



Law, Health and Planning: Using Health Impact Assessments to improve urban health



The issue

Local government urban planners can lack legal capacity to promote healthy urban developments. This means, for example, they can lack confidence, resource or knowledge that would help them use the law to promote health; to reduce the risks of non-communicable diseases (including poor mental health) and reduce health inequalities. This lack of capacity undermines their ability to effectively incorporate health into decisions about individual applications and ensure that health is given due weight in urban decision making.

In some circumstances, some local authorities require that developers submit a Health Impact Assessment (HIA) when they make an application for planning permission for a development project. Although all local authorities have the power to request an HIA, there is much variation in practice across England in when to require them, what they should consider and how to shape them.

Our response

Our work is underpinned by the analysis that given the constraints on people working in local authorities in terms of legal capacity (which includes their time and resource), requiring developers to reflect on health impacts in an effective HIA could be an efficient way to ensure that health is an important part of urban decision making. In particular, a HIA policy can be framed so that HIAs submitted **require consideration of health improvement**, rather than mitigation of impact (as with environmental assessments for example).

In collaboration with Office for Health Improvement (OHID) who are training local authorities to use HIAs, TRUUD researchers are:

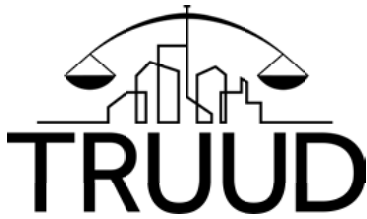
- Reviewing, collating and analysing existing policies relating to the need for HIAs for applications for planning permission across England, to update the HIA knowledge base;
- Identifying case study examples of policies which require HIAs in order to provide examples for local authorities keen to develop their own HIA framework;
- Analysing the law, in order to develop accessible accounts of the legal provisions in relation to HIAs;
- Providing training for local authorities (alongside OHID) which draws on the work in 1-3 above, and collecting and analysing feedback on that training;
- Developing resources, including videos, to enhance the legal capacity of local authorities, to develop the effective use of HIAs.



Local authority partners



University consortium



The evidence

There is considerable diversity in the use and understanding of HIAs, with a range of different approaches taken to assessment of impact in a wide range of different circumstances (including assessment of the impact of policies and strategies by public authorities). Our focus is on health impact assessments of specific applications for planning permission, on the rules and practice in relation to requiring such HIAs, and on the ways they can be made more effective.

A review by the Town and Country Planning Association in 2018/19 identified that around 30% of local authorities local plans require a HIA, in a range of circumstances. Research by the University of Liverpool, in collaboration with Public Health England, identified that where there are supplementary planning documents or policies in place, HIAs are prepared more consistently. This research also highlighted the role of training and guidance in developing HIA expertise and associated capacity. Drawing on this research, Public Health England produced guidance for local planning authorities on [HIAs in spatial planning](#). Responsibility for this area of work was transferred to the Office for Health Improvement and Disparity (OHID) in October 2021. In the Welsh context, research has been undertaken and guidance produced by the [Wales Health Impact Assessment Support Unit](#), including some specific research and guidance relating to planning, land use and housing (which includes both HIAs of specific applications for development permission and impact assessments of policies).

Next Steps

We are producing a set of resources, co-produced with OHID, drawing on insights from local authorities who took part in training sessions. They will enhance the legal capacity of local authorities to develop and use HIAs in spatial planning development decisions. Case studies, with examples from practice and including analysis of the law, will provide accessible sources of guidance for local planning authorities to draw on, whether they are (1) reflecting on the need to ensure health is effectively included in local development decisions and the potential value of HIAs in relation to that; (2) developing policies to require HIAs, (3) seeking to ensure those policies meet the requirements of the Planning Inspectorate, or – in relation to individual applications – (4) liaising with developers and (5) making consistent and defensible decisions in individual cases.

The resources developed may be of use to a range of people across the spatial planning system, including individual developers required to undertake HIAs, the Planning Inspectorate, and elected officers in local authorities. Following production and publication, we will carry out further evaluation of the ways in which the resources have contributed to the incorporation of health in spatial planning decisions.

About Truud

'Tackling the Root causes Upstream of Unhealthy Urban Development' (TRUUD) is a 5-year, £6.7m research project that aims to design policy interventions to support the development of healthier urban environments. Our research seeks to promote a fundamental shift in thinking about how to prioritise healthy urban development. We are funded by the UK Prevention Research Partnership.

Contact the authors

[Dr Edward Kirton-Darling](#) is a specialist in housing law at the University of Bristol.