



Department for
Communities and
Local Government

External Review of Government Planning Practice Guidance

Report submitted by Lord Matthew Taylor of Goss Moor

The findings and recommendations in this report are those of the consultant authors and do not necessarily represent the views or proposed policies of the Department for Communities and Local Government.

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Any enquiries regarding this document/publication should be sent to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 030 3444 0000

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Aims

This report sets out the conclusions and recommendations of the Review I was asked to lead in October 2012 of the existing 7,000 plus pages of Government Planning Practice guidance which supports the implementation of national planning policy, and which DCLG owns or owns with other Government Departments or agencies. The aim was to enable the production of an accessible and more effective set of practice guidance, dramatically reducing the existing guidance, and ensuring that new guidance supports effective planning.

I have been supported in this by an Independent Practitioner's Group sitting pro bono as individuals. The other members of the Practitioners' Group are Simon Marsh, Andrew Whitaker, Trudi Elliott and Councillor Mike Jones.

The Group was asked to make recommendations as to:

- The scope and form of practice guidance that should be provided in future by Government to support effective planning; and
- What new or updated practice guidance should be published, with clear priorities; and what guidance should be cancelled.
- The Group was also asked to consider the scope to encourage the planning sector to produce appropriate guidance.

Introduction

We note that the sector strongly advocated that this task should be undertaken as soon as practical following the publication of the National Planning Policy Framework, and we welcome the priority our work has been given by the Department.

We have now reviewed in detail all the extant DCLG Guidance - more than 200 documents, over 7,000 pages. It has been a huge task, and I would like to express my gratitude to both the members of the group and the officials from both DCLG and PINs who supported our work.

We have, during the course of the review, convened three round-table sessions to gather the views of a broad range of organisations and practitioners as well as other Government partners. These are listed at the end of this document. Although not conducting a formal consultation, we have also received a number of submissions.

It is very clear that the system itself is **no longer fit for purpose**: it is currently neither an effective suite of planning practice guidance to support plan making and development management by the sector as a whole, nor is it in a form which can be effectively managed and kept up-to-date by Government.

Some reflections first which have informed our conclusions and recommendations. We have aimed not simply to remove from the current guidance that which is most redundant, contradictory or out-of-date, but more importantly looked to create an altogether new approach to guidance going forward to ensure we do not end up here again.

- A vast range of material – statements, circulars, guides, leaflets, letters from the Chief Planner, material addressing reactive issues, joint material with other departments, bodies, and the private sector, have all counted as ‘guidance’ simply by virtue of carrying a DCLG stamp. **These have never been effectively managed as a whole. This is a critical consideration for the future if we are not to end up here again and if there is to be effective management of the guidance suite.**
- There are documents, dating back as far as the 1970s and 1960s, which whilst no doubt valuable at the time of publication, are wildly out-of-date. Even documents that state they will be (and need to be) regularly updated as ‘living documents’ have sometimes not been amended since first publication – years or even decades ago. Resources were put together at the time, including outside expertise, to produce them, but the sheer quantity and diversity of material means the Department and its predecessors have never had the resources to maintain them. A critical issue for the **future is that there must be a managed process for updating or cancelling documents as time passes.**
- Best practice guides may have nuggets of good and even essential information, but these are often buried amongst extensive commentary and out-dated case studies. Much of the commentary would be unnecessary if there was one coherent guidance suite. Case studies date very quickly and can even contain advice that has sometimes been long since regarded as bad practice; organisations - even departments - that no

longer exist in that form; legislation and regulations that have been superseded. It is apparent that neither DCLG - nor Government more widely - has the resource to keep this quantity of material and particularly case-based best practice advice current and relevant. **Given that many organisations provide this kind of case study based advice it is not obvious why the Government should retain or in future produce this material, and this should instead be sector led.**

- In many cases, it is clear that out-of-date documents have been retained because they contain important nuggets that are in regular use but have no other source than that particular document. In our roundtable conversations, external partners were able to identify the key paragraphs - or even sentences - which were the essential material in a particular guidance document. **In future there needs to be an editorial process that identifies and updates the essential items, and offers this as guidance, excluding all that is unnecessary, if well intentioned.**
- The practice has built up of publishing regulations, circulars and even addendums to manuals that amend earlier material rather than replacing it. The result is that a particular piece of guidance may only be explicable and complete if several documents are cross-referenced, making it unusable to those without specialist knowledge and potentially (if the unamended document is relied on) misleading and even dangerous. It should be the responsibility of DCLG - through the office of the Chief Planner - to ensure that in future **guidance is kept easily accessible, explicable, and in a coherent form when updated.**
- In many cases, guidance simply sets out what is in legislation or policy - and embeds the dependency culture of waiting to see what Government spells out rather than enabling those at the front line to think for themselves. It also continues to encourage lazy legislative thinking - **if statute, regulations and Statutory Instruments (SI's) were clearer, the wording would not need to be pieced together or clarified in guidance.**
- The practice has built up of using Chief Planner's letters and sometimes circulars to highlight and explain changes or current issues, but these letters and circulars are then part of the ongoing body of guidance material indefinitely unless specifically cancelled, further confusing the waters. On occasion the wording adds to, and sometimes does not accurately align with, the original regulation, SI or statute, further confusing the position. **It should be possible to draw attention to or explain new guidance or address current issues without adding to the body of formal guidance.**

Going forward

- We are clear that guidance can be essential and adds real value in terms of planning practice. It covers important 'how to' material ranging from dealing with hazardous material or tree preservation orders, minerals planning to the town centre first sequential tests applied to supermarket developments, environmental impact assessments to public safety.
- Recent documents are generally much clearer and more succinct. We particularly liked the style of the Introduction to Neighbourhood Planning, for example, and some of the

PINs guidance. This makes it clear that **it is possible to present guidance that is accessible, useful, and which if properly managed can be kept relevant and up-to-date.**

- **Across all those we met there is a clear understanding that the historic accumulation of out-of-date, contradictory and unmanageable material must be brought to an end, whittled down to an essential, coherent, accessible and well-managed suite of guidance that aids the delivery of good planning. It must then be maintained as such. Where there is a will, we believe there is a way.**

Conclusion

- Guidance should be cut to that which is essential and clearly defined and described as Government Planning Practice Guidance. This is not just a matter of eliminating some documents and updating others - it is about identifying the essential paragraphs, processes and pointers, and cutting the guidance suite down to these elements, making sure they are in a form that is clear, concise, relevant, accessible, and up-to-date.
- Whilst the right guidance is essential to all involved in the planning process, there are limitations to what guidance can achieve. Guidance can never replace local judgement and the application of professional expertise - it can merely assist. We have been urged to find solutions to contested areas such as assessing viability, or housing requirements. Guidance can and should clarify the 'ground rules' for these processes, so there is clarity about approach, where evidence can be sourced, etc - but guidance should support the application of local skills and judgement, not automate them. Guidance also has a crucial role in helping identify what information is required in different circumstances, to ensure proportionality and that decisions are appropriately informed without undue burdens being placed on applicants or the decision-taking process.
- Best practice in the form of exemplar schemes from around the country is constantly evolving, so this kind of 'best practice' material is not best managed by Government but by practitioner bodies. It should be removed from current guidance and excluded in future. Government guidance should instead highlight the organisations where such material may be found where this is helpful, but it should not be the function of Government to provide or endorse it.
- There is a role for Government Planning Practice Guidance in explaining complex regulatory and policy requirements, but this should not unnecessarily restate regulations and SIs - rather these should be written clearly in the first place. In particular updates should replace rather than amend, so that they can be read and understood without having to piece together a series of amendments to earlier texts.
- Crucially, the new guidance suite we propose must not be allowed to get into this confused state again. Live management of the set of guidance must be the core task for Government. The presentation, processes for updating, and the range of essential material should be managed as a coherent suite by DCLG: this must be the only place

that determines Government Planning Practice Guidance, with a clear management line of responsibility – we suggest through the Chief Planner.

- It needs to be much clearer what is formal Government Planning Practice Guidance supporting the National Planning Policy Framework and local planning management. Anything Government says or produces may be taken into account by the courts or others, but formal planning guidance should be recognised as such through being clearly identified, referenced, dated and accessible in one place as a coherent and understandable suite - whether by planners, developers, NGOs, community groups or the general public.

Recommendations

Nature of guidance

1. Going forward, it is important the Government is clear what Government Planning Practice Guidance should include, and what should be excluded. Its function should be to support effective delivery of plan-making and decision-taking, supporting the delivery of policy and the legislative planning framework. To do this it must be **clear, up-to-date, coherent and easily accessible**. It must **provide essential information**, not unnecessarily repeat statutes and regulation. It should **exclude best practice exemplar type information**, which is better provided by practitioner bodies.

Web-based, live resource

2. In future, Government Planning Practice Guidance should **be a web-based, live resource, hosted on a single site as a coherent up-to-date guidance suite**. The Government should take immediate steps to build or identify a suitable site (as part of its 'digital by default' programme), into which Government Planning Practice Guidance can be decanted as it is brought up-to-date and rationalised. This is not a matter of hosting documents of the sort that presently exist. Centred on the National Planning Policy Framework text, it should use links and drop down menus (as well as a searchable index) to provide the guidance that is relevant and needed by those accessing the site. The guidance should be provided in an appropriate form - not lengthy texts but prompts, essential information, required or recommended processes.

Active management

3. The web-based Government Planning Practice Guidance suite must be **actively managed to keep it current**, and held as a critical task by DCLG. As an accessible, coherent live resource (that is no more lengthy than essential) it will be accessible and understandable for all users, and those users should be enabled to draw attention to omissions, inconsistencies and out-of-date material, and suggest improvements – effectively creating an open source resource, managed by DCLG. To ensure it remains as relevant, usable and up-to-date as is possible, an **annual review** would be valuable, using open source methods to invite all views.
4. There will need to be a clear protocol for what material is admitted to the site and in what style and format, and its maintenance as an up-to-date and relevant resource. Best practice in document management is set out in ISO 9001, and we recommend that either this or an equivalent management standard is adopted. We recommend that the Chief Planner is given the ultimate responsibility for the site as gatekeeper and upholder of these standards.
5. Because the site will be 'live' with continuous amendment (rather than individual documents being published from time to time) it will be essential to be clear what guidance was current at the time it was used. **Material will need to be readily printable and date stamped** (in the way many legal websites provide legal resources) so that anyone relying on the guidance can evidence that it was current when used.

The ability to download an offline 'app' would also be valuable to practitioners if the technology allows, albeit necessarily date specific unless updated.

Guidance updates

6. Members of the public and interest groups must be able to **access the site free of charge**, and it should make the planning system clearer and much more accessible for them. At anytime everyone will be able to access the current, up-to-date information. However, with a live site practitioners will need a system that draws attention to changes as they take place, and on occasion explanation of new statute, SIs, regulations, or immediate advice on current issues. These are currently provided in circulars and Chief Planning Officer's letters that become part of the impenetrable mass of guidance documents - on the web, these can be provided by **a bulletin/alert system**. Material that draws attention to changes or addresses immediate issues should be in the form of such bulletins/alerts that inform individuals registering as unique users of any changes or notices when they log in, but do not carry an ongoing life adding to the body of formal guidance, unless that is specifically intended and made clear.

Planning Inspectorate guidance

7. We note that PINS (the Planning Inspectorate) also publishes its own guidance. This largely but not exclusively involves procedural advice aimed at assisting those engaged with the appeal and examination systems. Whilst much of this is well written and it is comparatively up-to-date, it constitutes a further set of government guidance (as PINs is a Government body), and we have only examined in detail the small part of it that came within our terms of reference. We have worked closely with PINs through the review, and recommend that **PINs guidance is incorporated into the new single coherent guidance resource, and PINs should be involved as a formal advisor on the maintenance of the guidance resource going forward. Additionally, guidance is issued by PINS to specifically assist inspectors (the inspector information system) and this should be reviewed to ensure that it complies fully with the approach that we are advocating.**

Cross-Government guidance

8. Other Government departments have an interest and give advice on aspects of planning. Some of this material has been jointly badged with DCLG in the past, some not. It is important that whatever material other departments wish to produce, Government is clear that **it only constitutes formal Government Planning Practice Guidance once it is admitted to this website**. There should be a coherent 'house style' to keep it succinct, understandable, necessary - and in line with the rest of the guidance suite. We believe all departments will be keen to use this planning guidance 'gateway', but there is a vital role for a single gateway for signing off all Government planning guidance, managed by the Chief Planner. This will need agreement across Government.

Signposts to best practice by others

9. The new guidance website should **signpost organisations providing best practice guidance** and other advice in relevant areas (e.g. links to heritage organisations associated with the National Planning Policy Framework section on heritage) but **not endorse specific documents**. In many areas annual awards of one kind and another are given to exemplar schemes. DCLG might wish to consider working with LGA and practitioner bodies to encourage (or sponsor) award schemes of this sort. This creates a best practice resource for practitioners that by definition highlights new, innovative and evolving best practice and is constantly updated - and draws attention to the best in planning practice and development. We believe that supporting this approach is the best way Government can support the dissemination of best practice.

Timetable and consultation

10. The present guidance suite is **unfit for purpose**, and could not simply be decanted into the new web-based format. Indeed, it is vital that it is not. It will be necessary to create new material, drawing out (in consultation with practitioners) the vital elements from within the existing suite of guidance documents, updating and formatting as appropriate to a web based resource, before decanting it into the new site. This should be done as a matter of priority, and we believe the aim should be to complete the great majority of this work by **July 2013**, subject to necessary consultation, legislative and EU processes, etc. **At that point all the existing guidance should have been, or be, cancelled - so there is one up-to-date web-based Government Planning Guidance resource.**
11. Our recommendations are a radical overhaul of planning guidance and include the immediate cancellation of a substantial body of guidance. Whilst we believe they carry considerable support (having taken soundings from a significant range of organisations and practitioners and worked closely with PINs and officials) it is important for there to be a **formal Government consultation on our recommendations** at this point to check our conclusions and to inform the Government going forward.
12. The need for these revisions is urgent and widely acknowledged. In the context of the National Planning Policy Framework and other recent planning reforms, very little of the current guidance is fit for purpose or completely up-to-date. We recommend that the Government should commence the consultation as quickly as possible; and aim to complete the immediate cancellations, and work in progress on the preparation of the website and the most urgent updating of guidance by the first anniversary of the publication of the National Planning Policy Framework - **28 March 2013**.
13. Once the new web based guidance resource is fully established, accountability will be in great measure achieved by **the ability of users to post their comments and the ability to relatively easily amend a web resource** - allowing a 'crowd-sourced' check to keeping it current. However, after a rapid transition to such a radically new format we recommend that there is a **second formal consultation** at the point the resource is live, to identify any weaknesses or improvements, and ensure the guidance suite is then appropriate, coherent and up-to-date as a whole. By that time, a clear process for maintaining the guidance should be in place, with an agreed house style and a set process for changes to be made.

Cancellations, updates and new guidance

14. We attach a list of existing material we recommend for cancellation in Annex A, which offers a significant immediate reduction – which in itself will bring some coherence and clarity to guidance. Subject to further consultation (see Recommendation 11), these documents should be **cancelled as soon as practical, and the aim should be to achieve this by 28th March 2013.**
15. A further group of existing material (Annex B) deals with important subject areas that need to be covered in future guidance, but not in their present form. There is no immediate need to keep these documents and we therefore recommend that they are **withdrawn, but any relevant material should be incorporated into revised guidance.**
16. Some existing guidance, shown in Annex C, needs to be **kept until it is replaced by revised guidance.** Each document in this group includes material that is critical to the effective working of the planning system and needs to be retained until it is updated for the new web- based resource. However, **we stress that all the guidance will need to be at least edited into a suitable format for the web based resource, and very little fully reflects the new National Planning Policy Framework. We would not regard it as acceptable if all that happens is that some documents are cancelled on the basis of our recommendations, but much or all of the rest is left in its present format and the whole system fails to change.** If that happened, much would remain out-of-date, and over time the guidance material would simply end up back where it is now - over-complex and, when taken as a whole, incoherent and not fit for purpose.
17. We have also identified a number of policy areas, mainly arising from the introduction of the Localism Act and the National Planning Policy Framework, where there are gaps in the present guidance and we recommend that **new guidance, in a style consistent with revisions to existing material, is prepared.** This is shown at Annex D.
18. Finally, we were asked to indicate clear priorities for new and updated guidance. In our view the greatest priority is establishing the new website and then creating a single coherent suite of guidance within it. However, in terms of existing guidance and gaps in guidance that urgently need to be addressed because they are particularly vital for the delivery of good plan-making and decision taking, we believe the following areas need immediate attention:
 - Creating appropriate guidance to underpin the **Duty to Cooperate**, which is central to implementation of the National Planning Policy Framework.
 - Creating appropriate guidance regarding **Viability**, to ensure planning authorities and developers have a good mutual understanding of what this test requires.
 - Updating the **Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA)** guidance, to underpin the delivery of the National Planning Policy Framework in plan making and ensure it is used effectively.

- Updating **Climate Change and Renewable Energy**, to bring this vital material up to date and ensure it is used effectively and proportionately.
- Updating **Flooding**, to bring this key material up to date and ensure it is used effectively and proportionately.
- Updating **Environmental Impact Assessment**, to bring this key material up to date and ensure it is used effectively and proportionately.
- Updating **Sustainability Appraisal** to bring this key material up to date and ensure it is used effectively and proportionately.
- Updating **Biodiversity**, to bring this key material up to date to reflect legal requirements and new National Planning Policy Framework policy, and ensure it is used effectively and proportionately.
- Updating Development Management General Principles guidance regarding **prematurity and propriety**, to bring this key material up to date, give new guidance on financial considerations in determining applications, and ensure it is used effectively.

Organisations, Practitioners and Government Partners met with during the course of the Review

Roundtable convened by the BPF, and attended by the following at their invitation

- Addleshaw Goddard
- GL Hearn
- Nathaniel Litchfield and Partners
- Sainsburys
- SNR Denton
- Turley Associates

Roundtable convened by the TCPA, and attended by the following at their invitation

- CPRE/ Wildlife and Countryside Link
- Crest Nicholson
- Friends of the Earth
- National Trust
- RIBA
- Rutland Group
- The Wildlife Trusts
- UKGBC
- URS

Roundtable convened by the LGA, and attended by the following at their invitation

- ADEPT
- Birmingham City Council
- District Council Network
- Hinckley and Bosworth Borough Council
- Huntingdonshire DC
- London Borough of Croydon
- London Borough of Westminster
- Northamptonshire County Council
- Oxford City Council
- POS Enterprises

Further meetings held by Lord Taylor

- CPRE
- English Heritage
- Environment Agency
- Forestry Commission
- Historic Environment Forum
- Homes and Communities Agency
- Natural England
- Policy Exchange
- RICS
- Sport England

Annexes

Annex A		Recommended for cancellation	
Document	Year	Title	Comments
1	2012	Enterprise Zone planning simplification guidance v 4 (2011, updated in 2012)	Enterprise Zones programme management information, not planning guidance. Can be cancelled.
2	2012	Main changes to the tree preservation order system in England from 6 April 2012 (2012)	Dissemination of earlier changes, so can be cancelled.
3	2012	Letter to Chief Planning Officers: Liberalising the regime for flying flags	Advisory letter, already introduced, so can be cancelled.
4	2012	Letter to Chief Planning Officers: Compulsory purchase and land disposal work 25 Sept 2012	Advisory letter, time limited, so can be cancelled.
5	2012	Letter to Chief Planning Officers: Written Ministerial Statement - Planning simplification measures	Covering letter, no longer required, so can be cancelled.
6	2012	Letter to Chief Planning Officers: Transfer of Compulsory Purchase Orders and Land Disposal Work to National Planning Casework Unit 11 April 2012	Recommend deletion, but ensure information remains available online.
7	2012	Letter to Chief Planning Officers: New planning provisions coming into force on 6 April 2012	Covering letter, no longer required, so can be cancelled.
8	2012	Letter to Chief Planning Officers: National Planning Policy Framework	Covering letter, no longer required, so can be cancelled.

Annex A		Recommended for cancellation	
Document	Year	Title	Comments
9	2012	Letter to Chief Planning Officers: National Planning Casework Unit - Update 10 Feb 2012	Recommend deletion, but ensure information remains available online.
10	2012	Letter to Chief Planning Officers: Housing Design Awards 2012	Covering letter, no longer required so can be cancelled.
11	2011	Letter to Chief Planning Officers: Planning for Growth	Draws attention to a 2011 Ministerial Statement, which has been superseded by the NPPF, so it can be cancelled.
12	2011	PINS/GPA Note 01: Further advice on applying the criteria	Advice replicated elsewhere, no longer necessary. Can be cancelled.
13	2011	Letter to Chief Planning Officers: support for business and shops (2011)	Only required as interim advice, no longer needed. Can be cancelled.
14	2011	Letter to Chief Planning Officers: Liberalisation of Change of Use	Draws attention to changes now established, so can be cancelled.
15	2011	Letter to Chief Planning Officers: Policy statement on planning for schools development	Advisory letter, no longer needed, can be cancelled.
16	2011	Letter to Chief Planning Officers (2011): Design and Planning	Superseded by the National Planning Policy Framework, can be cancelled.

Annex A		Recommended for cancellation	
Document	Year	Title	Comments
17	2011	Letter to Chief Planning Officers (2011): Planning guarantee and information requirements	Matter of public record as set out in a Written Ministerial Statement. Consultation on performance is underway. Needs to relate to an update of other development management guidance. Duplication of the statement, so can be cancelled.
18	2011	Pre-Application consultation with communities: a basic guide (2011)	Outdated and no longer necessary, can be cancelled.
19	2011	Letter to Chief Planning Officers: Local Authorities (Contracting Out of Community Infrastructure Levy Functions) Order 2011	Covering letter, no longer required, so can be cancelled.
20	2011	Letter to Chief Planning Officers: Householder permitted development rights for micro wind turbines and air source heat pumps	Covering letter, no longer required, so can be cancelled.
21	2011	Letter to Chief Planning Officers: The Town and Country Planning Order 2011 and the Town and Country Planning Regulations 2011	Covering letter, no longer required, so can be cancelled.
22	2011	Letter to Chief Planning Officers: Advertising Control - Provision of DCLG guidance	Covering letter, no longer required, so can be cancelled.
23	2011	Letter to Chief Planning Officers: Update to Planning Policy Statement 10 (30 March 2011)	Covering letter, no longer required, so can be cancelled.

Annex A		Recommended for cancellation	
Document	Year	Title	Comments
24	2011	Letter to Chief Planning Officers: Preparation and Monitoring of Local Plans (30 March 2011)	Out of date, so no longer required. Can be cancelled.
25	2011	Letter to Chief Planning Officers: Marine planning and licensing systems (21 March 2011)	Out of date, so no longer required. Can be cancelled.
26	2011	Letter to Chief Planning Officers and Chief Executives: The EU Waste Framework Directive (10 January 2011)	Out of date, so no longer required. Can be cancelled.
27	2010	Interim guidance on changes to permitted development rights (non-domestic) (2010)	Only required as interim advice, no longer needed. Can be cancelled.
28	2010	Circular 08/10: Changes to Planning regulations for Dwellinghouses and Houses in Multiple Occupation	Out of date, can be cancelled.
29	2010	Letter to Chief Planning Officers: Revised circulars on Houses in Multiple Occupation (HMOs) and Article 4 Directions – November 2010	Draws attention to changes now established, so can be cancelled.
30	2010	Letter to Chief Planning Officers: Amendments to the planning rules for houses in multiple occupation	Draws attention to changes now established, so can be cancelled.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
31	2010	Letter to Chief Planning Officers (2010): The Town and Country Planning (Development Management Procedure) Order 2010	Statute has been updated since, so can be cancelled.
32	2010	Letter to Chief Planning Officers: Circular 08/10: Changes to Planning regulations for Dwellinghouses and Houses in Multiple Occupation	Out of date, can be cancelled.
33	2010	Letter to Chief Planning Officers: Transfer from GOL to DCLG 12 October 2010	Out of date, so no longer required. Can be cancelled.
34	2010	Letter to Chief Planning Officers: The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2010 (26 February 2010)	Covering letter, no longer required. Can be cancelled.
35	2010	Letter to Chief Planning Officers: Abolition of Regional Strategies (10 November 2010)	Out of date so can be cancelled
36	2010	Letter to Chief Planning Officers: Revocation of Regional Strategies (6 July 2010)	Out of date so can be cancelled
37	2010	Letter to Chief Planning Officers: Abolition of Regional Strategies (27 May 2010)	Out of date so can be cancelled

Annex A		Recommended for cancellation	
Document	Year	Title	Comments
38	2009	Letter to Chief Planning Officers: Arrangements for Handling Heritage Applications - Notification and Directions by the Secretary of State (England) Direction 2009 (2009)	Draws attention to Circular 08/2009, and does not contain any guidance, so can be cancelled.
39	2009	The Protection and Management of World Heritage Sites in England: English Heritage Guidance Note to Circular for England on the Protection of World Heritage Sites (2009)	Provided circular 07/2009 remains in place until an updated version is ready there is no need to retain this document in the interim. Revised replacement for 07/2009 can pick up any additional guidance only contained in this document. Can be cancelled.
40	2009	Planning Appeal Service (The Wright Statement) 2009	Written Ministerial Statement which is a matter of public record. It cannot be cancelled, but should be stated that this Statement is no longer an expression of Government guidance.
41	2009	Letter to Chief Planning Officers (2009): Sensitive information in planning applications (SIPA)	Announces time-limited review, so can be cancelled.
42	2009	Letter to Chief Planning Officers (2009): New Town and Country Planning (Consultation) (England) Direction 2009 and cancellation of obsolete planning documents	Notification of earlier cancellations, so already established and can be cancelled.
43	2009	Letter to Chief Planning Officers (2009): Duration of Planning Permissions	Out of date, so can be cancelled.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
44	2009	Letter to Chief Planning Officers (2009): Extensions to the time limits for implementing existing planning permissions - Non material amendments	This letter has been superseded by September letter to Chief Planning Officers on extending existing conditions, so can be cancelled.
45	2009	Planning Together (2): Updated practical guide for local strategic partnerships and planners (2009)	Out of date, no longer a policy requirement so can be cancelled.
46	2009	Letter to Chief Planning Officers: Environmental Impact Assessment (EIA) - Implications of recent judgments 18 Nov 2009	Out of date, so no longer required. Can be cancelled.
47	2009	Letter to Chief Planning Officers: Promoting Planning Performance Agreements (4 September 2009)	Out of date, so no longer required. Can be cancelled.
48	2008	Guidance on the permeable surfacing of front gardens (2008)	Useful advice, but not appropriate for Govt planning guidance. This document is co-badged with the Environment Agency. Private sector can provide advice. Can be cancelled.
49	2007	Housing Market Information - Advice Note (2007)	Document largely superseded by SHMA Practice Guidance, so can be cancelled.
50	2007	DfT Circular 02/2007- Planning and the Strategic Road Network	Can be cancelled as planning guidance as out of date.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
51	2007	Letter to Chief Planning Officers: polytunnels (2007)	Inappropriate form of guidance, covered by case law, so can be cancelled.
52	2007	Lawful Development Certificates – Users guide (2007)	Guidance on LDCs will be included in update of Circular 10/97. Further guidance can be provided by local planning authorities if required. Can be cancelled.
53	2007	Local authorities and Gypsies and Travellers: a guide to responsibilities and powers (2007)	Out of date. Absorb into review of other Gypsies and Travellers advice, and cancel this guide.
54	2007	Preparing Regional Spatial Strategy reviews of Gypsies and Travellers by regional planning bodies (2007)	The Localism Act has abolished the regional planning framework, preventing any new regional strategies being created or existing regional strategies from being reviewed. Can be cancelled.
55	2006	Delivering Affordable Housing (2006)	Out-of-date. Definitions in the document are now provided elsewhere e.g. an updated definition of affordable housing is contained in the NPPF. The importance of the interrelationship between planning and housing policy is already recognised. Can be cancelled.
56	2006	A Good Practice Guide on Planning for Tourism (2006)	Document explains the planning system in the context of tourism, and while helpful background, it doesn't add any critical advice on the issue. Local authorities who have tourist assets understand the issues and plan for them accordingly. Document can be cancelled.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
57	2006	Best Practice Guidance on Listed Buildings Prosecutions (2006)	Information dated and not sort of guidance Government should issue. Professional bodies or sector are likely to provide suitable alternative material. Can be cancelled.
58	2006	Circular 02/06: Changes to Planning regulations for Casinos	Only relevant to casinos policy in 2006, out of date so can be cancelled.
59	2006	Review of Code of Best Practice - 2006	Recommend industry and local authorities can provide their own new advice, not necessary for Government to produce. Cancel as planning guidance.
60	2006	Planning Permission: A Guide for Business	Outdated and no longer necessary. Can be cancelled.
61	2006	Letter to Chief Planning Officers (2006): Planning Applications: Arrangements for Consulting Commission for Architecture and the Built Environment as a Non-Statutory Consultee	Out of date, so can be cancelled.
62	2006	Letter to Chief Planning Officers: Planning Applications: Arrangements for Consulting Commission for Architecture and the Built Environment as a Non-Statutory Consultee	Out of date, so can be cancelled.
63	2005	Permitted development for antennas, Circular 10/05 (2005)	Repeats content of statutory instrument, so not needed as guidance. Can be cancelled.

Annex A		Recommended for cancellation	
Document	Year	Title	Comments
64	2005	A householder's guide to installation of antennas, including satellite dishes (2005)	Out of date, not appropriate format for future DCLG planning guidance. Can be cancelled.
65	2005	Town and Country Planning Act 1990 Section 215: Best Practice Guidance	Best practice, not necessary for Government to provide such advice. Can be cancelled.
66	2005	The Planning Response to Climate Change: Advice on Better Practice (2005)	Published as a research report. It is out of date, for example referring to regional planning guidance and structure plans, and out of date climate change projections. Guidance on SEA and EIA, and a building's energy performance can be found elsewhere. Can be cancelled.
67	2005	Planning Inquiries into Major Infrastructure Projects - Procedures (2005)	Pre-dates 2008 Act regime, so out of date and no longer helpful. Can be cancelled.
68	2004	Casinos: Statement of National Policy (2004)	Out-of-date as it has been superseded by the NPPF. It cannot be cancelled as it is a Ministerial Statement, but it can be signalled that it has been superseded.
69	2004	Letter to Chief Planning Officers: sale of rural plots and the planning consequences (2004)	Inappropriate form of guidance and good practice only, so can be cancelled.
70	2004	Making the Planning System accessible to everyone: Good-practice guidance on access to and charging for planning information (2004)	Out of date, not necessary for Government to offer advice on this subject. Can be cancelled.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
71	2003	Amendments to the GDPO and Listed Buildings Regulations (Circular 08/03)	Out of date, and material is documented elsewhere. In the future, could consider guidance on standing advice as part of any revised policy/guidance on statutory consultees. Can be cancelled.
72	2002	Assessing Needs and Opportunities: A Companion Guide to PPG 17 (2002)	Document is out-of-date, and relevant policy is included in the NPPF. It does contain some useful methodologies, but this could be produced as technical guidance by the sector. Document can be cancelled.
73	2002	Going to Town: Improving Town Centre Access (2002)	The guidance is out of date and the issues set out are well understood by planners. There is no clear benefit to retaining this guidance. Can be cancelled.
74	2002	ODPM Best Practice Note on Mobile Phone Network Development (2002)	Recommend industry and local authorities can provide their own new advice, not necessary for Government to produce. Can be cancelled.
75	2002	A Farmer's Guide to the Planning System	Outdated and no longer necessary. Can be cancelled.
76	2000	Environmental Impact Assessment: A guide to procedures (2000)	Principles are now well established. Guide is out of date as law and practice has moved on. Can be cancelled.
77	2000	Circular 05/00; Planning appeals procedures (including inquiries into called-in applications) (2000)	Out of date, can be cancelled.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
78	2000	The Control of Fly-Posting, A Good Practice Guide (2000)	Not planning guidance, Inappropriate type of guidance for Government to provide as it is a best practice document. Can be cancelled.
79	1999	Call-in of Planning Applications (The Caborn Statement) 1999	Written Ministerial Statement which is a matter of public record. This Statement has been replaced by a Statement by Nick Boles on 26 October 2012.
80	1999	Code of practice on the dissemination of information (1999)	Legislation has moved on, now out of date. Cancel.
81	1998	Circular 03/98 (Planning for future prison development)	Out of date, can be cancelled.
82	1998	Prevention of Dereliction through the Planning System (Circular 02/98)	Necessary sections contained in legislation, can be cancelled.
83	1998	Planning and Development Briefs: A Guide to Better Practice (1998)	No need for this type of best practice advice from Government. Cancel.
84	1998	The One Stop Shop Approach to Development Consents (1998)	No need for this type of best practice advice from Government. Cancel.
85	1997	Enforcing Planning Control: Good Practice Guidance for Local Planning Authorities (1997)	Out of date. Good practice advice is better prepared by the sector not central Government. Can be cancelled.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
86	1996	03/96 Withdrawal of Requirement Upon Local Authorities to Compile and Publish Information about Unused and Underused Land (1996)	Pre-dates current policy, so now out of date. Can be cancelled.
87	1995	PPG13: A guide to Better Practice	Out-of-date, as PPG13 has been replaced by the NPPF. No need for Government to provide this type of best practice advice. Can be cancelled.
88	1995	Preparation of Environmental Statements for Planning Projects That Require Environmental Assessment: A Good Practice Guide (1995)	Principles are now well established. Guide is out of date as law and practice has moved on. No need for Government to provide this type of best practice advice. Can be cancelled .
89	1994	Evaluation of Environmental Information for Planning Projects: A Good Practice Guide (1994)	Principles are now well established. Guide is out of date as law and practice has moved on. Can be cancelled .
90	1992	Joint Circular with DCMS 20/1992: Responsibilities for Conservation Policy and Casework (1992)	While the document sets out the division of responsibilities between two departments, it is now very out of date, and does not need to be part of the guidance suite. Can be cancelled.
91	1992	19/92 The Town and Country Planning General Regulations 1992: The Town and Country Planning (Development Plans and Consultation) Direction 1992 (1992)	Annex 2 & 3 are already withdrawn, the rest explains 1992 regulations which are out of date so can be cancelled.

Annex A Recommended for cancellation			
Document	Year	Title	Comments
92	1991	DOE Circular 15/91 Planning and Compensation Act 1991: Land Compensation and Compulsory Purchase	Explains the 1991 Act, which is now well established, so no longer required. Can be cancelled.
93	1991	DOE Circular 14/91 Planning and Compensation Act 1991	Explains the 1991 Act, which is now well established, so no longer required. Can be cancelled.
94	1986	Housing and Planning Act 1986: Planning Provisions (Circular 19/86)	This has already been mainstreamed by users, so can be cancelled.
95	1981	Circular 02/81 Local Government, Planning and Land Act 1980, Health Services Act 1980 - Town and Country Planning: Development Control Functions (1981)	Out of date, Localism Act replaces content, so can be cancelled.
96	1981	Circular 8/81 Local Government Planning 1980 - Various Provisions (1981)	Out of date, content superseded, so can be cancelled.
97	1980	Circular 22/80 Development Control - Policy and Practice (1980)	Covered by NPPF, so can be cancelled.
98	1978	DoE Circular 36/78 Trees and Forestry (1978)	Entirely out of date. Can be cancelled.
99	1978	12/78 Report of the Mobile Homes Review (1978)	Can be cancelled, as it is no longer applicable.

Annex A		Recommended for cancellation	
Document	Year	Title	Comments
100	1977	DOE Circular 75/77 Land Compensation Act 1973 – Home Loss Payments	This guidance has been mainstreamed some time ago, and is now outdated. Can be cancelled.
101	1977	DOE Circular 9/77 Local Government (Miscellaneous Provisions) Act 1976	Explains 1976 Act and has since been mainstreamed, so can be cancelled.
102	1967	MHLG Circular 63/67 Notification of Right to Claim Professional Fees on Compulsory Acquisition or Acquisition under Shadow of Compulsion	This advice has been mainstreamed and appears elsewhere, in particular in the booklets. Can be cancelled.
103	1963	MHLG Circular 36/63 Discretionary Payments to Occupiers Displaced by Acquisition of Land or Slum Clearance	Guidance on this matter is no longer necessary, can be cancelled.

Annex B			
Recommended for cancellation, but any relevant material should be incorporated into revised guidance			
Document	Year	Title	Comments
1	2010	Crowded Places: The Planning System and Counter-Terrorism (2010)	The guidance contains some important material and should be incorporated into the new guidance suite.
2	2009	Good Practice Guidelines: Delivering Travel Plans through the Planning Process (2009)	Guidance needed on this issue but should be streamlined. Cancel existing advice and prepare new guidance.
3	2009	Good Practice Guidelines: Delivering Travel Plans through the Planning Process - Summary Document (2009)	Guidance needed on this issue but should be streamlined. Cancel existing advice and prepare new guidance.
4	2009	Tree Preservation Orders: A Guide to the Law and Good Practice - Addendum (2009)	Current Blue Book and addendum need to be read together, unhelpful in this current format, and could be much shorter. Cancel now, with streamlined consolidated advice to be provided.
5	2009	Plan Making Manual (Web-based resource)	Outdated as based on old regulations and policy, offers little advice other than policy repetition, and case studies are increasingly out of date. Could be cancelled now, but replaced with concise advice on the basics of the process in the interim, before new content provides a steer on how the duty to co-operate, local plans, and neighbourhood planning fit together.
6	2008	Planning and Climate Change: Practice Guidance (2008)	Material has dated, and does not fully reflect the expectations of the Climate Change Act 2008. Can be withdrawn, but should be a priority for new advice.

Annex B			
Recommended for cancellation, but any relevant material should be incorporated into revised guidance			
Document	Year	Title	Comments
7	2008	Implementing Planning Performance Agreements (2008)	Need to be updated following the Growth and Infrastructure Bill, but not in this form and could be part of future Development Management advice. This guide can be cancelled now.
8	2007	Identifying Sub-Regional Housing Market Areas - Advice Note (2007)	Assessing needs across housing market areas remains the policy requirement, and this document contains some useful associated information/ methodology. However, the document is out of date and the duty to cooperate in the Localism Act requires working between local councils on cross-boundary issues, so advice on the duty could cover this issue.
9	2007	Guidance on Transport Assessments (2007)	Guidance needed on this issue but should be streamlined. Cancel existing advice and prepare new guidance.
10	2006	Planning and Minerals: Practice Guidance (2006)	Includes guidance on many minerals issues, but the sector can provide most of the useful advice, so it can be cancelled with any new advice in streamlined minerals guidance.
11	2006	Planning for Biodiversity and Geological Conservation: A Guide to Good Practice (2006)	Good practice examples have become dated. This is not the style of advice Government should issue, but it contains some key paragraphs. Cancel now, but include useful material in future advice.

Annex B			
Recommended for cancellation, but any relevant material should be incorporated into revised guidance			
Document	Year	Title	Comments
12	2006	Preparing Design Codes: A Practice Manual (2006)	The guidance provides advice on design codes which are promoted in the NPPF. This guidance should be streamlined as part of the shortened guidance suite.
13	2006	Planning Obligations: Practice Guidance	Based on circular 5/05 which was cancelled by the NPPF. The case studies are dated, so no need to keep and can be cancelled. However, new advice is needed to support Growth and Infrastructure Bill, on re-negotiation.
14	2005	Planning for Town Centres: Guidance on Design and Implementation Tools (2005)	The guidance contains principles of good town centre design, but these aspects are considered to be well understood and mainstreamed in planning work. Key aspects should form part of a shortened guidance suite.
15	2005	Circular 03/05: Changes of Use of Buildings and Land – The Town and Country Planning (Use Classes) Order 1987	Interpretation of statute, so can be deleted now, but may be helpful to set out some similar advice in future on the existence of the use class order.
16	2005	Circular 08/05 (Guidance on Changes to the Development Control System)	Explains how duty to respond to consultation works, and requires timeliness of response from statutory consultees. Withdrawal should be accompanied by a note stating that statutory consultees performance is enshrined in legislation. New guidance on statutory consultees should be provided in the future.

Annex B			
Recommended for cancellation, but any relevant material should be incorporated into revised guidance			
Document	Year	Title	Comments
17	2005	Diversity and Equality in Planning	Pre-dates Equalities Act 2010, so could be cancelled, but need to consider new advice on this issue in line with new legislation.
18	2004	Safer Places: The Planning System and Crime Prevention (2004)	The essential principle of this guidance is contained within the NPPF. The document sets out guidance in relation to design and safety, and these aspects are now considered to be understood and mainstreamed in planning work. Key aspects should form part of a shortened guidance suite.
19	2004	Community Involvement in Planning (2004)	Important issue, for both plan-making and deciding applications. Cancel for now, but flag in advice on both plan making and Development Management guidance.
20	2004	Note on Environmental Impact Assessment Directive for Local Planning Authorities (2004)	Out of date. Should cancel now, up to date advice issued as part of the revision of Circular 02/99.
21	2003	Planning and Access for Disabled People: A Good Practice Guide (2003)	The guidance contains good practice points, but this area is now considered to be understood and mainstreamed in planning work. Key aspects should form part of shortened guidance suite.

Annex B			
Recommended for cancellation, but any relevant material should be incorporated into revised guidance			
Document	Year	Title	Comments
22	2001	Better Places to Live By Design: A Companion Guide to PPG3 (2001)	The guidance contains principles of good design, but these aspects are considered to be well understood and mainstreamed in planning work. Key aspects should form part of a shortened guidance suite.
23	2000	Tree Preservation Orders: A Guide to the Law and Good Practice (2000)	Current Blue Book and addendum need to be read together, unhelpful in this current format, and could be much shorter. Cancel now, streamlined consolidated advice to be provided.
24	2000	By Design: Urban Design in the Planning System - towards better practice (2000)	The guidance contains principles of good urban design, but these aspects are considered to be well understood and mainstreamed in planning work. Key aspects should form part of a shortened guidance suite.
25	1999	03/99 Planning Requirement in respect of the Use of Non- Mains Sewerage incorporating Septic Tanks in New Development (1999)	Largely out of date, can be cancelled. Consider content for inclusion in wider environmental quality advice.
26	1997	Lighting in the Countryside: Towards Good Practice (1997)	Out of date, unclear messaging. NPPF policy on light pollution is covered in para 125. No need for Government to provide this type of best practice advice. Can be cancelled now and reference made in new wider environmental quality advice.

Annex B			
Recommended for cancellation, but any relevant material should be incorporated into revised guidance			
Document	Year	Title	Comments
27	1997	Annex E to PPG7 on Agricultural PD (1997)	Guidance on how prior approval works. Some guidance needed on the process for local authorities, but not in this form. Cancel now, but re-draft something in future.
28	1989	17/89 Landfill Sites: development control (1989)	Out of date, so can be cancelled. Consider including content in wider waste advice.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
1	2012	Guidance on the managed aggregate supply system	Retain the existing document in the interim as it contains essential material, and recommend producing new streamlined advice.
2	2012	Technical Guidance to the National Planning Policy Framework (2012)	Retain the existing document in the interim as it contains essential material, and recommend producing new streamlined advice. The NPPF carried forward a number of PPS25 policies, but not all. This guide retains other essential PPS25 content, eg methods on flood risk assessment. Also contains essential minerals guidance. Keep in interim, priority for review.
3	2012	PINS/GPA Note 02: Householder Appeals Service	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
4	2012	PINS/GPA Note 03: Called-in planning applications	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
5	2012	PINS/GPA Note 04: Secretary of State recovered appeals	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
6	2012	PINS/GPA Note 06: Communicating electronically with the Inspectorate	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
7	2012	PINS/GPA Note 08: Guidance on statements of common ground	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
8	2012	PINS/GPA Note 14: Correction of Errors	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
9	2012	PINS/GPA Note 15: Challenges and complaints	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
10	2012	Letter to Chief Planning Officers (September 2012) Extending Existing Permissions	Contains advice on the format of the positive and proactive statement which comes into force on 1 December 2012. Retain in interim, but should be time limited.
11	2012	Letter to Chief Planning Officers: Extending existing planning permissions and the positive and proactive statement in decision notices	Contains advice on the format of the positive and proactive statement which comes into force on 1 December 2012. Retain in interim, but should be time limited.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
12	2011	CIL Relief Information document (2011)	The four existing CIL supplementary documents can be brought together in a single piece of advice. However, existing guidance should be retained until then, as this is still an emerging policy area.
13	2011	CIL Collection and Enforcement Information Document (2011)	The four existing CIL supplementary documents can be brought together in a single piece of advice. However, existing guidance should be retained until then, as this is still an emerging policy area.
14	2011	PINS/GPA Note 05: Bespoke Casework Service	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
15	2011	PINS/GPA Note 07: Nature and content of appeal documents	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
16	2011	PINS/GPA Note 09: Amendments to schemes (Wheatcroft)	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
17	2011	PINS/GPA Note 10: Introducing new material at appeal	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
18	2011	PINS/GPA Note 11: Meeting the timetables	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
19	2011	PINS/GPA Note 12: Fixing dates	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
20	2011	PINS/GPA Note 13: Appeal procedures - Events	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
21	2011	PINS/GPA Note 16: Submitting planning obligations	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
22	2011	PINS/GPA Note 17: Advertisement appeals and related issues - England	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
23	2011	Letter to Chief Planning Officers: Demolition (2011)	To be retained and reviewed in the context of changes to the demolition provisions of the GPDO following the commencement of provisions in the Enterprise and Regulatory Reform Bill abolishing conservation area consent.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
24	2011	Policy statement - planning for schools development (WMS - Eric Pickles and Michael Gove) (2011)	Policy statement not repeated elsewhere, should be retained.
25	2011	An Introduction to Neighbourhood Planning (2011)	This is the only advice issued by DCLG, still helpful in setting neighbourhood planning advice.
26	2010	CIL Statutory Guidance: Charge setting and charging schedule procedures (2010)	Revised and updated guidance published in December 2012. This former guidance retained as part of transitional measures, but now superseded by revised guidance.
27	2010	CIL Overview (2010)	The four existing CIL supplementary documents can be brought together in a single piece of advice. However, existing guidance should be retained until then, as this is still an emerging policy area.
28	2010	CIL Summary (2010)	The four existing CIL supplementary documents can be brought together in a single piece of advice. However, existing guidance should be retained until then, as this is still an emerging policy area.
29	2010	DfT Circular 01/2010 - Control of Development in Airport Public Safety Zones	Guidance needed on this issue, but can be streamlined. Due to essential safety issues addressed, retain existing advice, and prepare new guidance which merges 01/2003 and 01/2010.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
30	2010	PPS25 Supplement: Development and Coastal Change Practice Guide (2010)	Retain in the interim because it includes essential material for implementing NPPF policy.
31	2010	PPS5 Planning for the Historic Environment: Historic Environment Practice Guide (2010)	Companion guide to PPS5, so out of date, although policy in PPS5 was largely carried through to the NPPF. English Heritage is working with Historic Environment Forum - a sector wide body including development and heritage interests - on new guidance to underpin the NPPF. Recommend withdrawal of document only once replacement guidance has been issued by sector, in order to support the NPPF.
32	2010	Booklet 4: Compensation to Residential Owners and Occupiers	Required by users of the system. Needs to be retained, but updated.
33	2010	Permitted development for householders – technical guidance (2010)	Document contains useful advice, as there is differing interpretation of the Statutory Instrument. Retain for now but update when statute is amended.
34	2010	Replacement Appendix D to DoE Circular 09/95 General Development Consolidation Order 1995 (2010)	Helpful advice on this contentious area (A4 directions). Should be retained and time limited.
35	2010	Guidance on information requirements and validation (supports Annex 2 to Development Management Policy Statement) (2010)	Keep for now, but amend in future following Growth and Infrastructure Bill provisions on information requirements.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
36	2010	Development Management Policy Annex: Information requirements and validation for planning applications (2010)	Keep for now, but amend in future following Growth and Infrastructure Bill provisions on information requirements.
37	2010	Greater flexibility for planning permissions -Updated Guidance (2010)	Slightly outdated as the dates for extensions to planning permissions have been extended (see Chief Planning Officer letter September 2012). Retain in interim, as it contains an important definition of minor material amendment.
38	2009	Practice Guidance on Need, Impact and the Sequential Approach (2009)	Guidance is needed on this technical area, but the most useful information is contained in the appendices to the current document. New guidance should be much shorter. Retain until new guidance published.
39	2009	PPS 25: Development and Flood Risk Practice Guide (2009)	Could be streamlined, updated and merged with NPPF technical guidance on flooding. Required in the interim, and a priority for review.
40	2009	Circular 08/2009: Arrangements for Handling Heritage Applications - Notification and Directions by the Secretary of State (England) Direction 2009 (2009)	Amends Circular 01/2005 and 09/2005. The circular contains a direction which remains extant, but this is not a helpful format for it. The three circulars should be replaced by new up-to-date advice and consolidated direction, but should be retained in the interim due to containing the direction.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
41	2009	Joint Circular with DCMS 07/2009: Circular on Protection of World Heritage Sites (2009)	Needs to be updated, but considered important to retain a statement on the relationship between the planning system and World Heritage Sites, building on policy set out in the NPPF. Immediate withdrawal ahead of replacement may lead to concern by UNESCO. Revised document can pick up any additional guidance only contained in document 39 of Annex A.
42	2009	Circular 03/09 Costs Awards in Appeals and other Planning Proceedings. (2009)	Sets out what constitutes reasonable and unreasonable behaviour. The only source of such information. Retain in the interim, but amendments will need to be made after the Growth and Infrastructure Bill.
43	2009	Costs awards in planning appeals (England) - a guide for appellants (2009)	Key document for users of the appeal system, with forms in the appendix. Retain in the interim, but it will need to be updated shortly.
44	2009	Procedural Guidance: Planning appeals and called-in planning applications (PINS 01/2009)	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.
45	2009	Procedural Guidance: Enforcement appeals and determination of appeal procedure (PINS 02/2009.)	Helpful to users of the system. This should be combined with other advice notes/guidance on appeals and streamlined in the future.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
46	2009	Circular and Direction 02/09 (Town and Country Planning (Consultation) (England) (Direction) 2009)	Contains direction, so retain in interim.
47	2009	Letter to Chief Planning Officers: National and regional guidelines for aggregates provision in England - 2005-2020 (29 June 2009)	Retain, still relevant. Still extant as it sets out the indicative amount of aggregate minerals that England needs to plan for. It is one of the key planks of policy.
48	2009	Letter to Chief Planning Officers: UK Climate Projections 2009 (18 June 2009)	Contains implications for the planning process. Retain for now and include in revised guidance.
49	2009	Letter to Chief Planning Officers: Large-scale Landscaping Development Using Waste (20 January 2009)	Retain, as it is still active. Contains advice on applying waste hierarchy to applications which, if not clear, will lead to fly-tipping/illegal activity. Include in revised guidance.
50	2008	Designing Gypsy and Traveller Sites - Good Practice Guide (2008)	Considered to be a good practice guide rather than purely planning guidance. Retain in interim, as this is a distinct policy area that local authorities need to plan for, through the new planning policy statement. Removing the guidance now would be unhelpful to authorities trying to provide new pitches, but would benefit from review and revision.
51	2008	Circular 04/2008: Planning Related Fees (2008)	New advice needed to accompany November 2012 fees regulations. Recommend retaining existing advice until a streamlined and updated replacement is in place in order provide consistent advice for applicants and local authorities.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
52	2008	Recovered Planning Appeals (The Dhanda Statement) 2008	Written Ministerial Statement which is a matter of public record. Necessary to provide advice that deals with recovered appeals in an easily accessible location, as the Secretary of State issues the decision.
53	2008	Protected Trees: a guide to tree preservation procedures (2008)	Useful advice aimed at the public, and can be handed out by LPAs. Keep for now.
54	2007	Strategic Housing Land Availability Assessments Practice Guidance (2007)	Out-of-date, but removal now would create a vacuum on a key policy area. Important to set out a standardised central methodology. Priority to be updated.
55	2007	Strategic Housing Market Assessments Practice Guidance Version 2 (2007)	Current guidance is out-of-date. Important to have a standardised approach. Closer linkages between the SHMA and Employment Land Reviews / Economic Assessments. Priority to be updated. Consider whether SHLAA and SHMA guidance can be combined.
56	2007	Strategic Housing Market Assessments Practice Guidance Annexes (2007)	Annexes relate to forecasting a five-year land supply and help to provide a consistent methodology. To remove this now would create a vacuum. These principles to be included within updated housing guidance.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
57	2007	Gypsy and Traveller Accommodation Needs Assessments - Guidance (2007)	This guidance can potentially be incorporated in future SHMA and SHLAA guidance. It is important to identify Gypsy and Traveller Accommodation Needs, so retain until subsumed as part of revised housing guidance.
58	2007	Circular 03/2007 (2007)	A Direction that also includes policy. A short user friendly version of other relevant guidance should be provided in the future.
59	2007	Circular 03/2007 (2007) Corrections	Corrections to 03/2007, so should be consolidated with advice in 03/2007, but retain for now.
60	2007	Outdoor advertisements and signs: a guide for advertisers (2007)	Well-used and user friendly guidance. It is not entirely up to date but allows users of the system to take advantage of deemed consent. Retain in the interim, but update and streamline.
61	2007	Letter to Chief Planning Officers (2007): Sensitive information in applications for planning permission and listed building consent	Important elements for example on national security and sensitive information which must be retained until incorporated in updated guidance.
62	2007	DCLG Circular 01/2008 Compulsory Purchase (Inquiries Procedure) Rules 2007	Guidance on the inquiries procedure rules needs to be retained, as new users of the system need to understand the inquiries procedure.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
63	2007	Manual for Streets (2007)	Some good advice, but not needed in this format. Keep for now, but review what is planning advice, and what is outside planning and can be provided elsewhere.
64	2006	Fees for monitoring of mining and landfill sites	Advice on this issue can be added to the forthcoming revised guidance on planning application fees which will be needed shortly to explain the new November 2012 regulations. Should be retained until this is in place.
65	2006	DCLG Circular 02/06 (Crown Application of the Planning Acts)	Much of the circular is out of date but there are important elements for example on national security and sensitive information which must be retained until incorporated in updated guidance.
66	2006	Guidance on changes to the development control system	Some advice out of date, but outline applications advice not contained elsewhere, para 52 and section 2 still valid. Keep for now but update and replace.
67	2006	Protocol for handling proposals to save adopted Local Plan, Unitary Development Plan and Structure Plan policies beyond the 3 year saved period (2006)	There is still a possibility of councils seeking saving directions under the 2004 Act, so should be kept for time being.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
68	2006	Planning Inquiries Into Major Infrastructure Projects: Economic Impact Reports (Circular 04/2006)	This deals with how major infrastructure inquiries were dealt with under the Town and Country Planning Act 1990 prior to the 2008 Planning Act. If the related 2005 regulations are removed, then this related guidance can be cancelled, but retain for now.
69	2005	Circular 06/2005 Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System (2005)	Advice on this is necessary, and should include guidance on Habitats Regulations Assessment of local plans, but could be streamlined. Keep for now, priority for review.
70	2005	A Practical Guide to the Strategic Environmental Assessment Directive (2005)	This is the only Government guidance on this subject, which is important for the proper implementation of the EU Directive. However it is out of date and needs to be shortened. Keep for now, but update to include advice on Sustainability Appraisal.
71	2005	Joint Circular with DCMS 09/2005: Arrangements for Handling Heritage Applications - Notification to National Amenity Societies Direction 2005 (2005)	Amends Circular 01/2001 and is amended by 08/2009. The circular contains a direction which remains extant, but this is not a helpful format for it. The three circulars should be replaced by new up-to-date advice and consolidated direction, but should be retained in the interim due to containing the direction.
72	2005	Temporary Stop Notices Circular 02/05 (2005)	Legislation under review - update and consolidate with 10/1997, but need to retain in the interim.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
73	2005	Planning for Sustainable Waste Management: Companion Guide to PPS10 (2005)	Some useful advice on EU-compliant waste plans, but needs to be updated. Retain in interim, and review in line with updating of waste policy in PPS10.
74	2004	Employment Land Reviews: Guidance Note (2004)	Contains some useful tools for assessing employment land, but guidance could be streamlined and included with advice on SHLAA/SHMA. Recommended to retain until updated guidance published.
75	2004	Planning for Renewable Energy: A Companion Guide to PPS22 (2004)	Retain in the interim because it includes important guidance and technical information on planning for renewable energy infrastructure. A priority for review.
76	2004	Circular 04/2010 - Amendment to Appendix C of Circular 06/04	Needs to be retained, and consolidated with circular 06/2004 in future.
77	2004	DCLG/ODPM Compulsory Purchase and Compensation Booklets (26 October 2004) - Booklet 1: Compulsory Purchase Procedure	Required by users of the system. Needs to be retained, but updated.
78	2004	DCLG/ODPM Compulsory Purchase and Compensation Booklets (26 October 2004) - Booklet 2: Compensation to Business Owners and Occupiers	Required by users of the system. Needs to be retained, but updated.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
79	2004	DCLG/ODPM Compulsory Purchase and Compensation Booklets (26 October 2004) - Booklet 3: Compensation to Agricultural Owners and Occupiers	Required by users of the system. Needs to be retained, but updated.
80	2004	DCLG/ODPM Compulsory Purchase and Compensation Booklets (26 October 2004) - Booklet 5: Reducing the Adverse Effects of Public Development – Mitigation Works	Required by users of the system. Needs to be retained, but updated.
81	2004	The Planning System: General Principles (2004)	Most of document is out of date, but retain document for now as it sets out guidance on prematurity (paras 17-19). There is also important advice about propriety and public interest. This document should not be withdrawn until new guidance is issued which addresses these issues, and should be treated as a priority. This review also provides an opportunity to set out new guidance on financial considerations in the determination of applications, in light of the Localism Act.
82	2003	Joint Circular 01/2003 - Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002	Guidance needed on this issue, but can be streamlined. Due to essential safety issues addressed, retain existing advice, and prepare new guidance which merges 01/2003 and 01/2010.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
83	2002	Circular 02/02: Enforcement appeals procedures	Parts of Circular 02/02 are current and not duplicated in PINS advice notes but some of the material is outdated. Retain in interim, but update and streamline.
84	2002	Letter to Chief Planning Officers (2002): Circular 11/95 - Use of Negative Conditions	Keep for now as contains helpful advice on conditions, but include in re-draft of advice in circular 11/95.
85	2001	Joint Circular with DCMS 01/2001: Arrangements for Handling Heritage Applications - Notification and Directions by the Secretary of State (2001)	Out of date - amended by Circular 09/2005 and 08/2009. The circular contains a direction which remains extant, but this is not a helpful format for it. The three circulars should be replaced by new up-to-date advice and consolidated direction, but should be retained in the interim due to containing the direction.
86	2000	Circular 04/00: Planning controls for hazardous substances (2000)	<p>A specialist area of planning, where guidance is important and without it confusion may be caused. B-9 and B-10 could be combined in the future.</p> <p>Depending on transposition of the new Seveso directive, it may be better, in the longer term, to combine 04/2000 and Hazardous substance consent guidance with guidance with the HSE's guidance on related systems for hazardous substances.</p>

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
87	2000	Hazardous substances consent: a guide for industry (2000) and Annex 1 and 2	<p>A specialist area of planning, where guidance is important and without it confusion may be caused. Should be retained. This document is a readable version which is a good style for future guidance on this topic.</p> <p>The annexes referred to, which set out substances that require hazardous substances consent, were correct as at 2000. For clarification, the annexes are associated with Hazardous substance consent guidance, the 'guide for industry', not the Circular.</p> <p>The list of substances has since changed in regulation but the annex has not been amended. The GOV.UK website through which these documents are accessed has now been amended to clarify that these documents should be read in conjunction with the revised legislation.</p>
88	2000	ODPM Circular 06/2004 Compulsory Purchase and Criche Down Rules	This is the main CPO document and explains the front-end of the system. Needs to be retained, and consolidated in future.
89	1999	Circular 02/99 - Environmental Impact Assessment (1999)	Circular is out of date. Retain for now, but a priority for review.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
90	1999	Letter to Chief Planning Officers: Addition of the Forestry Commission to the List of Non-Statutory Consultees (1999)	Advice is not contained elsewhere. Retain for now, then subsume into revised guidance.
91	1997	MPG 4: Revocation, modification, discontinuance, prohibition and suspension orders (1997)	Parts of the minerals guidance suite are out of date, as the law has moved on. Retain the existing document in the interim as it contains essential material, and recommend producing new streamlined advice.
92	1997	DOE Circular (Unnumbered) 12 March 1997 Compulsory Acquisition of Land: Acquisition of Land (Rate of Interest After Entry) Regulations 1995	Information on 'Notice of Entry' and 'payment into court' is not held elsewhere, so retain in interim.
93	1997	Circular 10/97 Enforcing planning control: legislative provisions and procedural requirements and annexes (1997)	Out of date, but this is an essential area of planning and the document includes important guidance on the process including for lawful development certificates.
94	1995	MPG 14: Environment Act 1995: review of mineral planning permissions (1995) and related annexes	Parts of the minerals guidance suite are out of date, as the law has moved on. Retain the existing document in the interim as it contains essential material, and recommend producing new streamlined advice.
95	1995	Environmental Impact Assessment and Reviews of Mineral Planning	Parts of the minerals guidance suite are out of date, as the law has moved on. Retain the existing document in the interim as it contains essential material, and recommend producing new streamlined advice.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
96	1995	09/95 General Development Procedure Order Consolidation (1995)	Should retain in interim, as advice in Annex B (consultation before grant of permission) and Annex C (Direction) is still needed.
97	1995	10/95 Planning Controls over Demolition (1995)	To be retained and reviewed in the context of changes to the demolition provisions of the GPDO following the commencement of provisions in the Enterprise and Regulatory Reform Bill abolishing conservation area consent.
98	1995	Circular 11/95 The Use of Conditions in Planning Permissions (1995)	Helpful advice on handling planning conditions. Keep for now but update in light of advice in NPPF on conditions.
99	1992	MPG 9: Planning and Compensation Act 1991 - Interim development order permissions (IDOS): conditions (1992)	Parts of the minerals guidance suite are out of date, as the law has moved on. Retain the existing document in the interim as it contains essential material, and recommend producing new streamlined advice.
100	1992	Circular 15/92 Publicity for Planning Applications (1992)	Keep for now, but amend in future. Helpful advice on consultation, in particular paragraph 33, but should be updated. Sets out advice on site notices and neighbour notification.
101	1991	MPG 8: Planning and Compensation Act 1991 - Interim development order permissions (IDOS): statutory provisions and procedures (1991) and related annexes	Parts of the minerals guidance suite are out of date, as the law has moved on. Retain the existing document in the interim as it contains essential material, and recommend producing new streamlined advice.

Annex C			
Recommended for retention until replaced by revised guidance			
Document	Year	Title	Comments
102	1990	Electricity Generating Stations and Overhead Lines (Circular 14/90)	Underpins the procedure for consenting s37 overhead line applications that the Department still processes under the Electricity Act 1989. Should be retained.
103	1983	DOE Circular 13/83 Purchase Notices	Guidance on this matter, whilst infrequently used, is necessary. Advice is not very user-friendly and outdated, so requires review.
104	1983	Circular 28/83 Publication by Local Authorities of Information about the Handling of Planning Applications (1983)	Retain for now, as it sets out advice relating to LPA performance on applications, but this will need to be updated/replaced following Growth and Infrastructure Bill.
105	1983	23/83 Caravan Sites and Control of Development Act 1960 (1983)	Relates to model standards that local authorities apply when granting licences for touring caravan sites. It is still in force and used by LAs in England and Wales. Keep for now, but review in terms of what planning advice is needed, and what is covered by other regimes.
106	1972	DOE Circular 9/72 Acquisition of Land from Charity Trustees	Intended for use by charities, does not exist elsewhere. Needs to be retained.

Annex D		
Recommended areas for preparation of new guidance		
ref. no.	Policy area	Comments
1	Local Green Space Designation	This is a new policy in the NPPF, and would benefit from some guidance on application, including on proximity of spaces to residents. Considered suitable for production of new guidance.
2	Environmental quality	Need guidance on noise, air, land, water (including the Water Framework Directive) and light pollution, important issues on which Government could set standards in order to ensure appropriate development.
3	Neighbourhood planning	Recommend some guidance is produced including on topics such as the relationship of neighbourhood plans to other parts of the planning system – namely the local plan process, the requirements of the new National Planning Policy Framework and key policy areas (e.g. CIL, viability, green belt, sustainability, evidence of need), and the duty on local authorities to provide advice and assistance. It will be important for guidance on these other policy areas to reflect the neighbourhood planning system requirements.
4	Duty to co-operate	Important area of new legislation and policy. New advice would support delivery.
5	Water supply	Guidance needed on water supply to support effective preparation of local plans and delivery of policy in the NPPF.
6	Technical guidance on compliance with the EU Waste Framework Directive	Key advice on compliance with EU law. Guidance is an alternative to regulation.

Annex D		
Recommended areas for preparation of new guidance		
ref. no.	Policy area	Comments
7	Protocol on the relationship between planning and environmental permitting	Penfold commitment to provide guidance on managing the relationship between the two regimes.
8	Viability	Create appropriate guidance regarding Viability, to ensure planning authorities and developers have a good mutual understanding of what this test requires.