



BIDWELLS

# PLANNING OFFICERS SOCIETY SPRING CONFERENCE

15 JUNE 2018

MIKE DERBYSHIRE

HEAD OF PLANNING, BIDWELLS





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# AN AGENT'S PERSPECTIVE OF LOCAL PLANNING AUTHORITIES – THE GOOD AND BAD AND THE UGLY



# EXPERIENCE



**Head of Planning**  
Bidwells

Nov 2013 – Present • 4 yrs 8 mos  
London/Cambridge



**Head of Planning and Conservation**  
Broadland District Council

May 2002 – Oct 2004 • 2 yrs 6 mos  
Norwich, United Kingdom



**Director**  
Savills

Mar 2007 – Oct 2013 • 6 yrs 8 mos



**Chief Development Control Officer**  
Three Rivers District Council

Sep 2000 – May 2002 • 1 yr 9 mos  
Rickmansworth



**Divisional Director**  
Hepher Dixon

Jul 2005 – Feb 2007 • 1 yr 8 mos



**Principal Planning Officer**  
Welwyn and Hatfield District Council

Aug 1998 – Sep 2000 • 2 yrs 2 mos  
Welwyn Garden City



**Planning Officer rising to Senior Planning Officer**  
London Borough of Barnet

Feb 1990 – Aug 1998 • 8 yrs 7 mos  
1255 High Road, Barnet



**Michael Derbyshire**

@mikejderbyshire

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If the Times has a lack of resource in planning departments as a leading article, it must be a real problem!



3:55 am - 18 Aug 2016

# PROCESS/CULTURE

# CULTURE

- Approach to development
- Charging
- Resourcing
- Responsiveness/availability
- Deadlines
- Balanced report writing

# PROCESS

- Pre-application
- Validation
- PPA
- Consultation response -
- Deadline
- Decision making
- Approach to Para. 14 and 49
- Report writing
- Presentation at committees
- Condition
- S106
- Appeals

# PRE-APPLICATION PROCESS

- Cost
- Timeliness/Deadlines
- Papers needed/ read them!
- Consultancy thereafter



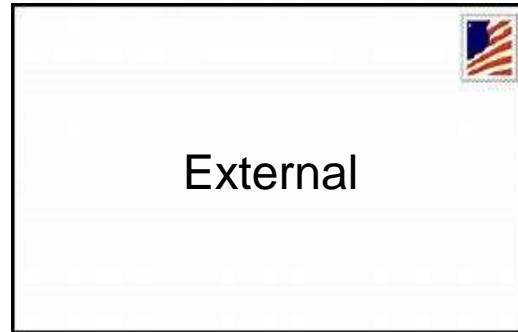
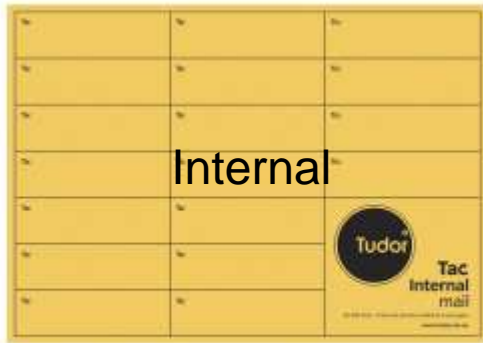
# VALIDATION

- Accuracy
- Speed - consultation
- Investment in back of house infrastructure

# CONSULTATION

- Internal
- External
- Don't be a postbox!

# CONSULTATION



Don't be a  
postbox!

# DECISION MAKING

- Consultation responses

## Key issues

- Consistency across officers
- Scheme of delegation (NMA)

# CONFLICT WITH DEVELOPMENT PLAN

- Para 14 and 49
- Housing number
- Viability
- Landscape

14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.

For **plan-making** this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.<sup>9</sup>

For **decision-taking** this means:<sup>10</sup>

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.<sup>9</sup>

# REPORT WRITING

- Balanced
- Lack of sound discussion
- Development Plan + NPPF
- Clear recommendation – “on balance”.

# PRESENTATION TO COMMITTEE

- Accurate material
- Balanced
- Robust

# CONDITIONS AND S106

- Limit number
- Link to phases
- Below ground
- Above ground
- Agree drafts with agent

“No development above ground floor slab level shall take place until full details of the external materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.”

“No development of the car park shall take place until a Car Parking Management Plan detailing the allocation of parking spaces and details for the future control and monitoring of parking and disabled parking for the hotel and retail scheme within the car park has been submitted to and approved by the Local Planning Authority.”

“Prior to occupation of the building, a scheme for the delivery of public art will be submitted to the Local Planning Authority for approval”

“Before starting any brickwork, sample panels of a minimum size of 1 metre by 1 metre of the general brickwork, feature brickwork and hit and miss brickwork to be used shall be erected on site to establish the detail of mortar colour, detail of bonding, coursing, colour and type of jointing to be submitted and approved in writing with the Local Planning Authority”



# APPEALS



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