

## Future Newsletters

We hope that you found this edition of Root and Branch useful and informative. The articles you have read have been submitted by Members of the Yorkshire Region. If you, or your planning colleagues, have any views, reports, articles or any other information (humorous or otherwise) which you feel would be of interest to other members, please forward them, preferably by email, (see below) to Paula Nolan at regional office for inclusion in the quarterly Newsletter. **The deadlines for 2008 are 10th September and 3rd December.** The success of the newsletter depends on the Members producing the necessary copy. There must be things happening in your area that merit being communicated to a wider audience!

All enquiries to: [Yorkshire@rtpi.org.uk](mailto:Yorkshire@rtpi.org.uk)

## Useful links...

Useful links ...

This edition and past copies of Root & Branch can be found on the Yorkshire Region website at:

<http://www.rtpi.org.uk/cgi-bin/item.cgi?ap=18id=355>

Keep up to date with the conference programme and afternoon/evening seminars at:

[http://www.rtpi.org.uk/rtpi\\_yorkshire/](http://www.rtpi.org.uk/rtpi_yorkshire/)

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**Yorkshire Region Website**  
[http://www.rtpi.org.uk/rtpi\\_yorkshire/](http://www.rtpi.org.uk/rtpi_yorkshire/)



**Summer 2008**  
Royal Town Planning Institute  
Yorkshire Region Newsletter



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## A word from the Chair

Summer looms. 60 odd student assignments to mark and group projects. So whilst I would normally say 'anything to put off doing that' I can't. So to keep matters very short and sweet just a few thoughts...

Anyone having problems with 1APP? Apart from the apparatchiks taking over the planning system that is.

And to add a personal experience – having spent a deal of time and effort over many months discussing two farm diversification schemes with LPA officers then submitting the applications accordingly, we get the admin. apparatchik telling us something completely different. I never thought pre-apps would be a waste of time. From now on perhaps it is best to talk to administration rather than the planning section about what is required?

And I did hear a rumour that one LPA was refusing to accept 1APP which I thought was a novel approach to use a Sir Humphreysism.

This time last year I offered my thanks to Cobbetts for their efforts in giving the annual Development Control conference in York. Having just chaired this years DC conference I am more than justified in being boring by giving my thanks again to Peter Wilbraham and all of his colleagues at Cobbetts and beyond for their sterling efforts in organising this annual conference. And, of course, for all of their work that you don't see being done behind the scenes in preparing the talks and the handout papers.

The Yorkshire Conference Series is a very successful, much liked and much envied part of this region's work. It depends on lots of people for being so, and I hope that everyone not least those of you who attend, appreciate this.

Cont'd/...

## Planning your next move? [juddfarris.com](http://juddfarris.com)

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→ SOUTH YORKSHIRE - Up to £45k + Car/Allowance + Package + Bonus

This International Property Consultancy is looking to expand their Planning and Development team. You will deliver total development solutions which meet the requirements of a premier client base for both the public and private sector. You will ideally have a minimum of 6yrs experience. Private and Public Sector experience or a mixture of both will be considered.

[vicky.tipper@juddfarris.co.uk](mailto:vicky.tipper@juddfarris.co.uk) - Ref: VT/12891

### Principal Planner

→ LEEDS CITY CENTRE - To £35k + Car/Allowance + Additional Benefits & Bonus

This major International Property Consultancy is looking to develop their Leeds Planning presence at a senior level. You will ideally be 4yrs PQE with project management experience, securing permissions for a range of private & public sector clients. Strong negotiation skills and a hunger to generate new business will be advantageous.

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### Senior Planning Consultant

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Our client is a multi-disciplinary consultancy who has a well-respected existing team with a strong public sector client base. You will ideally have 4-6yrs experience dealing with planning applications, and regeneration projects. This team can offer you a supportive and stable environment to develop your skills and career.

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→ → → Contact Vicky Tipper on 0161 834 8666 for all the latest in Planning opportunities or alternatively email [vicky.tipper@juddfarris.co.uk](mailto:vicky.tipper@juddfarris.co.uk)

### Planner

→ LEEDS CITY CENTRE - Up to £26k + Car Allowance

This Nationwide independent planning consultancy is looking for a planner with ideally 2 ½ years consultancy experience. You will have a strong academic background, excellent communication skills, and a solid commercial understanding. In return you will be involved in a large portfolio of projects, working in bespoke teams on specific client requirements.

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Our Client is an independent multidisciplinary consultancy seeking an Associate with ideally at least 8yrs experience, a strong background in team management, and generalist or environmental planning skills. You will have the opportunity to work on residential, education, healthcare, commercial, industrial and masterplanning projects, and be expected to play a proactive role in strategic marketing and business development.

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### Senior/Associate Planner

→ LEEDS CITY CENTRE - Flexible Salary + Car/ Allowance + Bonus

This International GP Firm is looking to expand their successful Planning and Regeneration team into the Yorkshire market by appointing an ambitious and committed senior planner ideally with a minimum of 7yrs experience. You will ideally be professionally qualified with experience of project managing.

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SINGAPORE - +65 6536 5850



**Judd Farris**  
nrrnrtv recruitment

As I said at this year's event, it is the 30<sup>th</sup> anniversary of the DC conference which goes to prove how popular and much liked an event it is. Long may it continue. I know that next years' event is already being discussed. Something to look forward to again.

As you will have read previously, another regional stalwart, Mick McLoughlin, is part of a new Foundation Degree course in Planning & Development which started earlier this year at Bishop Burton College. First years intake have all passed their first assessments. Good luck to Mick, his colleagues and the new students. What with the fifty odd students I have just had on my Leeds Met MA course, the DCLG's request for the RTPI to double its intake of Joint Distance Learning MA students to a hundred plus, and the other new courses I read about, it seems that the profession is on its way to getting more bodies on seats in due course.

And finally, I hope you have all seen the very topical news that the DCLG's new Chief planner is our very own Steve Quartermain of Hambleton fame. A long time stalwart of the Regional Management Board and Activities Group, he has put more than his fair share of time and effort into the running of this part of the RTPI world and he has always been worth listening to at the executive meetings. I hope the same carefully thought out common sense views prevail in Whitehall and he doesn't go 'native'. Wish you well Steve and please bring back some sense to the planning system.

I hope everyone enjoys a decent summer break.

**Harvey Pritchard, Yorkshire RTPI Chair  
June 2008**

## Date in the Diary!

The **2008 Summer Party** for Young Professionals in the Built Environment in association with YORnet, RIBA, RTPI, RICS, IStructE and kindly sponsored by Minerva Appointments Ltd <http://www.minervaappointments.com/> will taking place on **Friday 29th August 2008, 7pm til 1am at The Met Hotel, King Street, Leeds, LS1 2HQ.**

Come and join us for a glamorous evening of networking, socialising and of course lots of Dancing! The evening promises to be a fun filled one, giving you the opportunity to meet new contacts throughout the built environment sectors.

The Event includes a Drinks Reception, 3 Course Meal, DJ and Guest Speaker Bryan Davies, The Wonderful North Expo 08 (<http://www.thewonderfulnorth.com/>)

**Tickets**  
**Single £40 + VAT**  
**Table of 10 £390 + VAT**

RSVP by 15th August 2008 - Denise O'Toole, Email [Denise.O'Toole@inst.riba.org](mailto:Denise.O'Toole@inst.riba.org) Telephone 0113 237 8480. Please feel free to circulate onwards to other interested individuals and organisations.

## Brighton Beach Calling All Planners in Yorkshire

The RTPI Annual Young Planners Conference takes place in Brighton this year on Friday 10<sup>th</sup> and Saturday 11<sup>th</sup> October which includes a drinks reception and a formal dinner.



Previous Young Planners Conferences have been held in Glasgow (2007, see photos), Manchester (2006), Belfast (2005), Liverpool (2004), Birmingham (2002) and Sheffield (2001)



The theme for this years conference is 'Bridging the great divide - resolving social and environmental conflict in the 21<sup>st</sup> century'. Speakers include Richard Simmons (Chief Executive, CABE), Caroline Lucas (Green Party) and Gideon Amos (Chief Executive, Town & Country Planning Association) with other high profile speakers to be confirmed shortly.

Attendance at the Young Planners conference counts towards up to **12 hours of RTPI recognised CPD training** and is also a great way of networking with planners from across the UK, as well as getting the chance to taste the nightlife of Brighton! Two day conference ticket prices are £125 (£45 for full time students!) and £25 for the formal dinner on the evening of Friday 10<sup>th</sup> October with Professor Mark Tewdwr Jones from The Bartlett School of Planning, University College London as the after dinner speaker.

Visit [www.rtpi.org.uk/young\\_planners\\_network/](http://www.rtpi.org.uk/young_planners_network/) for more information. For information on sponsorship opportunities for the Young Planners Conference in Brighton, please contact [catherine.middleton@rtpi.org.uk](mailto:catherine.middleton@rtpi.org.uk)



Good news for Planning Aid services across the country with the announcement that the Government has increased funding for the services for three years from April 2008. For Yorkshire Planning Aid this has already translated into an increase in Caseworker Jim Rogers' hours, hence the Advice Line is now available five days a week, Monday to Friday. Plus, we hope to be able to recruit an additional Community Planner in the Autumn, and get some much needed administrative support for the team.

By way of a break from dealing with casework or delivering training sessions on the planning system, the four current staff members and six of our volunteers enjoyed a visit to Kings College, Cambridge in April to attend the national Planning Aid conference. One of the more informal – and lively - sessions during the two day event was a workshop facilitated by CABE & RIBA showing how to make use of their Building Futures game. This is a traditional board game which aims to help communities to identify needs in their locality and then come to some consensus about priorities. It seems to be a useful tool, and we may well be able to incorporate it into a future community planning activity.



Picture shows YPA staff & volunteers at the conference

## YORnet Spring Social 2008

A glorious sunny spring evening at Ha! Ha! Bar & Canteen, Millennium Square, Leeds played host to the YORnet



Spring Social on 23<sup>rd</sup> April 2008. The event attended by over 80 planners, architects and surveyors was a great opportunity for professionals from across the Yorkshire region to socialise and relax after a hard day in the office. The hearty buffet was kindly sponsored by Anders Elite ([www.anderselite.com](http://www.anderselite.com)).

YORnet is a network for young built environment professionals in Yorkshire and is attached to Concourse, the Leeds centre for art, architecture, construction, landscape, planning and urban design. To register your interest and join YORnet, please email [yorkshire@rtpi.org.uk](mailto:yorkshire@rtpi.org.uk) It is free to register onto the emailing list and you will be kept up to date on forthcoming YORnet events and activities.

Don't forget to visit the YORnet Facebook Group Blog for articles and photographs from all of the past YORnet events and activities including the photos from the Spring Social.

If you or your organisation would like to discuss sponsorship opportunities for future YORnet social events and cpd seminars, then please email [yorkshire@rtpi.org.uk](mailto:yorkshire@rtpi.org.uk)

For further information on the RTPI Young Planners Network and the RTPI Annual Young Planners Conference which takes place in Brighton this year on 10<sup>th</sup> and 11<sup>th</sup> October, visit [www.rtpi.org.uk/young\\_planners\\_network/](http://www.rtpi.org.uk/young_planners_network/)

**Bhupinder S Dev, MRTPI, City of Bradford Metropolitan District Council and RTPI Yorkshire Young Planners Coordinator**

### YORKSHIRE CONFERENCE SERIES 2008 Programme

17 <sup>th</sup> September	Leeds	Street Planning and Design
15 <sup>th</sup> October	Sheffield	Promoting Sustainable Transport: Is Planning Making a Difference?
13 <sup>th</sup> November	Leeds	Planning Law Update (in association with Hammonds)
11 <sup>th</sup> December	Leeds	Spatial Strategic Planning – How will it work in Yorkshire?

## YORnet Festive Social

The secret garden at Lounge Bar and Grill on Merrion Street, Leeds played host to the YORnet Festive Social on 5 December 2007. The event attend by over 100 planners, architects and engineers was a great opportunity for professionals from across the Yorkshire region to socialise and meet up with other like minded individuals working in the development industry. The Champagne reception and Christmas themed buffet was kindly sponsored by DPP ([www.dpplp.com/](http://www.dpplp.com/)) and Anders Elite ([www.anderselite.com](http://www.anderselite.com)).



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onto the emailing list and you will be kept up to date on forthcoming YORnet events and activities.

Please also visit the all new YORnet Facebook Group Blog for articles and photographs from all of the past YORnet events and activities. Remember its Free to register onto Facebook.

See link below  
<http://www.facebook.com/group.php?gid=6595842791>

If you or your organisation would like to discuss sponsorship opportunities for future YORnet social and cpd events, then please email [yorkshire@rtpi.org.uk](mailto:yorkshire@rtpi.org.uk)



**Bhupinder S Dev, MRTPI, City of Bradford Metropolitan District Council and RTPI Yorkshire Young Planners Coordinator**

# Coping with Development Plan Failure

**Mick McLoughlin reports from the 2008 Development Control Conference.**

As usual, the annual Development Control update by Cobbetts was a first class affair covering a range of highly relevant and interesting topics in the development management field including the new standard planning application form, validation issues, changes to domestic permitted development rights, the law relating to biodiversity and protected species, alternative sites and a selection of case law on enforcement, compulsory purchase, fairness in public inquiry proceedings and waste.

The latter included the fascinating case of *R (OSS Group Ltd) v The Environment Agency and Others*, where DEFRA, the Environment Agency, the developer and the Courts all grappled with the question 'when does waste cease to be waste in the context of recycling?'. This was a case where common sense had patently been absent to begin with!

However, the most challenging 'strategic' theme from the day was how practitioners might deal with the situation of increasingly out of date local policy – or as veteran planning law expert Peter Wilbraham described it, 'the failure of the Development Plan system.'

It was Peter who opened the day with the very brave observation that major slippage is occurring in new LDF production whilst many saved Local Plans and UDPs are becoming long in the tooth and often totally

irrelevant to decision-making. He acknowledged the difficulties that planners have faced in getting to grips with plan-making in the post 2004 set-up and some of the causalities such as Stafford and Lichfield.



*Wilbraham – Strategic Focus*

Nevertheless, Peter shared his view that the proposed new Planning Infrastructure Commission and the frequent reference to 'need' for projects by Government, is a signal of their increasing frustration with the operation of the planning system at local level.

He drew everyone's attention to the fact that as far as the Commission is concerned, their decisions will be made without any reference whatsoever to the local Development Plan. He expressed his genuine concern that Development Plans may be increasingly sidelined unless planners can produce them faster and to the required standard. He wondered too if the

proposed Community Infrastructure Levy is Government's attempt to provide an incentive for authorities to speed up and improve DPD production.

Peter further commented on the confusion that has been created by the new system in terms of identifying for decision-making purposes what the Development Plan actually is at any one moment in time. He reminded the audience not to forget that even 'unsaved' Local Plan and UDP policies might be material factors in certain circumstances! Peter identified a number of tests to be considered in such scenarios.

## Tests for the Materiality of Unsaved Policies

- relevance to the case;
- is the policy out of date, especially with regard to national and regional policy;
- what were the Local Planning Authority's reasons, if any, for not proposing to save;
- the Government Office's reasons, where given, why it was not saved, and;
- the extent of its compliance with the criteria in paragraphs 5.11 or 5.15 of PPS12

It was Peter's colleague, Sandra Brookes who then went on to provide some of the possible practical ways out of the difficulties posed by the absence of an update and relevant local Development Plan framework. She warned that the options of 'planning by central government diktat' (touched upon earlier in the proceedings by Peter), 'planning by appeal' and 'planning by planning gain', all smacked very much of the bad old days of the 1980s and should be avoided in preference to an approach of 'planning by cooperation' instead.

If we are to deliver complex and sustainable projects, Sandra argued for a more grown up

approach based on communication and joint working between local planning authorities and developers. She pointed to recent work at Northstowe, Birmingham, Ascot and Milton Keynes where a combination of the following tools have been used to encourage effective partnerships:

- council/developer collaboration protocols;
- developer-funded dedicated council posts/staff resources to help assess proposals/process planning applications for major schemes;
- concept statements and masterplans with framework planning obligations allowing forward funding of infrastructure and the delivery of quality objectives throughout all phases of development schemes;
- ongoing council/developer dialogue from pre-application to completion, and;
- use of new and innovative adoption/maintenance mechanisms to cope with issues such as SUDs as well as very high-spec public realm investment within development projects.

Sandra's presentation certainly was a breath of fresh air and brought home the need for close working between public and private sectors to produce sustainable communities through the 'new' culture-changed and far more creative style of development management that Government is now encouraging.

**Mick McLoughlin  
MJM Planning**