

THE ORIENT EXPRESS

Newsletter of the **Royal Town Planning Institute East of England**
Spring 2009 Edition

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SERVING PLANNERS IN
BEDFORDSHIRE
CAMBRIDGESHIRE
ESSEX
HERTFORDSHIRE
SUFFOLK
& NORFOLK

photo by courtesy of Barton Willmore

What Lies Beneath

Can you recognise this place?
You could win a £25 Marks & Spencer voucher
(see page 4 for further details)

INSIDE Regional Conference Programme 2009 • Reports from the Regional
Conferences and Activities Committees 2008/2009 • RTPI Planning Awards 2008
• Planning for Infrastructure - The New Regime • Planning Aid Service • Young
Planners Update

This edition of the Orient Express is sponsored by

**BARTON
WILLMORE**

Report from half way up Orient Towers by Fen Bogle

Still cold, very cold. I'm clinging on to the treacherously narrow edge of the window sill; my fingers are welded on by the extreme northerly blast which threatens to tear me off this precipitous north face. I am dictating this to the camera man who has already reached floor 18 and is filming me through the dusty windows.

Must keep awake.. Feeling .. Drowsy..
Where was I?

Why did I start this extreme adventure? Well it has always been an ambition, no a dream of mine, to view the sun rising between the twin spires of St Pepsi's Cathedral on Shrove Tuesday. The only way to achieve this is to journey to a position 21 stories high, exactly North West, North of the Cathedral-hence this perilous expedition to the very top of Orient Towers.

The rest of my hand-selected team, heroes in the community, have already had to abandon the attempt - regrettably victims of ABP or Acute Bogle Phobia; their lives have been changed forever. So it's only me, the camera men, sound technicians, lighting technicians, make-up, wardrobe, focus puller, best boy and grip who are attempting to view the sun rising through the delicate twin spires of St Pepsi's Cathedral on that momentous Tuesday in February.

The weather has taken a turn for the worse-70 mile per hour sleet - and I am worried that the sandwiches that I packed two weeks ago may not now be edible.

I am here on day 27, scaling the treacherous slippery north face of Orient Towers - my goal to glimpse the first rays of sunlight through the graceful and imposing twin towers of the Cathedral dedicated to St Pepsi.

I hope to make contact with the occupiers soon since I need permission to scale the last few floors which are occupied by The Circumlocution Office, but I am worried that they may not be able to understand me. Ah, at last, a note is held up, but what does it say? It seems to be in some foreign tongue. This is it...

Brief outline of Editorial for Spring OE

- ❑ First issue for 2009 (thanks to Barton Willmore).
- ❑ Don't mention credit-crunch, no point - just keep smiling in adversity!
- ❑ See Committee Minutes elsewhere re what the 'region' has been up to - note, still no Chair!
- ❑ Congratulations to Robert Upton for CBE, to Richard Summers for being elected Junior Vice President and commiserations to Peter Geraghty who wasn't, also to National Award winners -

Channel Tunnel Rail Link Planning Forum (Award for Infrastructure and Silver Jubilee Cup) for Channel Tunnel Rail Link: High Speed 1,
CTRL Project (Award for Heritage) for Heritage and Archaeology on the Channel Tunnel Rail Link (Note; a small bit of the rail link goes through our region in Thurrock), and
East of England Regional Assembly, 4NW, South East England

Regional Assembly and West Midlands Regional Assembly (Award for Equality and Diversity) for Somewhere to Live - A Short Film About Meeting The Accommodation Needs of Gypsies, Travellers and Travelling Showpeople. (*See item in this issue*)

It is still blood freezingly cold up here on the north face of Orient Towers where on day 27 I am pitting my wits against, not only the dire weather but also acute altitude sickness and the extraordinarily strong gravity that threatens to pull me off this extremely narrow window ledge where I will undoubtedly plummet to certain death as my broken body is dashed against the parked cars, vans and lorries 50 metres below. In spite of these perils I am making a once in a lifetime pilgrimage to see the sun rise between the two graceful spires of that imposing edifice, St Pepsi's Cathedral, which dominates the old rusting gas works, a poignant legacy of our industrial heritage.

I am worried that Shrove Tuesday, the appointed day for this challenge to reach its climax, is fast approaching and I shall fail in the extreme dream of mine. Already 28 of my team have almost perished-their lives being changed forever.

My concern now is for the pack mules and the 'medic' who are at this very moment struggling into the not very high speed lifts to take them to the penultimate floor with desperately needed medical supplies and oxygen.

So its day 27 and Shrove Tuesday looms ever closer...

"Hey you, stop! .. Don't open the window! Ah h h h h h h h h h..."

It looks as though Fen won't be back next time, his life has been changed forever - but I will, so see you in the Summer issue!

Peter Hakes, Editor



NEXT ISSUE

The next issue should be published in Summer 2009. Deadline for copy is 15 May 2009 to:
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Peter Hakes & Tina Jessup: Peter's photo courtesy of Essex County Council and SAIL INTER-REG Project

Notice to Readers: The RTP1 East of England Regional Management Board wish to point out that the sponsors have had no editorial role in the production of this newsletter and the Board does not endorse the sponsors or have any view on any matter on which they are involved.

This edition is sponsored by Barton Willmore

REGIONAL CONFERENCE PROGRAMME 2009

Your Regional Activities Committee (RAC) is planning to organise the following events in 2009, to be held in various locations around the region.

Some details have yet to be finalised.

SUGGESTED TITLE	DATE	LOCATION	COST	COMMENTS
SUSTAINABILITY		Anglia Ruskin University		Event postponed. New date to be announced
DELIVERING GROWTH IN DIFFICULT TIMES	19 March	Downing College, Cambridge	£110+VAT	In association with Barton Willmore
ENERGY: THE PLANNERS' VITAL ROLE IN GENERATION AND CONSERVATION	28 April	The Athenaeum, Bury St Edmunds	£110+VAT	In association with the Centre for Sustainable Energy
NEW RULES ON PERMITTED DEVELOPMENT RIGHTS	May (date tbc) (PM)	Cambridge (venue tbc)	£50+VAT	Half-day seminar/workshops
RTPI EAST OF ENGLAND ANNUAL GENERAL MEETING	14 May 12.30:13.00	Western House, Suffolk CC, Bury St Edmunds	Free	All RTPI East of England members welcome
PLANNING ENFORCEMENT	19 May	St Albans District Council Offices	£110+VAT	In association with NAPE
THE RSS AND LOCAL DEVELOPMENT FRAMEWORKS	July (date tbc)	Thames Gateway/ South Essex	£110+VAT	
CONSERVATION AND URBAN DESIGN	September (date tbc)	Norwich	£110+VAT	In association with IHBC (tbc)
COASTAL FLOODING	October (date tbc)	Ipswich (venue tbc)	£110+VAT	In association with the Environment Agency (tbc)
COUNCILLORS UPDATE CONFERENCE	October (tbc)	Venue (tbc)	£130+VAT	
EAST OF ENGLAND PLANNING LAW UPDATE	November (date tbc)	Cambridge (venue tbc)	£130+VAT	

These conferences are a vital source of Continuing Professional Development (CPD) for Members, Students and Licentiates: delegate numbers vary from 30 to 100+ delegates depending on size and location of venue, time of year and conference topic.

All conferences are organised by volunteer members as RTPI East of England has very limited resources.

To ensure that this conference programme is successful, we are asking for your help.

- Would your organisation be willing and able to sponsor one of these events by making a contribution towards the cost of a venue or towards the cost of lunch? In return, the organisation's name would be included on the conference literature and promotional material could be displayed at the event,

- Do you have an expertise in one of the suggested topic areas and would like to share your knowledge with other members?
- Could you suggest a suitable venue?
- Are there other topics that you would like covered in the programme?

Any offers of help or assistance from Regional members would be very gratefully received!

Please help us to provide the Regional events you need!

Up-to-date information can be obtained from:
Tina Jessup, Regional Administrator, RTPI East of England
Tel: 01359 233408; **Fax:** 01359 232176;
Email: eastofengland@rtpi.org.uk
Web: www.rtpi.org.uk/rtpi_east_of_england

QUIZ - WHAT LIES BENEATH

Well I thought it was a bit tricky, but **57** of you knew it and responded!

It was of course **Bishops Stortford town centre!**

And the lucky winner was **Julie Robshaw**, Enforcement officer at Peterborough City Council who is probably at this very moment perusing the goods at Marks and Spencer, armed with her **£25 gift voucher!**

The runners up were:-

Francesca Hill, Peter Freer, Leonie Alpin, Andrea Gilmour, John Hammond, Claire Martin, Gill Davidson, Michael Ovenden, Kay Mead, David Hughes, Clive W Crake, Chris Butcher, Tim Barker, Boyd Nicholas, Nicholas Ford, Steve Beckett, Roger Harborough, Darren Roberts, Catherine Pollard, Matt Clarke, Hazel Summerfield, Gary Hancox, Dave Allen, Ian Currie, Richard Watson, John Oldham, Dan Glading, Andrew Dawes, Alan Stones, Jean Perraton, Derek Lawrence, Philip Wilson, Les Mitchell, Richard Kelly, Lesley Morton, Charmain Hawkins, Jacqueline Veater, Russell Monck, Richard Lewis, Andrea Gilmour, Sophie Weiss, Jackie Ford, Michael Brooks, Petra Klemm, Peter Unthank, Colin Free, Steve Robshaw, Peter Moss, Sian Darby, Connie Frost-Bryant, Roy Warren, Peter Warner, Peter Mansbridge, Martin Westwood, Chris Loon and Lorna Clark.

Well now it's your chance to win that valuable voucher. All you have to do is decipher the aerial photo on the front cover and tell me where it is!

Letters, post cards and e-mails (to address on page 2) will be eligible.

These will be kept in a secure place until 4 weeks after central distribution from East of England RTPi HQ. The first entry taken (by someone independent of the RTPi) from this secure place will be the winner. Only those on the East of England RTPi register will be eligible with the exception of the Editor and staff of Barton Willmore.

Good luck!

RTPi

Library and Information Service

The library is a reference-only collection consisting mainly of post-1990 publications on planning-related topics, including a wide-ranging collection of current UK development plans and 100 current journals.

The online catalogue is available at www.rtpi.org.uk/library and includes details of library holdings (excluding current legislation), a comprehensive index to journal articles, and details of Institute publications and policy statements.

The reading room at Botolph Lane is open in office hours. To get the best out of your visit you are advised to contact the library staff in advance.

Internet search facilities are available free of charge, and there is a staff-operated photocopying service (subject to copyright restrictions). Copies of Institute policy statements can be supplied free of charge.

The library operates an enquiry service, including the compilation of subject reading lists, and can offer advice on alternative sources of information as required.

**Contact library@rtpi.org.uk or
telephone**

020 7929 9452.

HELPING MEMBERS TO ATTEND CONFERENCES

East of England semi-retired, fully-retired and full time student Members in full time education are able to attend conferences at a subsidised rate. A carer's allowance may also be available for those Members who have to make special care arrangements to attend a Regional event.

For further details contact **Tina Jessup** – details on Page 3.

A Brief Summary

Held as always at Bury
St. Edmunds

*Formerly County Town of
West Suffolk*



- ❑ **CHAIR:** Robert Purton was appointed Chair for the meeting and he welcomed Marion Bailey, the new East of England Planning Aid Manager, to the meeting.
- ❑ **NOMINATIONS TO REGIONAL MANAGEMENT BOARD AND REGIONAL ACTIVITIES COMMITTEE FOR 2009:-**

There had been 12 nominations for the 12 Chartered Member vacancies on the Committee and all were Deemed Elected. Similarly there were 4 nominations for the 5 Student/Licentiate member vacancies and all were Deemed Elected. No nominations were received for the Technical member vacancy. There were no nominations for the posts of Chair, Senior Vice Chair and Junior Vice Chair and one nomination for the post of Treasurer, Deemed Elected, and one nomination for the post of Secretary, Deemed Elected. The remaining vacancies will be re-advertised in accordance with the Region's Rules and Regulations. Two long-standing members of the Committee had stepped down, **Andrew Martin** and **Ian Vipond**. Both had been Chairs of the (then) Branch and had given long and exceptional service to the east of England. The Secretary has written to both members to express regret at their decisions to step down and to warmly thank them for their time, effort and service to the RTPI in the East of England.

❑ EAST OF ENGLAND PLANNING ACHIEVEMENT AWARD 2008

The process of assessing the entries is underway.

- ❑ **THE CONFERENCE PROGRAMME** was discussed in detail.

PRESIDENT'S VISIT

It was suggested that the 18 and 19 March would be

ideal to tie in with the March conference on growth in Cambridge, with a visit to the Regional Planning Aid office and a social event in the evening, possibly involving the Young Planners as Martin is keen to promote Planning with the "younger generation". The 19th could be spent visiting Anglia Ruskin University in Chelmsford and the Southend Unitary Authority. **Peter Geraghty** offered to host the Southend visit.

❑ CONFERENCE PRICES AND SEASON TICKETS

To cover increased costs it is necessary to increase the costs of conferences. It was generally agreed that it was better to increase charges by a small amount each year rather than a large increase every three or four years. After discussion, it was agreed that we should charge £110 for regular conferences and £130 for Planning Law and Councillors.

❑ YOUNG PLANNERS EVENTS:

See separate items in this issue.

Robert Hobbs was thanked and congratulated on a successful Young Planners Programme.

❑ EAST OF ENGLAND PLANNING AID

Marion Bailey, the new East of England Planning Aid Manager, introduced herself, describing her background in community work, although not as a planner. She is in the process of filling the two outstanding vacancies in the team and had attended one community planning event. She is very excited by the prospects of the post and will continue to attend the Regional Activities Committee, asking for help and guidance as she needs it and keeping the Committee informed of progress and successes.

- ❑ **The Treasurer** also reported and there were reports from regional representatives of other bodies.

This is only a very brief outline of the detailed and meaningful discussions that took place. The full minutes can be obtained from the Secretary, **Richard Chillingford**. If any Member feels the urge to join the fray at these exciting meetings please contact Richard for details of dates, times etc (see address and Committee Update on page 11).

Planning Law Update

The day, at Homerton College, Cambridge, started with a review of the year from conference organiser and Chair, **John Dagg**. He began with The Housing and Regeneration Act 2008 which establishes a new and powerful Homes and Communities Agency. John described this as a "powerful beast". Depending on the resources available this new Act could, indeed, be very powerful. It has an England-wide remit to, amongst other things, provide housing or other land, regeneration, infrastructure, acquisition of land etc. and through Designation Orders can, effectively, become the planning authority much as Development Corporations are now. It is also the residuary body for Development Corporations and New Towns. John described the new agency as "a Development Corporation with a roving remit".

The Climate Change Bill is the first piece of statute law promoted anywhere imposing binding targets on Government. Following this, the Energy Bill is highly topical. This Bill proposes the creation of a regulatory framework for carbon-capture projects, and makes it easier to promote new nuclear power facilities.

Another topical Bill is the Community Empowerment, Housing and Economic Regeneration Bill which aims to improve the quality of local democracy. The controversial idea of removing the preparation of the Regional Spatial Strategy (RSS) from Regional Assemblies and giving the responsibility to Regional Development Agencies is included in this Bill. At present, preparation of the RSS is in the hands of unelected regional assemblies and transferring this responsibility to appointed RDAs is not popular, and this part of the Bill is very much work in progress, as both local government and RDAs are saying that this is not a good idea.

The Eco-towns policy has not followed the usual programme of consultation paper, green paper, white paper and Bill. The result of a challenge through Judicial review is awaited. This policy seems to have started with sites with a policy emerging later, instead of the formulation of policy working down to the detail. Consideration of this policy was topical as the

consultation draft of a PPS was published the day before the conference.

The "anoraks" could be heard rustling as John mentioned the new standard application form and validation procedure set out in Circular 02/2009, and the change to planning fees set out in Circular 04/2008, particularly the powers to deal with applications for confirmation of compliance with conditions. John's message was "apply in bulk" for £85.

An essential item for planners' desktop files is the amendment to PPS23 and Circular 11/95 contained in Model Planning conditions for Development on Land Affected by Contamination.

Also considered was the Community Infrastructure Levy (CIL), the CrossRail Act 2008, draft Bills on Heritage Protection (not included in the Queen's Speech-Ed.) and Marine and Coastal Access, the amended Development Plans Regulations, PPS1 Supplement, and finally, the amendment to the General Permitted Development Order for householder development. As well as posing questions such as "what does 'beyond' mean?" and "what is the 'principal elevation'?" John pointed to the interpretation article (Article 1.2) for help with meanings, and if that didn't help to see whether an expression in the Act would help. If that fails, he advised that we should "look at it in a broad and sense fashion" and give the word in question its usual meaning!

Angus Walker from Bircham Dyson Bell, then gave an expert update on progress with and controversy around the Planning Bill - (*see item in the previous Xmas Issue*).

Next, **Graham Wright** of Birketts gave the conference an update on case law. Eleven cases were referred to. These comprised two gypsy cases, interpretation of a condition, the Blyth Valley Core Strategy case, an interesting case on the commencement of development, an interesting green belt case, the bias and pre-determination case that was reported in Planning earlier in the year; designation of a conservation area as a way of trying to control demolition; a cautionary tale on

drafting Section 106s; and an agricultural occupation case, and the Court of Appeal decision on the Perrin v Northampton Borough Council case on the felling of a TPO tree to abate a nuisance (the effect of the roots on a neighbouring property).

A lot of these cases have a real effect on the day-to-day work of many planners, and it has been a busy year. The importance of keeping up to date with case law seemed an obvious lesson from this session.

After a vigorous questions session and lunch **David Whipps**, of Holmes and Hills solicitors took delegates through Common Problems in Enforcement. Firstly, the decision to take enforcement action: the importance of adequate investigation and use of tools such the Planning Contravention Notice were advocated. David advised local authorities to proceed with reasonable diligence and not undue haste. Next he advised delegates to check whose decision it is to take enforcement action – is it a county matter? And who, within the local authority can take the action? There should be express delegation. If the enforcement notice is issued with no authority it will be invalid and could lead to costs being awarded against the local authority. Next David considered the statutory requirements. He is of the view that there is often failure to properly consider (section 172). It must appear that there is a breach of planning control, and people don't always recognise what is a breach of control – and it must be expedient to issue the notice with due regard to the Development Plan and all material considerations (including permitted development rights).

David spent some time advising on specifying the breach of planning control correctly, and finally, getting the requirements right. This should include being realistic in setting a reasonable period for compliance. Precision is important in specifying the steps to be taken. A vaguely worded notice could be declared null. Enforcement may result in prosecution in a magistrate's court so the defendant must understand clearly what he must do. In terms of potential issues that might arise David advised that a use must be required to cease permanently, and it is reasonable to require ancillary uses to be dismantled or demolished (e.g. a hardstanding with a mobile home), and he referred delegates to Circular 10/97 which sets

out what can be required.

In terms of appeals against enforcement notices David advised delegates to consider the grounds of appeal early, and check that there are no basic errors. It is worth having a case plan and keeping witnesses informed. He finished by advising delegates to plan well in advance, plan well for the day, and on the day to be strong-minded and have confidence.

Martin Edwards, a Barrister of 39 Essex Street arrived hotfoot from the national RTPI Planning Law conference in London to conclude the day with "The Report To Committee and the Delegated Matter Report – Risks of Challenge". This was a fascinating tracking of recent judgements and the differing views of **Judge Jeremy Sullivan** and **Judge Andrew Collins**. The Cathco case is the latest decision on this topic by the senior Administrative Court judge. The case involved a misleading officer's report that went uncorrected at Committee.

The key points are that if a planning judgement is to be reached, it must be reached on the basis of proper evidence and proper material. It is insufficient for the officer to rely upon his own personal judgement unless he tells the Committee that that is actually what he is doing. Judge Collins referred to the relevant passages from Oxtan Farms and Fabre and then considered advance disclosure of committee reports. Martin concluded this section by looking at which approach is to be preferred. He concluded that the Cathco case post-dates the Fabre case; the Fabre case is not without its criticisms; and that the Fabre case pre-dates and the Cathco case post-dates the new duty to give reasons for granting planning permission.

Martin finished with a few words about officers' reports on delegated decisions. He advised that the same considerations should apply to delegated officer's reports as committee reports. A report is necessary in order to understand the reasons for granting planning permission, even if it isn't a full report and is in bullet point form – and the absence of a report will make a decision more susceptible to challenge.

Jackie Ward

AWARD FOR EQUALITY AND DIVERSITY

A team from the East of England Regional Assembly (EERA) won the Equality and Diversity Award category at the recent 2008 RTPI Planning Awards for an awareness-raising DVD about the misconceptions surrounding Gypsies and Travellers.

Somewhere to Live, commissioned jointly by four regional assemblies, highlights under-provision of authorised sites and raises awareness of the need to solve problems of unauthorised pitches.

It was used as part of the East of England Regional Assembly's public consultation last year on Gypsy and Traveller accommodation needs in the region.

The film is aimed at reaching the widest possible audience to draw attention to some key issues. For example, legal sites offer a better physical environment, often with water and power supplies available. There is value in closer integration with settled communities, reducing isolation and marginalisation for Gypsies and Travellers. The film also makes several informative observations on health issues – notable the low life expectancy of the travelling community. However, it also makes the important point that settled communities benefit from fewer unauthorised camps.

The East of England version of Somewhere to Live can still be viewed on EERA's website at: <http://www.eera.gov.uk/What-we-do/>

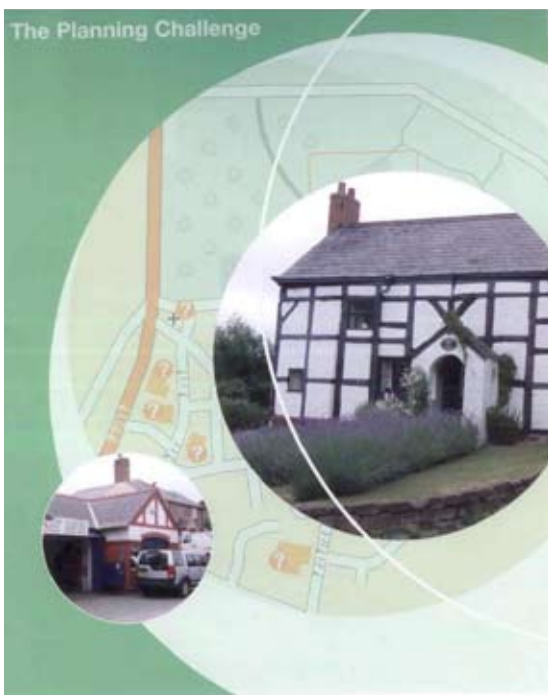


RTPI PLANNING AWARD 2008 - on behalf of 4 regions. From left to right, Michael Gallagher 4NW, Cllr. Moira Gibson SEERA, RTPI President Martin Willey and Cllr. John Reynolds

[developing-regional-strategies/east-of-england-plan/planning-for-gypsy-and-traveller-accommodation-single-issue-review/](#)

Copies of the DVD are also available by contacting **Stephen Hinchley**, Senior Policy and Communications Officer, stephen.hinchley@eera.gov.uk, 01284 729430

East Of England Planning Aid Service



UPDATE

The current community planning workload is varied and includes: participating in a planning challenge event for Cambridgeshire sixth formers designed to introduce the (100) students to the work of the development industry, and includes a role play concerned with a planning application for 40 houses on the edge of a fictitious village; facilitating stakeholder workshops organised by Shape East concerned with emerging masterplans for Ely; and designing a major community engagement programme tailored to up-and-coming local development documents in some of Bedfordshire's growth areas.

The Regional Manager of the East of England Planning Aid Service is **Marion Bailey**. Marion works in the offices based in Cambridge and can be contacted on 01223 350850 or by email:- marion.bailey@planningaid.rtpi.org.uk. **Shelley Davis** is the full-time Administrator and can be contacted on the same number or by email:- shelley.davis@planningaid.rtpi.org.uk.



Delivering High Quality Homes in High Quality Places for All

Lindsay Richards, of the Milton Keynes Partnership, began by explaining that the Milton Keynes Partnership Committee (MKPC) was charged with delivering growth in Milton Keynes up to 2016, which now falls within the remit of the Homes and Communities Agency.

Housing demand which has been targeted for 70,000 new homes up to 2031: of which 15,000 had been allocated to the Expansion Areas will come under the prerogative of the Milton Keynes Tariff. This is an overarching agreement made between MKPC and the land owners of the Expansion Areas to capture a portion of the uplift in land value to fund community facilities and infrastructure projects.

The cost of the Tariff is calculated through a development framework, which includes a land use budget for the number of houses (including affordable housing) the amount of commercial floorspace and the amount of reserved sites. The amount raised through the Tariff forms part of the overall funding required to meet infrastructure requirements for 15,000 new homes, the total of which is calculated to equate approximately to £1.67 billion. The other funding streams include Local Authority programmes, the Highways Agency and Health PCT. The Tariff is collected as a fixed payment made under the terms of a Section 106 Agreement as a condition of outline planning consent.

Abigail Davies, of The Chartered Institute of Housing, delivered a thought provoking and timely lecture upon the challenges and 'opportunities' that the current economic downturn was having on the delivery of housing with a particular emphasis on affordable housing within the UK..

The number of starts between Jun-Aug 08 is approximately 65% down on those in 2007. Impacts of the 'credit crunch' can also be seen by the high number of buildings that have stalled and left half completed. Re-emphasising the findings of the Crosby Review, Abigail argued for a heavier handed role from Government in intervening to stabilise markets and encouraging housing initiatives. She stressed the potential opportunities that the current economic climate presented to housing associations in taking a more prominent role than before and developers in particular were looking towards this sector for solutions. As a result Abigail pointed out some key responses to the immediate and future challenges, including:

- Comprehensive reviews and revisions to housing schemes and business plans;
- Close working with Local Authorities on development and a more co-operative approach working with a broader range of stakeholders;
- A more active approach to managing development pipelines to match housing markets – tenure and location (local authorities could play a key role in this respect as they could take an overview that embraced a more holistic approach;

- Develop new products with more flexible tenure;
- Seek new types of finance;
- Present new opportunities for land, stock, competition; and,
- A robust longer term strategy (a criticism that Government was undertaking a limiting and narrow perspective.

Abigail felt that in the future:

- the short and medium term challenges were real and impacting on delivery in market and social sectors;
- the effects of the current crises were having a hollowing out effect on the housing industry that would take time to recover from;
- the need for homes had not gone away;
- there would be a need to rethink our views on ownership and rental products;
- there might be a need to formulate new models of investment and approaches to planning; and
- the impact upon regeneration and market renewal areas would need to be considered.

Eco-towns were then considered by **Patricia Willoughby** of David Lock Associates.

Key criteria for eco-towns included:

- small new towns of 5,000 – 20,000 homes;
- linked communities;
- Zero carbon; exemplary in one environmental technology;
- Good facilities;
- 30-50% affordable housing
- delivery organisation

Bids were invited from the public and private sector, which later underwent review and assessment and a shortlist of 15 locations and set out in April's consultation paper called Eco-towns: Living a Greener Future.

CLG have now released their draft PPS on eco-towns for public consultation. However, Patricia felt that the initial strong Central Government orientated approach had diluted slightly. She also noted a gradual shift towards a development plan approach that engaged with the RSS and LDS. Eco-town policy had also become politically-charged, despite all parties signing up to delivering more environmentally sensitive houses. However, Eco-towns had polarised views within the Conservative Party stating that it will scrap plans if it is successfully elected in the next general election.

Patricia then talked in detail about the Marston Vale Eco-town (a private sector-led bid) which was seeking novel approaches to meet the Eco-town standards.

Patricia closed by emphasising that despite being at the early stages of the process Eco-town policy development had acted successfully as a catalyst for stimulating debate within the housing

industry and inthinking creatively about how to improve the overall housing standards to meet the strict Eco-town criteria.

The next item was about creating successful communities and **Julia Upton** of the Milton Keynes Community Foundation, began her talk by explaining its main aims:-

- Develop Local Philanthropy;
- Manage a Property portfolio;
- Support the local voluntary & community sector; and,
- Create successful communities by tackling issues of disadvantage and exclusion.

In developing a local philanthropic ethos, the foundation works with small voluntary groups and motivated local individuals in articulating their aims into an attractive business model that can be presented to donors.

The foundation has made over £6.m in grants since 1987. Julia stressed the importance of working with local communities as they were often the best placed in understanding the needs of the locality. The foundation also works in partnership with community mobilisers, whose task it is to actively reach out to the local community to help gauge their needs and articulates them back to the foundation.

An important element of the foundation is its property portfolio called MK Community Properties which it had inherited from the Milton Keynes Development Corporation. The majority of the properties held by the foundation are let to charities who receive up to 75% discounts. The foundation also received from the Development Corporation, freehold land called Community Reserve Sites, which allow a thoughtful and sensitive approach to the best use for these sites for local communities. These assets allow the voluntary sector through the foundation to gain a real stake in the community and help shape its development. Additionally a scheme called the Roof Tariff is used to help pay for the development and infrastructure support of the voluntary and community sector. The Roof Tariff must be paid on each dwelling built within Milton Keynes and over the 30 year period since its adoption it has raised 3.75million.

Finally, a thought provoking talk 'How we stopped worrying and learned to love growth..' was given by **Kelvin MacDonald**. He began by presenting a few facts regarding the sudden recent changes seen in the housing market:-

- Private housing starts were down although not reflected in the social sector;
- 65% of affordable housing had come through Section 106

agreements;

- Properties taken into repossession are up;
- New and old house prices converging;
- Persimmon share price drops suddenly; and,
- Mortgage loans were down.

Kelvin then delved deeper into the changing attitudes to growth in the UK. He reiterated many of the concerns that some people suggest for disliking growth, such as:

- is ugly and destroys our countryside;
- puts pressures on local services;
- does not benefit existing communities;
- contributes to global warming;
- doesn't make housing more affordable;
- is unplanned; and,
- relies on market forces.

Kelvin quoted the Director of Shelter, **Adam Sampson**:

"There is a peculiar inconsistency about our approach to housing in the UK. While most people can see the damage the housing crisis is causing, proposals for new housing regularly run into the sand because of local opposition"



However there were positives moves such as the Community Infrastructure Levy (CIL) that promises the potential to help capture the rise in land values that development can bring. Partnership working between the developers and the local authorities highlighted by the Callcutt Review can deliver projects that offer both physical and social regeneration. Government is responding to the need to improve the design of development and has identified

strong leadership to respond positively to change as a key to achieving sustainable communities. Kelvin repeated CABA findings that stressed the quality of many of the developments (29%) that they feel should not have been granted planning permission.

Government believes that climate change is the greatest long-term challenge facing the world. The built environment has a crucial role to play in tackling climate change. However, despite the growing acknowledgement of the role planning has in the current climate, Kelvin questioned the soundness of proposals that favoured growth in the East of England; an area of the country that faces serious issues of unsustainable water abstraction and constraints on supply.

Kelvin argued that growth was essentially unplanned in England as a national plan did not exist – unlike the Wales Spatial Plan and the Scottish Spatial Plan. He questioned the planning rationale for

many of the Eco-towns (whilst supporting their eco principles) as many of the sites were re-submitted locations that had previously been rejected; a scenario which is only exasperated by slippages in the delivery of Core Strategies at a local level and the shortages of planning officers.

Kelvin also questioned the need for the planning system to be so heavily dependent upon market forces. The current downturn in the economy and its dramatic impact on housing demonstrates the need for a more articulated planned model. Kelvin concluded by saying that the present economic crisis presented big challenges in the delivery of affordable housing. It also presented an opportunity to do something to change the current system and tackle the housing crisis.

Joseph Thomas

COMMITTEE UPDATE - 2009

The first meeting of the year was held on 26th January

Possible items of interest included:-

- The number of apologies received was a record! Until **Nigel Gibbs** arrived at 10:30, the meeting was not quorate.
- Robert Hobbs** is hoping to be elected to Corporate Membership in April 2009, at which time it was agreed he should be co-opted as Regional Senior Vice Chair.
- Jenny Massingham** has filled the last remaining Student/Licentiate vacancy. Only one vacancy remains, for a Technical member.
- The President's visit (not Obama!) is now likely to be in June or July for this 2 or 3 day visit.
- The AGM will be held immediately following the Committee on 14 May - it is hoped that sandwiches will be available!

REGIONAL PLANNING AWARD 2009

Entries are now invited for the 2009 Award. This prestigious award is open to all members of the East of England Region. The Rules are simple and few in number:-

1. Any completed project or proposal in the field of town & country planning which has been or could be implemented or applied in the region is eligible.
2. Any member of the East of England Region may nominate an entry.
3. The nominator should give a title to the achievement, a brief description of it, and identify the recipient(s) of the Award.
4. The nomination should be accompanied by any supporting material thought to be appropriate (this can follow the nomination, but by the closing date).

Closing Date: 11 May 2009

Assessment Criteria:

The entries will be judged on the basis of, Innovation; general applicability across the Region; public participation or partnership working; standard of presentation and outstanding recognisable benefits of the scheme.

Entries should be made to:-

RTPI East of England Regional Office
4 Opus House, Elm Farm Park, Great Green, Thurston, Bury
St Edmunds, Suffolk, IP31 3SH

or email: eastofengland@rtpi.org.uk

EMAIL COMMUNICATIONS

Would you rather receive information from the Region by email? The Region's e-mailing list is growing! We are keen to reduce the post coming through your letterbox or into your in-tray - would you rather receive your information by email? There is the added advantage that you would receive the most up-to-date information at the earliest opportunity of

events organised at short notice, or changes to published information about events.

Please contact the Regional Administrator Tina Jessup at eastofengland@rtpi.org.uk if you are keen to receive information electronically.

REGIONAL CONTACTS

All Members of the Regional Management Board and Regional Activity Committee Members can be contacted via the Regional Office at: RTPI East of England, 4 Opus House, Elm Farm Park, Great Green, Thurston, Bury St Edmunds, Suffolk IP31 3SH

Tel: 01359 233408 Fax: 01359 232176 email: eastofengland@rtpi.org.uk

PLANNING FOR INFRASTRUCTURE - THE NEW REGIME

The Planning Act 2008 establishes the Infrastructure Planning Commission (IPC) and introduces a new system for granting planning consent for 'nationally significant infrastructure' projects. Nationally significant infrastructure projects are defined by the legislation (*see box below*) albeit that the Secretary of State has the right to add or remove any other types of infrastructure projects as he may feel necessary.

NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

- electricity generating stations
- overhead electricity lines
- underground gas storage facilities
- LNG facility
- gas reception facility
- gas pipeline
- other cross country pipelines
- highways
- airports
- harbour facilities
- railways
- rail freight interchanges
- dams or reservoirs
- transfer of water resources
- waste water treatment plant
- hazardous waste facility

Note: for detailed criteria on size, see Part 3 of the Act.

The IPC is an independent non departmental public body. Commissioners will act as decision makers and, as such, will need to have a well established track record of evidence based decision making across a broad spectrum of issues.

In deciding whether or not to grant development consent, the IPC is required to have regard to:-

- any National Policy Statement;
- local impact report;
- any prescribed requirements which are yet to be set by the Regulations; and
- any matters which the Panel thinks are important and relevant to its decision.

The Panel is under a duty to complete its examination of the application within six months and to issue a decision within nine months.

The Regulations have yet to be published setting out the prescribed requirements for applications. However, based on discussions with Government we have a reasonable understanding of the requirements and we can expect applications to comprise :

- the completed application forms;
- the development drawings;
- Planning and Sustainability Statement;
- Environmental Impact Statement;
- Design and Access Statement;
- Consultation Report.

The Planning and Sustainability Statement would set out the need and justification for the scheme, summarising the proposals and dealing with the planning issues. The Environmental Impact Statement will, in effect, be the 'local impact report' dealing with the normal environmental impacts of projects of this type. Similarly, the planning legislation requires the submission of a Design and Access Statement which we assume will form part of the new application procedure. The Consultation Report is a more formal part of the application process as prior to making an application for development consent, it is necessary to consult:-

- a) such persons that have been prescribed by the legislation;
- b) the County and District Council's in the area of the application site;
- c) owner, lessee, tenant (whatever the tenancy period) or occupier of the land;
- d) person with an interest in the land or anyone who has the power
 - (i) to sell and convey the land; or
 - (ii) to release the land.
- e) able to make a claim under the Compulsory Purchase Act 1965 or the Land Compensation Act 1973 as a result of the implementation of the consent.

It is also necessary to consult the IPC themselves prior to consulting those set out above.

Following the submission, the IPC has 28 days to decide whether or not to accept the application. The IPC Panel must then make an initial assessment of the principal issues arising on the application and hold a meeting with the applicant and any interested parties. The Panel will decide how the application is to

be examined but may include the consideration of:-

- written representations;
- hearing about specific issues;
- open floor hearings.

When the Panel has completed its examination of the application it must inform the applicant and all interested parties.

Broadly, there are three things that need to be done to set up the new regime:

- establishing the IPC;
- setting out the detailed procedures and processes of the new regime in statutory instruments and guidance; and
- the preparation of National Planning Policy Statements (NPS's) which will set out the national need for particular types of infrastructure and provide the principal basis for the IPC's decision making.

The Government has set a challenging timetable for the implementation of the IPC. It plans to establish it as a legal body so that it is able to start advising potential applicants from autumn 2009 and be ready to receive applications in the first half of 2010. The Government plans to consult on the detailed procedures for making applications under the new regime in the second quarter of this year, with a view to putting in force the necessary secondary legislation and guidance in October 2009. Following this, it plans to consult on the detailed procedures the IPC will then use to examine applications, with a view to those being in place by April 2010.

In parallel with this work, the Government will also draft the first tranche of NPS's (Non nuclear energy and ports) for consultation in the summer with designation early in 2010. The remaining NPS's would follow with the intention to 'switch on' the regime for different sectors in a phased basis.

Adrian James is a Partner with the Cambridge office of Barton Willmore



planningmatters.co.uk

planningmatters.co.uk has been developed by the RTPI to assist its users in handling their jobs effectively and in continuing their professional development.

Users benefit from their learning being recorded electronically in a personal learning log and in receiving an online self-assessment for each downloaded planning module. Users are able to use this log as evidence of their CPD.

All planning modules on this website are commissioned and prepared under the strategic direction of an Editorial Board.

The material is divided into the following types:

- Action Lists: spatial planning, business and management modules providing an easy-to-adopt set of steps to follow in implementing an action plan
- Knowledge Builders: modules which offer a detailed overview of the topic and references to further online and print based sources of topic specific information
- Self-Development: bite-sized, self-contained chunks of learning for personal development purposes
- Diagnostic: self-audits of existing processes, procedures, skills and knowledge
- Management Book Digests: easy-to-absorb abstracts of well-known management books

New content is added regularly!

tel: David Hill on 020 8568 1500; email: david@planningmatters.co.uk; www.planningmatters.co.uk

Young Planners' Update

Archaeology was the title of the final East of England young planners' event of 2008 held on 27th November at City Hall in Norwich. **Ken Hamilton** of Norfolk Landscape Archaeology gave an informative presentation on a variety of archaeological evaluation techniques, PPG16 and the importance of addressing archaeology early in pre-application discussions. The presentation was highlighted by case studies from Great Yarmouth, Norwich and Thetford. The evening continued as usual in the nearby Wine Press.

What's on in 2009?

Six events are so far planned for 2009 with the first being on the topic of Water Efficiency and will be held at City Hall in Norwich on 30th April. **Mike Burrell** of Norwich City Council will give a presentation on new planning guidance, released by Waterwise East in collaboration with partners in early February, entitled 'Water Efficient Buildings: Water and Planning: Guidance for planners'.

In May it is hoped to have an event on a planning law topic in Bury St Edmunds, followed by an event in Ipswich in June. We will also be supporting a joint event with both the London and South Coast young planner groups at the time of the Planning Convention in London.

In August, Norwich will once again be the destination for an event and there will be the annual Assessment of Professional Competence event in Bury St Edmunds in September. To end the year an event in Cambridge is planned for November.

I will confirm details over the forthcoming weeks so keep an eye on the RTPI website for further details or if you would like to be added to our mailing list please e-mail me at robert.hobbs@ipswich.gov.uk or phone on 01473 432931. If anyone has any other ideas about an event in terms of a topic and a location then please let me know.

Award for young planners

This year President, Martin Willey, is promoting an initiative known as "Today's and Tomorrow's Leaders". This is a regional award promoted across the UK and the 'Tomorrow's Leaders' part is open to all young licentiate, student, corporate or associate members of the RTPI under the age of 35. The award is aimed to recognise achievement and promise in the practice of good spatial planning or development management by a young planning professional. The judging panel will be looking for innovative examples of sound town planning. The winner may then be considered for the National Young Planner of the Year Award. Further details will appear on the East of England young planner pages on the RTPI website but in the meantime please consider nominations for the award.

Rob Hobbs is East of England Young Planners' Rep and a Senior Policy Planner at Ipswich Borough Council.

Steering Group

The next National Young Planners' Network steering group meeting will be held in London on 12th May to plan for the forthcoming year and to share ideas. I usually attend but if anyone else would like to attend instead on my behalf then please let me know. It is a great opportunity to meet with young planners' from across the country and to shape the network at a national level.

What do you think about the new look ORIENT EXPRESS?

If you have any views on new format or anything else to do with the newsletter, or if you or your organisation would like to become a sponsor, please write to:

Peter Hakes,
30 Viking Way, Brentwood, Essex, CM15 9HX
or email: peter@hakes3334.fsnet.co.uk



WHO'S WHO OF THE RTPI EAST OF ENGLAND 2009

REGIONAL MANAGEMENT BOARD

Regional Chair	Vacant - awaiting nomination
Regional Senior Vice Chair	Vacant - awaiting nomination
Regional Junior Vice Chair	Vacant - awaiting nomination
Regional Immediate Past Chair	Vacant
Regional Hon. Secretary	Richard Chillingford , Retired
Regional Hon. Treasurer	Steve Bateman , Private Practice
Regional Representative on RTPI General Assembly	Richard Summers , SQW Consulting
Ex Officio Member of RMB 2008	Robert Purton , David Lock Assocs.
Ex Officio Member of RMB 2008	Jackie Ward , Private Practice

REGIONAL ACTIVITIES COMMITTEE (RAC)

(includes Members of the Regional Management Board - see above)

CORPORATE MEMBERS OF THE RAC:

Tony Barker	North Herts DC
Claire Churchill	Kings Lynn & W Norfolk BC
John Dagg	Barrister
Peter Geraghty	Southend-on-Sea BC
Nigel Gibbs	Dacorum BC
Phil Godwin	North Norfolk DC
Peter Hakes	Private Practice
Ann Hockey	Anglia Ruskin University
Philip Isbell	Mid Suffolk DC
Paul Maison	Private Practice
Nigel McCurdy	Forest Heath DC
Andrew Meddle	Southend-on-Sea BC
Eiluned Morgan	Private Practice
Robert Phillips	DLP Planning Ltd.
Shaun Scrutton	Rochford DC
Peter Warner	Great Yarmouth BC
Richard Whittaker	Environment Agency
Richard Woolley	Retired
John Young	Private Practice

WHY NOT ADVERTISE IN THE ORIENT EXPRESS?

The Orient Express newsletter is published quarterly. Eighteen hundred (1800) copies are distributed to planners throughout the six counties of the East of England and a copy is now available from the RTPI East of England region web site.

**It is therefore an
ideal vehicle for
your message!**

2008

Regional Planning Achievement Award

Entries have been received from:

*Cambridgeshire Horizons,
Cambridge City Council,
St Edmundsbury Borough Council (3 entries),
Broadland District Council,
Terence O'Rourke, ARUP and
Entec UK/The Crown Estate/Dacorum Borough Council.*

The members of the Awards Panel have nearly completed the judging and the Winners will be announced in the Summer issue of the Orient Express.

TECHNICAL MEMBERS OF THE RAC:

There is currently one vacancy for a Technical Member.

LICENTIATE/STUDENT MEMBERS OF THE RAC:

Steven Bainbridge	The Landscape Partnership
Phil Grant	Barton Willmore
Robert Hobbs	Ipswich Borough Council
Jillian Luntz	Mott MacDonald
Jenny Massingham	Barton Willmore

OTHER REGIONAL POSTS:

Regional Administrator	Tina Jessup (part-time)
Regional Clerical Assistant	Jean Aldous (part-time)
Deputy Rep. on Gen. Assembly	Ann Hockey
RTPI Regions & Nations Panel Rep	Richard Chillingford
Regional Consultation Secretary	Peter Warner (tbc)
Regional CPD Convenor	Richard Woolley
Regional Env. Education Convenor	Vacant
Regional Equal Opps. Co-ordinator	Vacant
Regional Membership Secretary	Tina Jessup
Regional Newsletter Editor	Peter Hakes
Planning Aid Manager	Marion Bailey
Planning Aid Caseworker	Christine Flittner
Planning Aid Community Planner	Vacant
Planning Aid Convenor	Jackie Ward (tbc)
Regional Press/PR Officer	Phil Godwin (tbc)
Programme Secretary	Richard Woolley
Young Planners Liaison Officer	Robert Hobbs

Please contact any of the above via the Regional Office, tel: 01359 252366; fax: 01359 252364; email: eastofengland@rtpi.org.uk



Natasha Oosedam, Editor of 'Planners Up Front and On Top', brings you 'love, intrigue and town planning' from the 'Barbara Cartlodge of the Marshes' - Marcia Worlspittle

ONE OF OUR REGENERATION DELIVERY VEHICLES IS MISSING

gesture of defeat, turned and slammed the door behind her.

* * *

"She'll be a real beauty one of these days, will that girl of yours' look you!"

"You could be right there, Davy Bach, -just like her Mam."

"It's your round Dai -come on let those moths out of your wallet, boyo."

"But she's a handful, mind you. Our Gryff caught her scrumpin' apples last week -all blacked-up she was an' in that camouflage gear!-playin' soldiers and her not yet twelve year. And another thing-she's made this crystal set see, - wireless isn't it- and she sends these Morse code messages to her pals-she's a real tom-boy an' no mistake. But Mrs Pritchard up at the school says she's bright enough - could go far."

Suddenly a short, red-haired, distraught, wild-eyed man thrust open the Private Bar door and shouted "it's our Rhodri - he's missin', do you hear, missin' -not been home for his supper: must be out in the dark somewhere and he's only eleven year old!"

"Right," cried Dai Morgan, "it's a search party we need. Get the Minister and the Constable. They'll know what to do".

A cry rang out from the depths of the hostelry- "it's no go with the Constable like - back here in the 'snug' -been here all day - spark out."

The next minute the bald headed Minister appeared at the pub door (he could not bring himself to go in) and a meeting was quickly called on the threshold and search parties dispatched to the old mine workings and disused water filled pits that surrounded the settlement.

"Tabitha!... Tabitha Morgan, come in at once, girl!" The tall woman with long black hair stood at the door of the small, grey, cement rendered, terraced cottage in that slate mining village under the shadow of the Snowdonia Mountains, called again and with a

Dai ran home to tell his wife that he would be late and as soon as the tale was told a bright eyed Tabitha asked whether she could help - "Let me come Da, I know the woods round here better than anyone - especially in the dark."

Dai looked at his wife -she nodded and said "Yes, but take our Gryff - he's a big lad -keep you safe, see."

"OK Mam, but where is he?"

Pointing up-stairs, her mother said "he's doin' his distance learnin', isn't it - that Estate Management lot, down Reading way - wants to be a town planner or somethin' - a bit too big for his boots, if you ask me - since gettin' that job with the Park Authority lot, look you."

The search party comprising Dai, Tabitha, Gryff and Shepley the dog set off towards the Forestry Commission's woods. After a while they came across a small clearing where branches had been strewn across the ground, and there with his head showing above the ground was the head of Rhodri. He wiped away his tears and tried to shield his eyes from the flash light. They quickly hauled him up from the pit and Gryff carried him home.

* * *

There was much jubilation, back-slapping and drinking in the pub that night.

* * *

Later, Tabitha wrote her diary:

'Rhodri is so stupid. He will need to be punished for falling into our elephant trap and we only just finished it today.

Mrs Pritchard spoke to me this AM -says her sister in Prestatyn might be able to get me a good job there in a few years time. But what I really want is to get into the TA, like our Gryff; the Brownies are rubbish!

Da says all they do is sit in the back of trucks with head-phones on talking to them selves -but I think there's more to it than that...

To be continued....

This novel has been published in seventeen different countries and translated into 49 different languages. However it is not currently available in English except to readers of 'Planners Up Front and On Top'.

The views expressed in this newsletter do not necessarily reflect the views of the Regional Activities Committee or Management Board, the Institute or the author's employer's.

RTPI East of England Regional Office

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