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Introduction

www.rtpi.org.uk/wales_young_planners



Dear readers, welcome to the autumn edition of the YPC Newsletter. Well the summer is nearly over, and the winter rain is on its way. Did it ever leave I hear you say?

Well there were a few sunny days in the last few months and lucky for me I was in

London for one of them. Aside from the surprise of a sunny afternoon, the other noticeable change in the sky line was the emerging presence of the Shard at London Bridge.



Due to be complete in 2012 the building is set to be the tallest building in Europe and the 45th tallest building in the world at 310m. When viewed from afar, I thought it would be taller! However, up close the impressive feat of engineering and design is quite something (its height and design raised a number of concerns from various stakeholders, in particular English Heritage).

When complete the building will retain residential flats, commercial offices, and the 5 star Shangri-la hotel offering panoramic views of the city of London. Designed by Italian architect, Renzo Piano, the building will also offer a viewing gallery for members of the public located on the 72nd floor. Whilst it has been compared to a shard of glass, up close the glazing appeared a little dull, unlike the series of 3D images contained within the development's publicity material. Nonetheless it is still an impressive structure! As it is still under construction it is difficult to see how the building will connect to the ground and impact on the pedestrian environment however with a new public concourse and improvements to the London Bridge Tube Station, there should be a marked improvement in the quality of the public realm locally.

For further information on the development why not take a look at the Shard's [Website](#) or take a look around next time your in London. Alternatively why not join YPC on [Facebook](#) to take a look at some more photos of the development.

Weblinks

<http://the-shard.com/overview/>



Young Planners Cymru

On Friday 2nd December YPC will be holding its Annual General Meeting (AGM) where the group will discuss the successes of the year and set an agenda for 2012. Prior to the AGM I would like to invite members to submit expressions of interest in becoming involved with YPC as places on the board are up for election (see page 2).

Over the years I have undertaken numerous roles with YPC and aside from the benefits to professional networking; the various social events have always been entertaining! Nomination statements will need to be received by YPC by the 20th November as per the article in this month's newsletter. All attendees to the AGM will be invited to vote for the 2012 group. If you require any information on the roles please do not hesitate to contact YPC on info@youngplannerscymru.org.uk

YPC are currently organising a number of events over the next few months however this year we are also looking to organise a Young Planners Table(s) at the RTPi Cymru annual dinner. If you are interested in attending as part of the YPC group, email your details to YPC. I hope you enjoy this month's newsletter and if you have any queries or comments, please do not hesitate to contact me.

Kind regards,

Wayne Reynolds (Chair, YPC)

The YPC Steering Group 2012

Positions Available*

Chair / National Representative

Secretary / Treasurer

Communications Manager

Communications Officers

Events Manager

Events Officers

Development Officers

Student Representative

* Final positions will be established at the AGM - December 3rd

Nominations

Its that time of year again when we invite nominations to be part of the YPC Steering Group. The group positions and terms of referenced are being reviewed for 2012 so that the Steering Group can be as effective as possible and focus resources on delivering more events for young planners across Wales.

Could you add something, have you got ideas about how we can take the network forward in 2012? Alternatively, do you know of someone who you feel would do a good job, why not give them a nudge?

We are inviting **nominations** for all positions on our steering group which are listed to the left. Steering group members will serve a full 12 months, and meetings take place on a monthly/bi-monthly basis.

Eligibility

Members of the steering group will need to be signed up to receive the YPC Newsletter (please email us to register).

How to Nominate

To nominate yourself to one of the positions or to just join the steering group please send an email with a short statement (max 50 words) on why you want to volunteer on the YPC steering group by **Monday 21st November**.

Process

In the event that nominations exceed the number of vacancies, members at the AGM on December 3rd will be invited to vote for their preferred candidate for the vacant positions. For further details of our AGM please see the following pages.

Deadlines

All nominations should be submitted by email by **Monday 21st November**.
Email : info@youngplannerscymru.org.uk

YPC Annual General Meeting

The Young Planners Cymru AGM will take place on Friday 2nd December at 5.30pm at Fusion Café Bar, Charles Street, Cardiff..

All members of YPC are invited to come along to the AGM where the new Steering Group for 2012 will be agreed.

Please email us if you intend to come along.



Barry Waterfront....it's Occurring!

The past 35 years in the housing market and the wider economy have been characterised by a series of booms and busts. However, the most recent recession has proven to be particularly rapid and severe in nature.

Although there were indicators, the downturn appeared to happen almost overnight in September 2007 and in the UK, house prices, transaction levels and new build construction rates were rapidly affected, a trend which was quickly mirrored across much of the economy.

So what impact has this had on development scheme viability and deliverability in the UK?

In my personal experience, the impact has been unprecedented. An excellent example is the Barry Waterfront scheme in the Vale of Glamorgan which I have been involved in over the past three years. Specifically, Nathaniel Lichfield & Partners' (NLP) role included preparing and submitting the application, ES Co-ordination, S106 negotiations and general planning services.

Background

A consortium of housebuilders submitted a bid to the Welsh Government to purchase the site in 2007, with their winning bid accepted in September of that year - the height of the property market.

Between the acceptance of the bid and the submission of the scheme, the land value of the site effectively halved. This, coupled with the price of borrowing, increased regulatory burdens and the shift away from flatted development to lower density family housing, all had significant impacts on the viability of the scheme.

Scheme viability soon became a contentious issue between the applicants and the local planning authority as the developer's desire to provide a high quality yet deliverable scheme in a tough market needed to be balanced with the Council's aspirations for the site and the level of S106 contribution sought.

Negotiations were extensive and 23 months after submitting the application, a resolution to grant was finally forthcoming albeit with a complex S106 package including mechanisms for the deferral of some contributions, pending later reviews of scheme viability.

This £230 million scheme represents one of the largest regeneration projects in Wales and will deliver a new link road to Barry Island, a primary school, hotel, supermarket, community facility and a waterfront district centre featuring cafés and restaurants, as well as up to 2,000 new private and affordable homes.



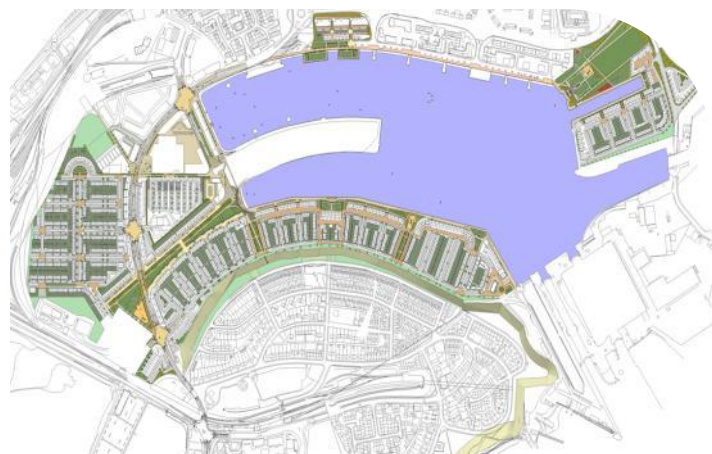
Barry Waterfront....It's Occurring!

NLP prepared an economic benefits report, emphasising the significance of the job creation and other direct and indirect economic benefits resulting from the scheme. This information was particularly important in reinforcing the need for flexibility on s106 contributions by the Council to ensure that delivery could come forward in the short term.

As in the Barry Waterfront example, scheme viability remains a fundamental issue for developments of all sizes and will remain so for some time particularly with increasing regulatory requirements and the prospect of CIL. However, development is conversely also considered to be the key to economic prosperity, something which has been recognised in recent statements by both the UK and Welsh Government's and more recently through the identification of Enterprise Zones.

Therefore, whilst Welsh Government will be central in creating a platform for growth, there remains an implicit need for local authorities to have realistic s106 aspirations and balance them against prioritising the delivery of economic growth. 'Viability is a legitimate and important material consideration that must be taken into account in the formulation of emerging LDP policies and the determination of planning applications.

Indeed, as stated by Jane Davidson, "Local authorities must also ensure that the value of economic development, in terms of wealth and job creation, is explicitly considered, alongside environmental and social matters when decisions on planning applications are made" (28th March 2011).



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Nathaniel Lichfield
and Partners



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Masterclass for a sustainable future

Emma Waddingham, Civitas Law outlines a recent seminar on CIL, significant developments and Dispute Resolution for the planning and development sectors in Wales.

As specialists in Civil and Public law, barristers at Civitas Law constantly engage with professionals across Wales and England on the bottlenecks and issues that delay or put pressure on significant developments. In response to the concerns over Community Infrastructure Levy (CIL), localism and delays to the planning process, we have hosted a series of morning seminars on key issues and their possible solutions.

Over 60 professionals attended the free CPD event at the Park Plaza, Cardiff to hear about issues the RTPi, lawyers, PINS and the private sector believe the industry is now facing - as well as the steps they can take to encourage development and streamline the dispute process.

Keynote speaker Dr Roisin Willmott, National Director for RTPi in Wales, opened the seminar - also attended by the new Counsel General for Wales, Theodore Huckle.

Roisin outlined the Welsh planning landscape post May 2011 and stressed that the new Welsh Government watchword, 'delivery,' in the system for planning aims and policy is key. She highlighted that Welsh Labour "want a planning system that is attuned to development *management* rather than *control*." Other key changes and challenges for the new Government and planners alike include:

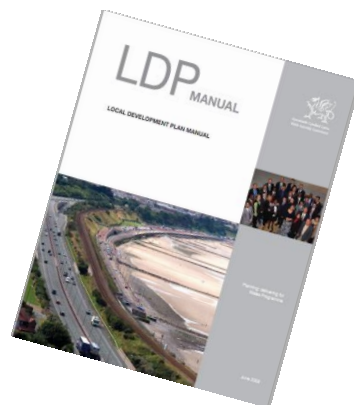
- **Enterprise Zones**
- **Local planning policy** - the implications for those with and without adopted LDPs / CIL
- **Climate change** - specifically planning's role in tackling climate change and the devolution of Building Regulations (Building Regulations Advisory Committee for Wales)
- **Economy** - planning for sustainable economic renewal (Roger Tym & Partners Report, June 2011)
- **Infrastructure** - Need for LDPs to deliver clarity for providers
- **Energy** - notably the Welsh Government written statement (17 June 2011), on onshore wind
- **Welsh Language** - TAN 20 consultation / needs to be addressed in local policies
- **Legislative Programme** - from Sustainable Development (Wales) Bill to the Housing Bill (Wales)
- **Localism Bill** - What relates to Wales?

Following Roisin; Peter Burley, the new Director for Wales at the Planning Inspectorate, presented a clear guide through the most common errors and delays made by those presenting evidence at inquiries - and how to avoid them. His main frustration was that issues are so easily avoided as they generally arise due to poor administration of evidence and presentation of material.

His **top tips** for presenting at an inquiry are:

- Don't leave things until the last minute
- Involve your (experienced and confident) advocate at an early stage
- Talk to the opposing party well before the event
- Make sure that you have identified the principal matter(s) that are in contention

He also advised delegates to ensure they have addressed concerns of third parties (albeit briefly) and anything the Inspector might raise when preparing for an Inquiry.



When preparing the evidence, Peter emphasised the need for relevant, structured, concise and timely material with opinion in the proofs, and facts in the appendices. He also reminded professionals to include summaries that are concise and cover material in the 'main bundle,' and to avoid submitting new or amended evidence at the last minute.

Transporting energy change

From delays in the creation of new planning policy to avoiding complications with PINS, the seminar took a twist towards the problems facing the delivery of renewable energy projects. Nick Oliver, Regional Director at AECOM, led delegates through the current minefield of renewable energy projects in Wales and across the Bridge. Nick leads a team of transportation professionals providing specialist support to developers preparing and engaging in planning applications. His expanding portfolio in the renewable energy sector includes a number of wind energy and photo-voltaics programmes.

AECOM and its clients face mixed reception in the local and national press regarding the new wind energy programme for Mid Wales. From NIMBYs to farmers and those relying on the tourism industry - all have had a clear voice in the press, which Nick believes has led to mixed messages and misguided information.

Masterclass for a sustainable future

The number of projects involving onshore wind farms - either consented, under consultation or in planning - are outstripping other types of renewable energy proposals and developments in Wales (renewableUK July 2011). As well as the turbines and substations, the infrastructure required to connect the energy to the Grid has resulted in the most cause for concern by the public.



Source: <http://www.nationalgrid.com/uk/Electricity/MajorProjects/MidWalesConnection/>

As well as a technical overview of the energy created by wind farms, Nick explained the reality of delivering necessary infrastructure for the Mid Wales Connection programme - for which Phase 1 consultation was completed in June 2011. Most commercial wind turbines are 40-100 tonnes (excluding the giant rotors), up to 5m wide, which are delivered separately to the tower sections; the overall height of which can reach 100m+ and are again 5m wide and tall. Although broken into sections, transporting the tower and hub-stations requires planning and a transportation consultant from the outset.

Transporting these vast machines requires the feasibility for third party land, temporary works, traffic management plans, driver distraction studies and traffic surveys. The ability to streamline and ease the project for AECOM and its clients could be covered by the Wales Framework Traffic Management Plan; and:

- Renewables UK and the wind power industry have commissioned a Strategic Traffic Management Plan (STMP); Overall objective is to undertake a strategic review of the transport options in Wales;
- Scheduled to be completed for first comments in the Autumn of 2011;
- Site specific Traffic Management Plan (TMP) and Environmental Statement (ES) will be prepared for individual sites.

Legal issues

Plans to meet increasing Government pressure to tackle climate change through the planning and development system are often, as in the case of Mid Wales, rallied against by Environmental Groups. Environmental law one of the most rapidly growing areas of the legal system, as are the number of specialist legal practices representing claimant groups across the UK in the Land Tribunal or Judicial Review (JR).

Michael Imperato, solicitor and Partner at Russell Jones & Walker, Cardiff, is highly regarded for this work on behalf of claimant groups (environmental groups / community groups). He outlined the likely impact for significant infrastructure projects caused by the recent rise in cases launched by environmental action groups in Wales.



Since devolution such cases in Wales to the Cardiff Administrative Court in 2009, the number of Town and Country Planning cases per annum are the second highest on the list of topics heard (55 out of 368 in 2010-2011).

These cases are driven by the support of the European Court of Justice (ECJ) for law protecting the natural and human environment - particularly in terms of Courts being asked to preserve nature conservation, limit aircraft noise and regarding planning work.

Areas currently ripe for JR challenge are environmental and planning decisions in Wales. Costs are an issue, which is good news for defendants, as generally; environmental groups have limited access to financial backers. However, the use of 'no win no fee' agreements are increasingly being used to fund public law.

When properly used, these provide increased access to justice and have the potential to allow community and environmental groups to go through the JR process. Further guidance from the ECJ is also being awaited on *R (Edwards) v Environmental Agency and others* 15.12.10 - Supreme Court - which could lead to further protection to environmental cases and their costs.

Masterclass for a sustainable future

CIL: appeals and enforcement

Following the legal theme, Mair Coombes Davies, barrister and Head of the Dispute Resolution Division, Civitas Law, addressed the issues of CIL appeals. She presented a comprehensive and practical guide which highlighted the dispute resolution and appeal procedure which exists within the CIL Regulations 2010 (as amended) Part 10 - against most aspects of the collection and enforcement of CIL except for social housing relief and exceptional circumstances relief.

Key guidance from Mair included:

- ways in which a local authority can enforce payment of CIL and its other enforcement powers
- details and schedule of the DR and appeal system, plus requirements for local authorities if all else fails: Judicial Review

A full outline of Mair's talk can also be seen in the autumn 2011 issue of the RTPI *Cynllunio* magazine.

Civitas Law barristers Cathrine Grubb and Nicklaus Thomas Symonds also hosted sessions: '*Getting the most from your planning mediator*' and '*Resolving property disputes*' (respectively).

For all handout material from this event, please visit www.civitaslaw.com/seminars and scroll down to 'Masterclass for a sustainable future: CIL, Significant Developments & Dispute Resolution' - where the documents will be available to download.

Alternatively, please email: emma.waddingham@civitaslaw.com.



About the author :

Emma Waddingham is the Business Development Manager, Civitas Law. She is a former Editor and journalist for industry magazines, including Local Government News (LGN).

Civitas Law '*is the preeminent set for civil and public law in Wales*' (Legal 500 2011). Its acclaimed public law barristers are notable leaders in their field in Judicial Review, regulatory, planning and property law, as well as arbitration, adjudication and mediation.
www.civitaslaw.com

For further information, please contact Civitas Law:
E: clerks@civitaslaw.com
T: 0845 0713 007

Want to write an article ? Submit your article to info@youngplannerscymru.org.uk

Getting Involved

Got ideas for events ?

We want to help increase the number of networking and social events for young planners across Wales, but we need your ideas first.

If you have any ideas for an event no matter how crazy please let us know.



Social Networking

Come and find us on Facebook, LinkedIn and on Twitter.



EVENT

Halloween*

Pub Quiz

Thursday 27th October

O'Neil's, Cardiff

Starts 7.30pm

A great night out with fun prizes to be won

No planning questions – just General Knowledge

Great networking opportunity

Cost per person:

Individual £3

Students £2
(Valid NUS Card)

Where:

O'Neil's Bar, St Mary Street (Upstairs)

Register :

To register your team (max 5) please email us with your name(s) to info@youngplanners.org.uk by Monday 24th October



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All money raised will be split between
Planning Aid Wales and
Young Planners Cymru.

Cymorth	Planning
Cynllunio	Aid
Cymru	Wales

* Fancy Dress optional

EVENT

TREASURE HUNT

Friday 2nd December



Hosted by:



Young
Planners
Cymru

Come join us for a walking Treasure Hunt through the city centre of Cardiff.

Full details will be sent to all members in late November so if you are interested in coming along please put this in your diary.



Diary Marker - Treasure Hunt - Friday 2nd October (approx. 7-9pm TBC)

Breaking into a career in Planning

RTPI Cymru and Cardiff University CPLAN are piloting a short-term work placement scheme for **planning graduates** living in Wales, who are finding it difficult to get that first break in the planning profession.

The scheme does not offer long term placements; the aim is to provide short term (3 to 4 weeks) opportunities to help those finishing their planning course to retain a link with the planning profession; provide an insight into the professional world of planning; provide valuable experience of contemporary Planning; demonstrate to potential employers continuing interest in, and commitment to, Planning, and thereby strengthening CVs and helping to pave the way into a Planning post.

For employers, the scheme could offer an opportunity for developing supervisory skills of existing junior staff.

Whilst we understand that longer term placements carry more benefits, the aim of this scheme is to increase the placements opportunities available to fulfil the current specific need of helping retain the links with those newly looking for work during the economic cutbacks.

This is a pilot scheme in the first instance and we will be reviewing how it has run later in the summer.

If you have recently completed an RTPI accredited course, are resident in Wales, a member of the RTPI (student or licentiate) and have not had a planning job since completing your course, this scheme may be the break you have been looking for to get into the world work (if only unpaid in the first instance!)

We are also looking for employers wishing to take on placements. We already have a number of planning consultancies, local planning authorities and charitable organisations offering opportunities, but would like to add to the list.

For further information for students or employers please contact Huw Thomas at Cardiff University: thomasH1@cardiff.ac.uk or Roisin Willmott at RTPI Cymru: roisin.willmott@rtpi.org.uk

