

hardie planning

RESPONSE TO CONSULTATION PAPER ON DEVELOPMENT MANAGEMENT

1. As a member of the RTPI's Task Group on this subject and from my experience in trying to deliver projects through the development management system I offer the following comments.

2. There are many good points with the new measures and arrangements outlined in this Consultation document. However, there is a feeling that some go beyond the main problem areas and start to tinker unnecessarily with those areas of the system that are well understood by developers, and which function well, for example, outline planning applications and time limits for planning appeals. The final new arrangements should focus on what really needs to be done to bring about improvements in the development management service and not stray beyond this.

3. The following is a list of comments made on the relevant paragraphs of the document:

Para 2.25 – Who decides whether a case is “significantly contrary” or not? Also, how will this be decided, as a project can be contrary to an out of date development plan but in line with national planning policy, but not yet implemented by the planning authority. The PA could deem such a project “significantly contrary” but this is clearly unfair. If this categorisation is to be introduced then it has to be clear how it is going to be determined, for example the criteria involved. There has to be some agreed collective forum (which included the views of the applicant and possibly the Scottish Government for major cases) on how this will be decided.

Para 4.3 and 4.4 – I think this change to PPP is unnecessary and confusing. Outline planning applications are popular with developers and work well. This is not a problem area of the planning system in my opinion and should be left alone. Similarly, the point made at Para 7.3 is unnecessary and will be over-burdensome on PAs if they have to undertake additional NN procedures.

5.3c) - There is a need to make validation procedure simpler and more transparent. A short ‘validation meeting’ between the applicant and the case officer would be the best way forward. At the moment the validation process can last a week or more and sets the application process off on the wrong foot. A guide to applicants on validation checks from the PA would also be useful. The measure outlined at Para 5.18 is a step in the right direction.

5.8 Currently, one PA (D&G) sends out a letter requesting information within three weeks which if not received, will lead to an automatic (deemed) refusal of the application. This sets the wrong tone for development management and planning generally. It should be made clear that no such wording in letters should be allowed.

7.6 There is no way that second-class post should be considered for NN as this can take about a week for delivery.

10.6 The reduction in time for making an appeal from 6 to 3 months is not a useful measure and will lead to more appeals being made. From experience as a consultant,

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most applicants take the time after refusal to reflect on their project and make a decision as to whether to revise and improve the proposal. This can take two to three months as it normally involves discussions between the applicant, their consultants and other stakeholders. A reduction in this time available will mean they will not have to time to reflect and discuss and under pressure, will automatically go for appeal. This will increase the number of appeals and also mean that 'improved' or revised applications will be decreased. Again this is another area of the system which does not need changed in my opinion. If it has to be reduced then it should come down to 4 months minimum, although even this makes it very tight for applicants and developers.

Q41 – In response to this question a better name for 'bad neighbour development' would be "potentially low amenity development"

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