regeneration activity in particular places, and also to develop general principles that can be applied anywhere, to enable local planning to enhance and strengthen the distinctive character of all our towns.

Characterisation is the tool that captures historic character and gives a focus to local distinctiveness as the starting point for positive planning and regeneration. It identifies the unique historic character of individual towns and the variety of character within them, whatever their age and quality. Industrial towns of relatively recent origin and rapid growth may have just as much distinctive character as older towns that already celebrate their heritage. Streets that lie outside a

conservation area boundary will also have their own special qualities. Characterisation aims to tease out what it is that makes anywhere special, by identifying the legacy of the past in the form and fabric of a place. It helps identify what is worth keeping, but also helps set parameters for development and change. It is not focussed on finding constraints, but on identifying opportunities to use historic character as an asset in reinforcing a sense of place.

The historic character of a place is not just the sum of specific assets or features. It is in the whole grain of a place, in patterns of space and connection, as much as in traditions of building and development. The spatial structure of a town is part of its unique signature, whether that is the characteristic linear plots of a medieval planned town, or the field boundaries that often shaped suburban development. This underlying structure will often have endured far longer than individual buildings, and can still offer a distinctive framework to accommodate change. Along with building lines and frontages, back lanes and boundary walls are important elements in structuring urban space. Even apparently empty spaces may

have a hidden pattern derived from earlier land use which can be recovered through research and investigation and used to shape development or redevelopment.

The organisation of space is not just about the structuring of units of land. Patterns of connection, the routes and links between and within places, are also important components of character which are sometimes neglected. Industrial settlements depended on transport routes for the movement of raw materials and finished goods, as well as for the movement of people to and from their place of work. Towns such as Merthyr Tydfil and Blaenau Ffestiniog were strongly tied to transport routes, lending the settlements a linear character, binding their different parts together, and linking them to the surrounding areas.

Our towns offer a rich variety of building traditions, whether in distinctive patterns of development, types of building or conventions of craftsmanship. These conventions have not always been cherished – original windows are now rare in the terraced streets of industrial towns – but these same streets still reveal quirky examples of decorative render finishes, of



Above: The juxtaposition of town houses and cottages - all constructed from the same stone - is characteristic of Dolgellau

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Renewable Energy supporters move to form Welsh association



Above: A turbine, part of Mynydd Clogau windfarm, near Adfa, mid Wales

It is time for the renewable energy industry and its supporters to work together to communicate a shared vision to build a sustainable, low carbon Wales and rebuild confidence and trust in the future of our Welsh green economy, according to key representatives and supporters of the renewables sector in Wales.

At a meeting at the National Eisteddfod in Wrexham

involving representatives from across the renewable energy sector, there were calls for more action to promote and communicate the economic, environmental and community benefits of sustainable energy. The meeting unanimously agreed to organise a conference in October that would lead to the launch of a broad organisation to speak for all individuals and organisations that want to see Wales do more to generate electricity from renewable sources.

At the event, chaired by former MP and Assembly Member Cynog Dafis and which also heard from Sir John Houghton and Professor Brian Morgan of UWIC, Mr Eryl Vaughan, Managing Director of Windpower Wales expressed concern at the lack of progress in meeting renewable energy targets in Wales and stated that a new vision is needed to deliver a successful future for clean energy generation in Wales.

Speaking at the seminar, Mr Eryl Vaughan recognised that delivering the long term vision offered through the renewable

energy sector in Wales can be challenging at a local level:

“I was very pleased to take part in the meeting at the National Eisteddfod and to share the stage with such eminent people, because I passionately believe that the renewable energy industry holds the key to creating a prosperous Welsh economy for the future and to sustaining our environment, our communities and our culture.

“Current protests against wind energy are threatening the development of all forms of low carbon energy. They will starve our communities of vital investment in regeneration, jobs and infrastructure and obstruct the development of green skills, training and research, which could revitalise our manufacturing industry to the benefit of many small and large businesses in Wales.

“I hope that from this meeting and the October conference we will see the start of a more inclusive vision to promote all sources of renewable energy, through strong leadership, public and political

engagement.”

Professor Brian Morgan added: “We need to work with communities and highlight the many benefits that the industry offers to the economic and environmental well-being of Wales.

“Wales has an important role to play in the climate change agenda, but the industry must work together, in partnership with local communities, with the courage to stand up for our vision for a green economy. Only then will we share in the growing world trend for clean energy and sustainable growth and make the changes that will secure a sustainable future for the generations to come.”

Representatives from across the renewables sector will be invited to attend the conference in October at the Centre for Alternative Technology in Machynlleth, to help build a plan to get Wales on track towards a low carbon future.

For more information, contact Sian Cliff at sian.cliff@windpower-wales.com

stone or brickwork, that give them a unique identity.

There are many areas of activity which have an impact on local distinctiveness and where an understanding of historic character can help ensure that this impact is positive. Conservation activity focussed on designated assets is only one aspect of this, though area-based heritage-led regeneration schemes such as the Heritage Lottery Fund's Townscape Heritage Initiative have proved valuable. These schemes have shown how investing in the historic environment can deliver a range of economic, social and environmental benefits, strengthening local identity and community pride, stimulating private and public investment and helping to improve urban function.

But these heritage-led

schemes will only ever apply in a small proportion of the territory of our towns. Outside them, housing renewal and other improvement work can have a major impact on the character of towns. Where this work is informed by an understanding of historic character and respects and sustains locally important building traditions, this impact can be positive, and do a great deal to reinforce a sense of place.

Opportunities for enhancement of the public realm can also be generated from an understanding of historic character, for example where the reinstatement of neglected routes and pathways offers the chance to improve connectivity. This understanding can also provide an inspiration for change and development, where proposals take their

cue from the inherited character of an area, and respect its spatial structure. There is the potential to use characterisation in supplementary planning guidance to underpin area-based planning policy and provide a base-line against which to test plans and policies for their impact on local inherited character.

Working with historic character is not about being hemmed in by history, but about locking distinctiveness into planning and regeneration, and finding creative and imaginative responses to the legacy of the past. Retaining character is not just good conservation practice, it is also good for places as a whole. By sustaining their individuality and contributing to environmental quality, it helps to provide places that are

attractive to live in, to work in and to visit.

Judith is Head of Regeneration and Conservation with Cadw



Above: Cambrian Mill is one of the many buildings that reflect Dolgellau's importance as a textile-producing centre
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Wales Planning Award Shortlist Announced

Entries to the 2011 Wales Planning Award have been healthy - thank you to everyone that took the time to enter.

The judging panel have shortlisted scheme and are currently busy visiting schemes to decide on the winner, which will be announced at the Annual Dinner on 18 November (see back page for details).

We are also very pleased to announce our new sponsors for 2011 - Nathaniel Lichfield & Partners.

Here are brief details of the shortlisted entries - in alphabetical order.

16-18 Edward Henry Street, Rhyl (Denbighshire County Council)

These buildings, which were once elegant asymmetrical villas, were rat and needle infested derelict houses in multiple occupancy (HMO) in a street within a conservation area. The project has demonstrated how HMOs can be tackled, and the buildings have been restored.



Above: Before and after of 16-18 Edward Henry Street, Rhyl

Gurnos Town Centre Regeneration (Merthyr Tydfil Council)

The Gurnos town centre, built in the 1960s, has been in urgent need of refurbishment. Work has been undertaken to turn the existing structure and fabric of the building from an eyesore into a modest but colourful focalpoint to raise the aspirations of the town centre.



Above: Before and after of Gurnos Town Centre Regeneration

Llantwit Major Town Centre Regeneration (Vale of Glamorgan Council)

The project was to create a new look for Llantwit Major town centre, which had deteriorated over many years and had become a rather dilapidated shopping area. The project aimed to significantly improve the environment, landscaping, lighting, signage, in the area but bringing together the landowners, the community and the funding partners.



Above: Llantwit Major Regeneration

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Mariners Quay (Newport City Council)

The scheme involves 101 affordable housing units over a narrow 1.96 hectare site, as part of the Newport Old Town Dock regeneration area. The central area of the site accommodates a biomass combined heat and power energy centre which provides domestic hot water and heating. The scheme involves a number of sustainability measures which have led to an overall achievement of Code for Sustainable Homes Level 5, the first of its size within Wales.



Above: Mariners Quay, Newport

North Wales Minerals & Waste Planning Shared Service (Flintshire County Council)

This is a collaborative working initiative to provide a long term robust specialist minerals and waste planning service for North Wales. This can grow and simplify over time, and provides a continued commitment to providing specialist advice to local authority partners, developers, public and consultees alike.

Open Spaces (RCT Homes and Hyder Consulting)

During 2010 RCT Homes commissioned a major study to identify how to improve the lives of their tenants and residents living in neighbourhoods across Rhondda Cynon Taff by raising the standard of open spaces and investing in local communities.



The project developed a neighbourhood renewal 'toolkit' that took a fresh look at communities in terms understanding how the quality of open spaces influence or are influenced by the community. An Open Space Audit (OSA) was a central feature of the project, which looked at everything including footpaths, parking areas, allotments etc. that people freely use, walk past day to day or possibly do not use for a number of reasons. The objective was to identify where RCT Homes should commit investment to help improve the environments of its tenants and generate sustainable neighbourhood renewal.

Pont y Werin (Cardiff Council)

As part of the Sustainable Transport City initiative, the Pont y Werin Bridge was constructed to provide a pedestrian and cycle link across the River Ely between Cardiff and the Vale of Glamorgan.



Porth Teigr (igloo Regeneration)

Porth Teigr is extending the Cardiff Bay redevelopment to create a sustainable mixed-use community, providing significant jobs, new homes, a range of commercial, leisure and community facilities.

Public Realm in the Heads of the Valleys (Powell Dobson Urbanists)

A guidance document called Public Realm in the Heads of Valleys: A Good Practice Guide was developed for the Welsh Government for the Heads of the Valley area which has since helped to shape schemes throughout five town centres and change the way that different technical disciplines cooperate to deliver high quality streets and spaces.

The guidance highlighted a set of fifteen technical recommendations and fifteen organisational recommendations which, if implemented would help to ensure that European funding would result in excellent town centre streets and spaces.

Trident Park (SLR Consulting Ltd / Viridor Waste Management Limited)

This is for an Energy from Waste (EfW) and recycling facility at Trident Park, Cardiff. The scheme will be a regional waste management facility capable of processing up to 350,000 tonnes of non-hazardous residual waste per year. The energy generated from the combustion process has the potential to produce electricity for export into the National Grid and/or as part of a District Heating Network. Construction is due to start in 2012.



Above: Artists impression of Trident Park

University of Wales, Newport - City Centre Campus (Newport City Council)

The purpose built £35million campus, situated on the banks of the River Usk, in the centre of Newport is the first phase of an intended £50 million. The University's aim is that the new campus will add to the transformation of the city centre by becoming a magnet for cultural activity along the riverfront and a centre for enterprise that embraces a contemporary arts centre, extensive exhibition space and a national photographic archive.



Above: University of Wales, Newport, City Centre Campus

West Coast Group Head Office - Mynydd Awel (West Coast Group)

The 850m2 timber clad building has been accredited BREEAM 'Excellent'. The low impact environmental build also made maximal use of local suppliers, as well as available natural resources to reduce power usage, including sun pipes for natural light, natural ventilation and sustainable drainage system. Planning permission has recently been granted for a 55kw wind turbine, which when installed will broadly offset the office's energy demand.



Above: Mynydd Awel



Who will win the 2011 Wales Planning Award?

Find out first hand at the RTPI Cymru Annual Dinner on 18 November 2011, at the Hilton Hotel, Cardiff. Further details are available from: www.rtpi.org.uk/rtpi_cymru

Profile: Mike Webb

Mike Webb shares his views of working at the muddy end of planning.



Above: Mike Webb

How did you come into planning in the first place?

With a first degree in Plant Biology and Environmental Biology, I entered planning because I came to realise that the town and country planning system, as a major public policy tool, has the potential to be a considerable force for environmental good. Most environmental problems fundamentally involve the development and use of land.

What has been your career to date?

I worked as Gwynedd County Council's Coed Cymru Officer and LA21 Officer, before completing a part-time MSc in Environmental Planning at Liverpool John Moores University. After reorganisation in 1996, I spent four rewarding years working on the Conwy UDP, coordinating the Natural Environment and Transport chapters as part of Stan Yates' team. Stan had the thankless task of controlling my sometimes unbridled enthusiasm, and taught me the valuable lesson that "the vision thing" cannot be brought to fruition

without an emphasis on delivery mechanisms, and a thorough understanding of the nuts and bolts of the planning system.

I joined the RSPB in 2000. Before the RSPB appointed a separate "Casework" officer in 2007, I headed up the DC element of the RSPB's work in planning in Wales. This consisted of a large caseload throughout Wales, including much coastal zone and windfarm work.

What does your job involve?

As Senior Planning Policy Officer for the RSPB, my role involves advising colleagues on the policy dimension of development management (I seem to live and breathe TAN 8 these days), and liaising with the Welsh Government on Welsh planning policy in a number of fields, chiefly biodiversity. I also work with UK colleagues assisting in advocacy work with respect to UK planning policy, and involvement in LDP formulation in respect of those LDPs throughout Wales which are key to the RSPB's interests.

What do you like about it, anything you dislike?

I am extremely lucky to work as a town planner for Europe's largest wildlife non-governmental organisation, in an enthusiastic and "can-do" corporate culture. It is a privilege to be in a position to make a demonstrable difference to biodiversity in Wales. The work is very varied, from site-based negotiating over individual project design with developers, to sitting on Welsh Government Stakeholder Groups.

I am the only chartered town planner in a staff of over 150 in Wales. I am sure that my fascination with obscure-sounding policy, guidance and advice documents is a source of bemusement to those of my colleagues who work at the muddy end of biodiversity conservation, whilst I am constantly disappointed at their inability to get the jokes in Grotton Revisited.

How does Devolution of planning in Wales influence your work?

The devolution of planning in Wales has greatly influenced my work, and this will become increasingly true as the two systems diverge. This is especially true in the fields of biodiversity and energy policy and advice. The advent of fundamental changes in the English planning system to be introduced by the Localism Bill will cause the two systems to diverge further. As a UK-wide organisation, the RSPB has a perspective on all of the four UK planning systems, and I am therefore in the lucky position to be able to draw upon the experience of colleagues in Northern Ireland, Scotland and England.

How does the RSPB view the planning system?

The RSPB is a strong advocate of the spatial, strategic approach to planning, because it provides certainty to the developer and the community (including the environmental movement) as to the broad location of key development types. This means that locational issues have a better chance of being resolved "upstream" before the project stage.

We think it important that development proposals are "good enough to permit" rather than "bad enough to refuse", and feel that opportunities for biodiversity enhancement in respect of development proposals should be maximised as a matter of course.

How optimistic are you about the future of planning in Wales?

The history of the town and country planning system in the UK shows that whenever there is an economic downturn, pressure manifests itself to rebalance the planning system towards economic development and away from environmental protection. The challenge planners now face in Wales, in the context of sustainable development, is to seek out imaginative means of facilitating economic development whilst at the same time protecting and enhancing the natural environment. The development plan is absolutely crucial to this, and I think it vital that we retain its primacy in Wales, whilst moving forward to a full set of adopted LDPs.

The above response are the personal views of the author, and do not reflect those of his current or previous employers.

Lleoliadau am raddedigion di-waith

Huw Thomas yn ein hannog i gefnogi lleoliadau byr am raddedigion di-waith



Uchaf: Huw Thomas

Yn anffodus, nid yw hi'n hollol annisgwyl bod rhai o'n graddedigion cynllunio yn methu dod o hyd i swydd yng nghynllunio. Bydd rhai o'r rhain yn gweithio mewn meysydd eitha' agos i gynllunio, a rhai eraill wedi gorfod cymryd unrhyw beth sydd ar gael. Bod yn gynlluniwr yw uchelgais y rhan fwyaf ohonynt o hyd. Mae'n

bwysig, felly, bod cynllunwyr yn cofio am bobl sydd wedi pasio cyrsiau ac wedi cadw eu diddordeb yng nghynllunio, ac yn parhau i'w helpu trwy bob modd y gallwn.

Ers y Gwanwyn mae Prifysgol Caerdydd a'r RTPI wedi bod yn cyd-weithio ar arbrwf o greu nifer o leoliadau byr am raddedigion yng nghynllunio. Cafwyd dipyn o gyllid gan Addysg Uwch Cymru i dalu am weinyddu a gwerthysu'r cynllun. Nod y cynllun oedd datblygu sgiliau ymarferol yng nghynllunio, magu hyder, a gwella sgiliau a strategaeth ynglŷn â dod o hyd i swyddi.

Cawsom gefnogaeth dda gan gyflogwyr yn y sector preifat a'r sector cyhoeddus. Felly roedd gennym ddewis o leoliadau byr (tair wythnos/mis) ledled Cymru. Roedd cyflogwyr yn ddigon parod i greu lleoliadau rhan amser, hefyd - roeddynt yn deall byddai'n amhosib i rai o'r graddedigion rhoi'r gorau i'w

swydd bresennol er mwyn cymryd lleoliad dros dro. Felly roedd dau o'r lleoliadau yn rhan amser.

Arbrwf oedd y cynllun, ac yn yr amser byr roedd gennym i'w drefnu dim ond llond dwrn o leoliadau oedd yn bosib. Ond rhaid dweud roeddynt yn llwyddiannus iawn; a byddwn yn ail-gychwyn y fenter tua diwedd y flwyddyn.

Mae'n syndod faint gall person ddsygu mewn tair wythnos os ydy'r lleoliad wedi ei drefnu'n dda. Y peth pwysicaf, efallai, ydy cael amserlen eitha' manwl, yn dweud o ddydd i ddydd, bron, beth fydd y person yn gwneud. Mae'r fath hynny o gynllunio yn gwneud yn siŵr bod y cyflogwr yn elwa o'r lleoliad hefyd. Dywedodd pob un o'r cyflogwyr bod y lleoliad wedi bod yn fudd iddynt o ran helpu gyda'i gwaith.

Efallai'r budd mwyaf i'r graddedigion oedd eu bod yn cael eu gwthio gennym

ni, yn y brifysgol, i fyfyrion o ddydd i ddydd am beth yn union roeddynt yn dysgu yn y lleoliad, a sut roedd hynny'n cyfrannu tua chyrraedd y nod o fod yn fwy cyflogadwy. Yn aml iawn, dyma ble mae myfyrwyr yn methu: mae ganddynt sgiliau cynllunio, ond nid ydynt yn meddwl digon am sut i gyfathrebu gyda chyflogwyr. Mae lleoliad yn rhoi siawns da iddynt feddwl am sut mae cyflogwyr yn gweld y byd, a beth maent yn chwilio amdani wrth ddarllen ffurflen cais. Wrth gwrs, mae myfyrwyr yn cael gwybodaeth ac ymarferion ar y pwnc yn y coleg, ond nid pob un sydd â'r diddordeb neu'r dychymyg i sylweddoli arwyddocâd beth maent yn clywed ar y pryd.

Felly, parhau i gyd-weithio bydd y sefydliad proffesiynol a'r brifysgol i gefnogi cynllunwyr ifainc, a byddwn yn annog cyflogwyr unwaith eto i weithio gyda ni, a thrwy hynny i elwa yn y tymor byr a'r tymor hir.

Darllenydd ym Mhrifysgol Caerdydd ydy Huw.

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Gwyrfoddolwyr ar angen

Rydym yn ystyried recriwtio gwyrfoddolwyr newydd i ymgymryd ag amrywiaeth o swyddogaethau. Croesawn geisiadau gan bobl o gefndiroedd eang sydd â sgiliau amrywiol.

Am fwy o wybodaeth, gweler ein herthygl ar dudalen 17, ewch i:

www.cymorthcynllunio.org.uk/volunteering neu cysylltwch â James Davies ar 029 2062 5006.

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For more information, see our article on page 17, visit:

www.planningaidwales.org.uk/volunteering or contact James Davies on 029 2062 5006.



Reflections on “Life And Death”

Allan Archer carries on the debate from the Wales Planning Conference on the role of statutory planning.



Above: A plaque in New York City celebrating town planning

The excellent Wales Planning Conference in June concluded with a plenary debate challenging the role of statutory planning – asking whether it was the problem or the answer. The audience votes, both before and after, showed significant support for statutory planning.

For me, the debate also triggered a connection to a short article in *Planning* (which I had read on the train travelling to the Conference that morning) by Sir Peter Hall reflecting on the 50th anniversary of the publication of Jane Jacobs' celebrated book "The Death and Life of Great American Cities".

Among other things, Sir Peter mentioned that Jacobs advocated leaving cities alone, free from interference from well meaning planners. Also, that Jacobs included Ebenezer Howard and the Garden City movement among those responsible for damaging cities. On this basis, it seemed likely that Jane Jacobs would have taken the platform to advocate that statutory planning was the problem – but what might she have had to say I wondered? Interest duly piqued, I thought it was time to re-read one of the essential texts of my student planner days and now

a planning classic.

My Modern Library edition, published in 1993, happily also includes a short foreword by Jacobs written in 1992 reflecting on the ideas in the original book and developments since. Another connection to the Conference emerges from this foreword as Jacobs describes her realisation that along the way she had been engaged in studying the ecology of cities – which she described as composed of physical-economic-ethical processes. I think she would have been heartened to have heard Professor Terry Marsden speaking at the Conference about the Sustainable Places Research Institute at Cardiff University.

So on to the original text itself. The book clearly lets the reader know where the writer stands from the outset. The opening paragraph begins thus: "This book is an attack on current city planning and rebuilding." and ends: "It is an attack ... on the principles and aims that have shaped modern orthodox city planning and rebuilding."

Instead, Jacobs states she will be writing about how cities work in real life and proposing new principles of city planning and rebuilding. She intended

to highlight practices which would promote social and economic vitality in cities and those practices which deaden these attributes.

It is important to understand that she was writing specifically about cities and not about towns and other types of settlement (although I think that there is much to reflect on for planning generally). She observed that cities were exceedingly complex and dynamic places and that to understand them it was necessary to look closely at ordinary scenes and events. The principle at the heart of her argument was the need for cities to have an intricate and close grained diversity of uses that give each other constant mutual support, both socially and economically. Combinations and mixing of uses was what was needed not separation. For her, the science of planning and the art of city design should be to catalyze and nourish these close-grained working relationships.

But first, why did Jacobs point the finger of blame at Ebenezer Howard, among others, for the plight of cities? Essentially, she felt that city planning and design and the practitioners of her day were still heavily influenced, consciously or otherwise, by Garden City notions, e.g. self containment, segregation of primary uses, which she regarded as inapplicable and damaging to cities and, frankly, devised to kill them off.

It's worth reminding ourselves that the Garden City movement is still alive and well. Only last month the Town and Country Planning Association issued a press release calling for the building of a new generation of Garden Cities.

But it was not just Howard that attracted her criticism, it was other influences which followed and developed from it – including the Decentrists' ideas for decentralising and thinning out cities and dispersing population and housing

designs which turned their back on streets and focussed inwards on shared green space, plus Le Corbusier's Radiant City idea of skyscrapers within a park and the fashion for City Monument Centre schemes where civic and cultural facilities were all assembled together in grand monumental parks.

Jacobs' prescription for successful cities was based on four principle conditions for generating diversity and vitality – districts must have multiple primary purposes, most blocks of buildings must be short, districts should have buildings of varying age and condition and there should be a sufficiently dense concentration of people.

The book is substantial (over 500 pages) and rich in detail allowing the author to explore in depth many facets of city functioning and the many influences which impact on the built environment and city life as well as explaining and expanding her four principles and providing many detailed examples of successful and unsuccessful city areas and features.

In a short article it is impossible to mention everything, especially as Jacobs covers a huge amount of ground – social, cultural, physical, visual, economic, educational, intellectual, administrative – but there are rewarding chapters and interwoven themes on the important roles of streets and sidewalks for safety, contact and children's play, consideration of reasons for successful and unsuccessful parks and open spaces, the problems of boundaries and barriers, the effects of different types of investment and subsidies alongside much else.

So, to return to the starting point of this article, whether statutory planning is the problem or the answer, what might Jacobs have said? She would certainly have made the point that much of statutory planning theory and practice was damaging to cities (and

Environment Protection Advisory Committee Wales



Above: The South West Wales Area Environment Group

Graham King has been re-appointed as a member of the Environment Agency Wales' statutory Environmental Protection Advisory Committee (EPAC). Graham has been Chairman of their South West Wales Area Environment Group (AEG) since 1996. The AEG, one of three covering Wales, comprises participants from all main interests in the environment, including local authorities, CCW, Dŵr Cymru, NFU, business, and conservation interests. AEG concerns are reported regularly to EPAC which meets four times a year.

High priorities over recent years have been the problems of the Burry Inlet and Fly Tipping. A group known as Tipio Cymru was set up chaired by Graham, with a million pound budget over three years which now covers the whole of Wales. Again concern over the problems of the Burry Inlet led to the June meeting of EPAC being held in Llanelli with a study tour in the morning and group discussions in the afternoon. The inter-related problems of the estuary are a prime example of the need for holistic thinking, involving the future of the cockle industry, water quality, flooding, development and conservation. The meeting had progress reports on the independent scientific study of the cockle issue, plans to alleviate the risk of flooding, progress on resolving the veto on development due to poor

performance of the antiquated sewerage systems, and communication with the public. Carmarthenshire planners were present to ensure shared understanding of the problems.

The situation is sufficiently serious that complaints were made to the European Commission that problems of under capacity in the sewerage system are being exacerbated by planning permissions. To try to rectify the problems and ensure compliance with the Urban Wastewater Directive, agreement has been reached in a Memorandum of Understanding drawn up by local planning authorities, EAW, CCW, and Dŵr Cymru. The intention of the MoU is to provide a mechanism allowing housing developments to take place while Dŵr Cymru develops solutions on providing long term, adequate sewerage infrastructure. This is changing the role of development from being part of the problem to becoming part of the solution.

For each property approved by the planning authority a greater amount of surface water must be removed from the sewerage infrastructure by the developer than the property would generate as foul, thus creating space in the system; also a measure of phosphorous (nutrients) will be removed at the sewage treatment works equivalent to that which would be generated by the household. At each planning consultation EAW will require

conditions to incorporate both these mechanisms.

A major concern for EPAC has been consideration of the role and functions of the proposed New Environment Body for Wales. This began last November at a workshop held in conjunction with other EAW committees involving flood risk management and fisheries and recreation. This looked at how EAW could provide support and play their part in promoting the Natural Environment Framework. The need for closer co-operation between all agencies is well exemplified by the ongoing work on the problems of the Burry Inlet.

Further work of planning interest for local planning authorities are meetings over the summer; one assessing progress on the Water Framework Directive (WFD) and one reviewing what needs to be done to reduce diffuse pollution and so meet the targets for Good Status for water bodies set in the WFD.

Graham is Director of Environmental Planning Consultancy, Swansea

The Environment Protection Advisory Committee (EPAC) Wales advises the Environment Agency Wales (EAW) on issues of environmental protection, pollution control, water resources, air quality and waste regulation.

Current members are:
 Prof Tom Pritchard (Chairman)
 David Jones
 John Rees
 Richard Leonard
 Rhian Nowell-Phillips
 Dr Sabah Al-Nassri
 Debbie Gray
 Terry Price
 Dr Rhian Thomas
 Tim Williams
 Jonathan Mead
 Graham King
 Cllr Geoff Cox
 Cllr David Williams
 Cllr Nancy Matthews
 Cllr Alun Lloyd Jones

would have a multitude of examples to illustrate this point).

We might also imagine that she would have expressed herself, as she does through out her book, in typically colourful and forthright terms – for example, “as in the pseudoscience of bloodletting, just so in the pseudoscience of city rebuilding and planning, years of learning and a plethora of subtle and complicated dogma have arisen on a foundation of nonsense” and “No, the last thing we need is some paternalist weighing whether are sufficiently non-controversial to be admitted to subsidised quarters in a Utopian dream city”.

But even so she would not have advocated an absence of planning or planners. She recognised that public and quasi-public bodies had responsibility for some of the enterprises and elements that help make up city diversity but pointed out that mostly diversity was the creation of incredible numbers of different people and different private organisations working outside the formal framework of public action.

The main responsibility of city planning and design, she suggested, should be to develop – insofar as public policy and action can do so – cities that are congenial places for this great range of unofficial plans, ideas and opportunities to flourish, along with those of the public enterprises.

Finally, a striking feature of the book, given its topic, is the almost complete absence of illustrations; there are only four simple drawings to explain Jacobs' thinking about the benefits of creating short blocks. By way of explanation, she has this to say: “the scenes that illustrate this book are all about us. For illustrations, please look closely at real cities. While you are looking, you might as well also listen, linger and think about what you see.” Wise words, indeed.

Allan is a member of RTPI Cymru's Management Board and Policy & Research Forum.

Someone Else's Problem

John Bowers discusses planning compliance in a complicated world

I started my planning career in the 1970s. As I struggled with the Institute's final examinations, I learned that planning is a holistic and normative activity. I also learned about 'Related Law', which included public health, housing and highways, but nothing about what we now call the environment. None of them seemed to require anything as long winded as the planning enforcement process when the law was ignored.

If planners seek to influence everything, then all spatial problems should have a planning solution. I remember stories in 'Planning' about planners who were expected to act against bothans (unlicensed drinking dens) in the Hebrides and brothels in Southampton. That was a long time ago, but planning continues to be asked to deal with matters which are criminal offences under other legislation.

Perhaps the most difficult are those relating to protected species and habitats.

Technical Advice Note Number 5, 'Nature Conservation and Planning' has a useful summary of the non-planning legislation. It provides best practice for local authority planners and

ecologists when considering planning applications for development which might affect protected species or habitats. Once planning permission is granted, that should lead to all remaining consents and licenses under other legislation.

When TANs considers unauthorised development it concentrates on planning remedies. "If a continuing breach of planning control is likely to result in significant harm to a [protected] site, the [planning] authority should consider the service of a stop notice as well as an enforcement notice to prohibit environmentally harmful activities that would otherwise continue for the duration of an enforcement appeal." (Paragraph 5.2.7)

This contrasts with advice in Planning Policy Guidance Wales that advertisements on the Highway are illegal under Section 132 of the Highways Act, 1980. (Paragraph 3.5.3)

Bats often roost in old buildings. Demolishing a building is now 'development', following a series of court decisions.

Any planning permission for redevelopment implies permission for demolition. TAN 5 states that "... the permission may also include a condition preventing

the development from proceeding without the prior acquisition of a licence under the appropriate wildlife legislation." (Paragraph 6.2.1) Compare this with Circular 35/85: "A condition which duplicates the effect of other controls will normally be unnecessary, and one whose requirements conflict with those of other controls will be ultra vires because it is unreasonable." (Annex, paragraph 22)

Disturbing bats or known bat roosts needs a licence. The Welsh Government is responsible for licensing. It can prosecute for a disturbing bat roosts without a licence. A planning authority must rely on an enforcement notice or breach of condition notice.

A planning enforcement notice needs a reasonable suspicion of a breach of planning control. It must specify what is needed to remedy the breach or the loss of amenity caused by the breach or both. No enforcement notice can bring an old building back. Nor can it bring back bats who have been disturbed.

A prosecution needs someone to discover who did it, and prove it beyond all reasonable doubt. Witnesses must be prepared to face aggressive questioning. Without a prosecution, how would the planning authority persuade an Inspector that environmental damage required restoration? How would a witness from the Environment Agency or Countryside Council for Wales (CCW) respond to the suggestion in an Enforcement inquiry: "If this matters, surely you would have prosecuted."?

I believe there should be a prosecution if the evidence is sufficient, with an enforcement notice to follow to restore the physical

characteristics of the site as far as practicable. Planning authorities should ask CCW or the Environment Agency for a list of their requirements, with reasons, together with the name, job title and relevant qualifications of their witness who is willing to explain these requirements to a planning inspector.

If a planner observes what (s)he suspects is a criminal offence, (s)he should send a Witness Statement to the authority administering the legislation. If that body would rather not prosecute, it should say why.

Practical advice on who can best do what and in which order would be really useful. Without it, officers from, the Countryside Council for Wales, the Environment Agency and the Welsh Government could all inspect a protected site which was being trashed without lawful excuse and decide to pass the buck to the local planning authority.

John is Planning Policy Officer at Snowdonia National Park Authority, and a member of NAPE, the National Association for Planning Enforcement. NAPE promotes and enhances the role of planning enforcement within the planning profession and is open to RTPI members and non-members. RTPI members can join NAPE for free. Find out more about NAPE, including how to join, by visiting www.rtpi.org.uk/nape

John is grateful for helpful comments from Caroline Wilson (Ecologist, SNPA) and Neil Harris (Cardiff University). The opinions expressed are his own.



Above: Llŷn Peninsula, which is designated an AONB

The value of volunteering

Did you know that almost ten percent of all planners in Wales volunteer with Planning Aid Wales?

When I ask new people why they've chosen to volunteer, some say they do it to alleviate social exclusion, whilst others say they need to gain experience. Whatever the reason, volunteering with Planning Aid Wales is valuable, both for volunteers and the public we serve.

Planning Aid Wales is a charity providing information, advice and support to members of the public with aim of increasing public participation in the planning process in Wales. We would not have been able to do this over the past 30 years without our dedicated network of volunteers, who in the past six months alone have committed almost 400 hours of their time, adding tangible value to the work we do.

We offer a range of benefits to volunteers in return. We support Continuous Professional Development, offer experiences in different fields of planning and provide a range of training courses, networking opportunities and social events. We are continuously improving our standards and have recently registered for Investing in Volunteers status, the charter for good standards in volunteer management.

Challenging perceptions

There may be some misperceptions about our service.

We promote 'Nimbyism'.

Not so - our advice services defuse tensions. By building public understanding of the planning process, we take pressure off local planning authority officers and help the system to operate more smoothly. By being impartial, we are able to help both objectors and supporters of the same issue express their views.

Community engagement is counter-productive.

Time spent on engagement is time saved in defence of decisions, and working collaboratively with communities is core to achieving sustainable development. There is real value in the education element of engagement – we've found that as long as people understand how decisions are arrived at they are more often than not satisfied even if it didn't go their way. Good engagement helps to manage expectations.

I don't have the time to volunteer.

Most of our volunteers contribute about half an hour a month, and there is no minimum time requirement. Volunteers can also take breaks and tailor their activities according to your time constraints and preferences.

I can't volunteer as I'm not a full member of the RTPI.

You don't have to be a RTPI member to support our casework activities; all you need is an RTPI-accredited degree and six months experience working as a planner. Even if you do not have that experience, we have a variety of non-planning roles where you can contribute, and we are committed to helping junior planners gain new skills and experiences (see below).

We also seek to dispel some misperceptions that the public hold about the planning system, and in doing so we promote the value the planning system itself brings.

Volunteering roles

We offer a variety of volunteer roles to suit different backgrounds and skills.

Casework Volunteers provide impartial information and advice to members of the public and Planning Aid Wales staff on all aspects of the planning system. To be a Caseworker, you must have a RTPI-accredited degree and six months work experience as a planner. Applications from non-RTPI members will be considered carefully to

ensure our clients receive a quality service and mentors are available to support those wishing to build experience.

Community Volunteers typically participate in training and marketing events, support community development projects and peer review our planning guidance documents to ensure they are easy to understand. Anyone interested in community engagement is welcome to apply to become a Community Volunteer.

We also offer three month work experience placements in our Cardiff office. Ideal for planning students, the placements allow aspiring planners to gain diverse work experiences in a busy planning environment.

Why should I volunteer?

Volunteering with Planning Aid Wales doesn't have to be time consuming in order to be rewarding.

Volunteering counts towards Continuing Professional Development and gives insights into different areas of planning activity. We can provide valuable experience in community engagement and a range of other skills that planners may not encounter in their normal roles.

Our work provides planners with new perspectives on how the public interact with the system. Simultaneously, our work presents a positive image of the profession and allows the public to empathise with planners, by helping them understand the often complex work we are required to do.

Volunteering allows us to give something back to the wider community and most importantly, it is rewarding and enjoyable. For me, all of the above represent the real value of volunteering, not only to the public of Wales, but also to the planning community and to planners as individuals.

Still not convinced? Join us to find out for yourself.

If you are interested in any of the roles and would like more information, visit www.planningaidwales.org.uk/volunteering or contact James Davies on 029 2062 5006.

Volunteer Experiences

John Bowers: *"I moved from development control to policy in 2006. Planning Aid casework helps me keep up my knowledge of procedure. Casework with Welsh speakers helps me keep up my technical Welsh and my skills at explaining technical planning."*

Helen Ridgway: *"The town councillor I assisted was extremely grateful for my advice. It allowed her to understand the scope of what she was and was not able to address and hopefully gave her the tools, the confidence and unfortunately the 'language' to communicate with the planning department and Environment Agency. The whole case took less than two hours to resolve and gave me a challenge which I had not dealt with in my day job."*

Lucie Taylor: *"It has been great to help the people of the village of Bontgoch in Ceredigion, who are interested in a wind farm scheme to be considered by the Infrastructure Planning Commission. It has been an excellent opportunity for me to learn about all the new processes."*

Jon Talbot: *"Planning Aid Wales is essential for me as a means of keeping in touch with practical planning issues. For many, planning is something with bureaucrats on one side and sharks on the other. Planning Aid works because people are able to have a dialogue about their problems without feeling their interests are in any way compromised. In short, Planning Aid humanises planning."*



Events Corner

North Wales Chapter: Career Development Support

Wednesday 14th September 2011

Location: Wrexham

This North Wales Chapter event is to focus on the personal needs of members. Advice and support will be available for those considering early retirement, perhaps struggling to enter the profession or those faced with the prospect of redundancy.

Further details available from: www.rtpi.org.uk/rtpi_cymru

Wales Enforcement Conference

Wednesday 21st September 2011

Location: Powys County Hall, Llandrindod Wells

RTPI Cymru, POSW and NAPE are coming together to organise the annual enforcement conference for Wales.

Further details available from: www.rtpi.org.uk/rtpi_cymru

Project Argus

Thursday 22nd September 2011

Location: Cardiff University

Built environment professions have been identified as being able to play a significant role in reducing vulnerability around crowded sites – areas where the public mix, including shopping areas; the aim of Argus Professional is to encourage debate, and demonstrate that counter terrorism measures can be designed into structures and space to create safer crowded places.

RTPI Cymru and the Design Commission for Wales are organising this interactive workshop to provide the opportunity to discuss design issues to reduce the built environment's vulnerability to terrorism—and it's not just

about bollards everywhere!

Places are free, but are limited and pre-booking is essential.

Further details available from: www.rtpi.org.uk/rtpi_cymru

Health Impact Assessment (HIA) 3 Day Training Course

Tuesday - Thursday 27th, 28th & 29th September 2011

Location: Gregynog, Newtown

The Wales Health Impact Assessment Support Unit (WHIASU) is running a 3 day HIA course, the course is aimed at practitioners who have some knowledge of HIA and the process. It will arm them with the tools and practical skills in order to feel confident to undertake, review or be a part of a HIA. For those who are new to HIA, we can also offer a pre-course introductory workshop on the 26th September (if there is sufficient demand) at a highly competitive rate, before going on to do the 3 day course.

The course is not limited to those in Wales but discounts are available for those working in the public service and third sector in Wales, students or for any bulk bookings.

Further details available from: www.whiasu.wales.nhs.uk

Planning Guidance for Historic Estates, Parks and Gardens

Wednesday 12th October 2011

Location: Gregynog, Newtown

This seminar is for those involved in the ongoing development and management of the historic landscape. The day is jointly promoted by the Welsh Historic Gardens Trust (WHGT) and RTPI Cymru

to raise consciousness of conservation issues. WHGT want to ensure that heritage landscapes are given proper weight in the planning process and that historic gardens get the same recognition as historic buildings.

The speakers will cover the aspects to be considered when development is proposed within historic gardens, parks and designed landscapes. There will also be an opportunity to discuss how principles and policy can be identified and implemented.

Further details are available from: www.whgt.org.uk

AESOP (Cardiff) 3rd Sustainable Food Planning Conference

Friday & Saturday 28th & 29th October 2011

Location: Cardiff School of City and Regional Planning / Sustainable Places Research Institute.

This conference, jointly organised by the Cardiff School of City and Regional Planning and Sustainable Places Research Institute, aims to address one central question: Are there new paradigms for urban and rural planning capable of supporting and developing sustainable and equitable food systems? It will promote cross disciplinary discussions between active researchers and practitioners in response to this question, and related issues articulated during the first two Sustainable Food Planning Conferences held in 2009 in Almere and Brighton in 2010.

As Further details available from: www.cardiff.ac.uk/research/sustainableplaces

Regenerating Excellence

Thursday 3rd November 2011

Location: County Hall, Cardiff

The Regeneration Skills Collective Wales's Annual Conference.

Further details from: Felicity.White@ice.org.uk

Housing Choice for Older People: Developing Policy Delivering Practice

Wednesday 16 November 2011

Location: Cardiff

This conference is part of a series of three being held in England and Wales and offers the opportunity to hear and debate the latest thinking and practice on meeting demand and delivering choice in older persons housing in the new political and economic environment.

Further details available from: www.retirementhousinggroup.co.uk/events.html

RTPI Cymru Annual Dinner

Friday 18th November 2011

Location: Hilton Hotel, Cardiff

This year's Annual Dinner will be at the luxury Hilton Hotel in the centre of Cardiff.

Further details available from: www.rtpi.org.uk/rtpi_cymru

RTPI Cymru AGM

Friday 2nd December 2011

Location: Cardiff

Further details available from: www.rtpi.org.uk/rtpi_cymru

Diary Markers:

Wales Planning Conference 2012

Thursday 7th June 2012

Location: City Hall, Cardiff

Mark it in your diary ready!

Politics, Practices and Power

Cardiff hosts international Interpretive Policy Analysis conference



Above: Dr Peter Feindt with Professor Dvora Yanow, one of the keynote speakers at the conference

Hundreds of international social scientists visited Cardiff last week for a three-day conference exploring the interpretive approaches to policy making.

Interpretive Policy Analysis asks questions about how people or communities experience a policy, how policies interact with identities, beliefs and emotions, and how this affects the working of democracy. Whereas traditional policy analysis assesses the costs and benefits of a particular policy, the interpretive approach considers the plurality of values, identities and communities, and how abstract policies play out locally and in everyday practices.

The conference was hosted by the School of City and Regional Planning, and supported by the University's ESRC Centre for Business Relationships, Accountability, Sustainability & Society (BRASS) and the Sustainable Places Research Institute.

Dr Peter Feindt, Conference Chair and Reader at the

School of City and Regional Planning, said: "The conference set out to explore new places and horizons for interpretive policy analysis. This was evident in the keynote addresses and roundtable discussions, where major political and social questions of our times, such as climate change, globalisation or the future of democracy, were addressed."

The sixth annual conference, entitled 'Discursive Spaces. Politics, Practices and Power' welcomed more than 350 delegates from five continents and covered more than 100 sessions.

For the first time, the conference featured a pre-conference course on Interpretive Policy Analysis for 40 PhD students and early career researchers. This full-day course offered advanced methodology sessions and skills training in methods like interviewing, political ethnography and discourse analysis with world leading experts in the field.

Dr Gillian Bristow, Deputy

Head of the School of City and Regional Planning, said: "The School was delighted to host such an important international event and to have the opportunity to participate in discussing themes which are central to our scholarly interests.

"We are an interdisciplinary School with a critical interest in engaging questions of public policy and governance in our research and teaching. The conference was very stimulating and interesting and I'd like to express my sincere thanks to the chair and the organising committee for staging this event."

Themes covered at the conference included; sustainable development, emotions and feelings in policy, interpretive methods, globalisation, and interpreting the State.

Professor Ken Peattie, Director of BRASS, said: "The social and environmental challenges we face will not be met by relying on the technologies, business models, and approaches to governance that dominated during the late 20th century. There is an urgent need for fresh thinking about policy making and innovative research to feed into policy making processes."

Professor Terry Marsden, Director of the Sustainable Places Research Institute, said: "We were delighted to support the 6th IPA Conference, the themes of which resonated well with our vision to provide a new basis for sustainability science and to find solutions to the challenges of diminishing resources and climate change. As Director of the new Cardiff Graduate Centre I am particularly delighted that Cardiff hosted the first Pre-Conference Course in Interpretive Policy Analysis."

For further information, go to www.ipa-2011.cardiff.ac.uk/

The Sustainable Places Research Institute's mission is to bring together leading scholars and research clusters across academic disciplines to explicitly address the question of how cities and their regions - which are all developing under different combinations of market and governance arrangements - can adapt and be guided towards more sustainable spatial strategies. The disciplines include city and regional planning and applied social and psychological sciences, business and law, biological and earth sciences, engineering, architecture and health. www.cardiff.ac.uk/research/sustainableplaces/

Do you receive a bi-monthly bulletin by e-mail from RTPI Cymru?

If you don't it probably means that we don't have your up to date e-mail address, or you haven't registered with us. You might be surprised to know that only half of our members have given us their address to keep in contact with them.

Please e-mail wales@rtpi.org.uk with your current e-mail address and we will be able to keep you in touch with up to date information.

We do not pass your details on to anyone else and we are selective about the e-mails we send to you.



Sustainable Places Research Institute

RTPI Cymru Annual Dinner 2011

The Hilton Hotel,
Cardiff

Friday 18 November
7 for 7.30pm

Wine Reception &
3 Course Dinner

Presentation of the Wales
Planning Award

£45 (or £40 by 14 October)
Discounts for full tables

See: www.rtpi.org.uk/rtpi_cymru
or contact: wales@rtpi.org.uk or
tel: 029 2049 8215

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The Savills logo, featuring the word "savills" in a lowercase, sans-serif font in a dark red color, set against a bright yellow rectangular background.