

# Developers

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## **Philip Mason, IL Beeks (HW) Ltd**

It is noted that the review recognises that work should focus on improving the current planning processes.

The emphasis on decision making on Planning Applications within an eight-week period in principle is very good. Unfortunately in practice this only creates poor planning and delays in obtaining planning permissions.

The planning application period needs to recognise that following the public consultation period, applications may require amendments to improve the design or take into account comments received from consultees / public. (Why consult if comments are not considered other than to support refusals). If readvertising is required this will generally extend the period beyond the eight weeks. Many councils are reluctant to make a decision after eight weeks as this will effect their performance rating and future funding. Councils are therefore either asking for applications to be withdrawn or refusing applications that could easily be amended and approved in an additional two weeks. If refused or withdrawn a new application is required and a further eight weeks needed to obtain an approval. Alternatively the Councils will issue an approval on a scheme which could have otherwise been improved or be more neighbour friendly.

More time and costs are involved to the applicant and Council in processing two planning applications on the same project than a single application that is amended and approved. By saving time for planning officers this will improve the number of proposals that can be considered by an officer each year and help to alleviate the shortfall in skilled Planning Officers and cut the cost of providing planning Services.

This will prove the Best Value from the service provided.

The Performance indicator relating to the percentage of applications determined within eight weeks could easily be split to include amended applications, which are determined in say ten weeks.

To encourage amendment to application in place of withdrawn or refused applications will also reduce the number of planning appeals that may be lodged which now need to be registered within three months of the decision date. Many major applications that receive a refusal would not have a resubmitted application determined within the three months.

If more appeals are lodged this will create more pressure on The Planning Inspectorate and could create a skill shortage at this level.

## **Capital and Provident Regeneration**

### **General approach, leadership and process**

1. YES

2. This is a really difficult issue. In theory local authorities ought to be best placed - they are democratically accountable and they know their communities. The problems are: slow decision making combined with a tendency to endlessly commission feasibility studies and master plans but not move schemes forward. They are also surprisingly poor at working collaboratively with other public agencies such as health. In addition their procurement processes are cumbersome, slow, and militate against smaller developers. Furthermore they are often not "smart" about the way they work with the private sector - too cautious, not demanding enough redesign, site planning, understanding of sustainability etc., and too dependent on an inadequate planning system to deliver. So perhaps, yes to local authorities, but with amendments to procurement.

3. Local authorities should manage their own disposals in a way which allows them to work collaboratively with developers. Instead of tendering the land, they should look for a partner, and choose them on the basis of design, ability to work with the local community and approach to collaboration, as well as deliverability. This would lead to a period, during which the preferred developer and the local authority worked together on scheme mix, consultation strategy and local liaison, and the land would only transfer to the developer once planning was achieved. This would reduce the risk to the developer and the risk to the local authority.

We would also like to see a mechanism whereby a planning use could be challenged without having to go thro' planning and an appeal, which is long and costly. Why not have a system where if a regeneration agency, such as a New Deal Trust would be able to challenge a use class restriction if in their view it was not helping the regeneration of an area.

### **Professional skills**

4. An over view of their area and a capacity to join up the Council for the developer for public sector professionals! The humility to want to engage with public sector values for private sector professionals.

5. We would commend the approach of many who work in small regeneration agencies, who by definition, tend to have to span many of the traditional professions, and who are held accountable to their locality. In our experience this tends to make them braver and more imaginative. It may also be that they do not have the same concerns about upsetting politicians.

6. b) YES

c) Could it be piloted at one or two universities - perhaps with a steering group of the ODPM, yourselves, representatives from development, design etc.?

7. In our experience, the real problem is the culture of distrust between the public and private sectors. We believe that the route to changing this is primarily in changing procurement, which would introduce a much greater collaboration between public and private sector partners. Professional institutions may be able to help at the margins, but fundamentally change will come if public/private partnerships begin to deliver outstanding public buildings.

8. There's clearly a huge shortage of planners. But more importantly the planning system focuses on the wrong issues. It isn't about outcomes but about window size and roof lines. No wonder the planning profession is no longer attractive to young graduates.

9. See above

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11. In the main - no. Councillors are too often parochial - which can be a positive attribute, but not when it means designating areas for employment that do not, and cannot meet, current employers needs; or an insistence on a quantum of social housing that is simply not deliverable.

Inadequate skills leads to a lack of confidence in dealing with developers. In our view there are swift ways to remedy this which are not about training (although that may be part of the medium to long term strategy) but are about building collaboration into the procurement process - see above.

12. It 's surprising that schools and health professionals have been slow to see themselves as part of the creation of a sustainable community. Thus schools see themselves as providing education, not making their students work ready; PCTS focus on curing illness not on sustaining wellness. This silo approach to life needs urgently to be addressed.

13. Yes; perhaps a pilot with a selection of training providers?

### **Other**

14. The development industry is, largely, arrogant, and uninterested in sustainable development; and frankly will continue to be as long as the demands on them to understand or care about the communities they work in are so limited. The public sector talks the talk, but when it comes to its own land, is unimaginative in its disposal strategies. On private developments, the sustainable argument appears to focus largely on car parking. Is it surprising that the issue is treated largely as an irrelevance?

## **Name Withheld**

### **General approach, leadership and process**

1. Agreed. Simply 'skilling up' will not produce the step change envisaged in the Sustainable Communities Plan. There needs to be a culture change and particularly within Local Authorities.
2. Under the current system and process the Local Authorities are key to co-ordinating delivery of the sustainable communities agenda. Much of the delivery centres round planning consents which are obtained (or not) from local authorities. They have, in very many cases, not bought into the Government's vision but are still constrained by local politics and nimbyism.
3. Major development projects are increasingly complicated and involve the input of and co-ordination of a vast range of professionals. In processing the project through the local authority the developer again has to deal with many different departments of the local authority and different interest groups. Many of the local authority departments do not co-ordinate with each other and their input is given sequentially. There is too often a 'them and us' mentality which exists between local authorities and developers.

However, the local authorities and developers often share a common vision and objectives for a major project namely the regeneration of a site which will upgrade an area and bring economic success to that part of the community to the benefit of all involved. The key is to make it happen in a timely fashion to the right standard whilst protecting the interest of all relevant parties and especially the community.

For major projects, therefore, there must be a very strong case for the local authority to set up an elite project team incorporating representatives from all departments who are dedicated to the promotion and processing of a single project. This team is more likely to mirror the team put together by the developer and both teams should work closely together to achieve their common objective of delivering the major project.

### **Professional skills**

4. We live in a world of increasing specialisation so it is difficult to believe that generic skills, knowledge and behaviours can be taught or obtained across the full range of professions/occupations. The key delivery starts with the vision (and it is important that there is the widest buy into this) but most importantly, there is the need for one party to take the risk, provide the funding, to co-ordinate all the professionals and to manage the whole process. This is the role of the developer. We need more developers with the widest range of skills.
5. In contributing to delivering 21<sup>st</sup> century sustainable communities the professions (architects, engineers, quantity surveyors etc) are rewarded by way of fees. They are not the risk takers nor do they often appreciate the whole picture. There is a case for establishing the "profession of developer". The developer is currently regarded as a necessary evil as opposed to being held in the esteem which he might merit given that the overall delivery is down to him and his vision.

There is a misconception about the development industry and this does pollute the ability of the business to play the fullest role in the Sustainable Communities Plan. Developers are increasingly professional and we ought to consider establishing this as a profession.

It is also a fact that many people would like to enter the development business but the process or route for doing so is undefined and haphazard.

6. The current approach to education and training is pretty effective although:

The current professional bodies are very protective of their current positions and roles. It would be positive if the culture here changed.

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There is a strong case for some kind of crosscutting foundation course for all professionals. This could be based on promoting a full understanding of total development function starting with the opportunity and vision through to the final sales and marketing.

Uncertain.

7. Given the current status quo there is no doubt that we need to depend on the existing professional institutions and institutes to shape and deliver the right skills for the future. They need, therefore, to take a prime role.

8. There is a shortage. The main shortage is in qualified planners. This is most acute in the public sector as evidenced by the lack of capacity in so many local authority planning departments.

9. Planning needs to be viewed as a highly respected profession which is not currently the case. The starting point must be in encouraging university entrants to pursue a planning course as undergraduates.

There is also a problem in that good professionals and especially planners within the public sector do tend to get employed by the private sector thus depleting the public sector where we do need the right skills and expertise.

The salary levels, therefore, do need to be looked at, particularly in the public sector but the real answer is to bring the right number of professionals into the industry.

10. There is a need to rebrand the core professionals to make them more active to a wide range of possible industries. This must start with the schools and universities. I know that major chartered surveying firms do participate in the university "milk run" and I suspect that very few developers do so, if any.

The industry as a whole needs to have a closer tie to universities.

11. No I do not believe that there are the right economic/financial skills, knowledge and culture in place to work positively with developers. With local authority staff, in particular, it is essential that they can understand the economic benefits of large scale regeneration projects and to help them see how the benefits of these outweigh the small time politics within local authorities. It is also important that they have the skills to convince the Councillors of the merits of each scheme since the latter are the decision makers and it is important that we respect the democratic process.

12. With regard to these other groups it is my view that it is up to developers to open a dialogue with them and to maintain proper communication. This must be done at an early stage in any project and such communication is probably more important than education or training.

13. Yes I believe that training in both the understanding of planning and, even more importantly, of the economic benefits of delivering sustainable communities is essential. If elected members were properly educated then they would understand best how major schemes can really help the regeneration areas of their community and such objectives should not be impeded by small time politics and even minor sacred cows.

### **Other**

14. The development industry is well-informed and is committed to sustainable development. However, the major schemes which are an essential feature of large scale sustainable development are now hugely more complicated than used to be the case. The best way of remedying any gap in expertise is through experience.

Having said that, if there is too much regulation and too many unwarranted delays in producing large scale projects, with all the attendant financing costs etc, then the housebuilding industry could well find it easier to commit itself to more home building on greenfield sites than delivering urban regeneration and the creation of sustainable communities.

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With this question, I would also make the point that a great deal of sustainable development needs to be market led. Very little has been said here about the product and how important it is that the product is right for the home buyers who are vital stakeholders. I believe, therefore, that it is essential that the professionals have a much greater understanding about the product and the market.

15. We would not wish for our response to be reproduced and quoted with our name.

16. We wish this response to be treated confidentially. It can be reproduced or quoted but not with our name attached.

## **Canary Wharf Group plc**

It is clear from our limited experience and from speaking to others in the development industry that there is a serious shortage of suitably qualified staff in local planning authorities. It seems difficult for the authorities to retain staff and frequently key posts remain vacant for extended periods. This is not to say that the professional staff that are in post are not capable and thoroughly professional but that there are not enough of them and many lack local knowledge.

### **General approach, leadership and process**

1. The delivery of sustainable communities does require new innovative "culture, systems and processes" but it is important that they are instead of those that exist not as well as. Much of the preparation for development in the Thames Gateway has focussed on delivery by imposing more layers of planning, government and approvals not fewer. There needs to be a cultural change within the built environment profession and importantly for those who work with them to empower individuals to do a good job and to promote sustainable development. Leadership is key, but needs to be accompanied by more resource and training.

2. Local authorities must take an active role since they are democratically accountable. However local authorities will find it difficult to focus on future needs when the immediate problems of housing, education and poverty demand attention. It is crucial to the sustainable communities' plan to deal with these issues but if resources are solely focussed on today's problems tomorrow's opportunities may be squandered. This can only work with good leadership at member, chief executive and chief planning officer level and it needs to be done in partnership with business, the community and specialist regeneration agencies such as UDCs.

3. Changes to the development process:

Greater certainty can be generated by up to date plans that the local planning authority is willing to back and developers can rely on.

Uniformity can be achieved with a single co-ordinated sub-regional development framework based on the London Plan. The boroughs will need to be supported in its implementation with appropriate resources.

Elected members need to be suitably trained to ensure that decisions are made on proper planning grounds. Collaboration with "communities" will however be problematic because the communities, their desires and aspirations will change over the plan period. People will move, families will grow, children will leave home and perhaps most importantly new people will move into the new homes that are built.

### **Professional skills**

4. First we need clarification of what "sustainable community" means, and then everyone will have a common starting point. Design and understanding of urban regeneration and a better understanding of the commercial aspects and individual risks of development are some of the areas that are not taught sufficiently well in planning and similar courses. Also training should require experience in both the public and private sectors.

5. There seems to be no shortage of skilled professionals willing to pontificate and generally give advice. Much of this energy, although well meaning and often constructive, would be put to better use working more positively with developers and the local authorities towards implementation.

6. Workplace based training should be a more significant part of professional training for architects, planners and engineers

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Undergraduate courses should be more vocational and include practical design and commercial experience. Students should be assessed by practising professionals.

A foundation course for the professions involved in development has some merit but a better option might be to introduce a "regeneration" module at the end of the course as part of the student's professional qualification.

The professional institutions should play a more proactive role in the development and execution of the relevant university courses.

7. The professional institutions, particularly the RTPI, should promote the professions more widely. They should also have an advisory and supporting role. There should be greater focus on CPD and cross sector liaison. Employers in the public and private sectors should have input.

8. There is a shortage of skilled professionals in the public sector with "front line" experience of delivery. The evidence is the vacancies within planning and transportation departments in many local authorities including those within the Thames Gateway area. This is compounded by the closure of several planning courses. Also planning departments should review their organisation to facilitate better links between policy and implementation.

9. In planning much of the shortage relates to lack of job satisfaction (and inadequate remuneration) amongst development control staff who have to negotiate with often demanding applicants, field the comments of disgruntled consultees and persuade politicians to make sound decisions. Other jobs in the public sector including policy formulation are less demanding, intellectually more interesting and often better paid.

10. There is a need to build awareness of planning within schools, rather than rebranding. The planning profession lacks glamour and needs to be promoted in schools and universities as being fundamental to our future wellbeing. Highlighting areas that will be of interest to young people is the obvious way forwards, targeting environmental issues, the citizenship curriculum and design.

11. There is no doubt that many local authority staff lack a full understanding of the private sector but it is equally true that many in the private sector fail to understand the responsibilities of public sector employees. Improved training would certainly help but perhaps professional qualification should require experience in both the public and private sectors.

12. Secondment and work experience should be used more widely.

13. Training is always helpful, particularly to help Councillors address the often-complex issues that arise in urban development. However members of local authority planning committees are already required to attend training sessions to make sure that they understand the scope and responsibilities of the role. It is not always clear that such training has much effect. Many planning discussions ignore agreed policy and are swayed by "non planning" issues. Retaining business rates locally would provide members with a focus to deliver growth.

### **Other**

14. The development industry is sufficiently informed. In terms of commitment there is still some way to go. Often the objectives of sustainable communities come at a price and this needs to be reflected in the planning process particularly in planning gain requirements.

The phrase "sustainable communities" also implies that the people that live there have the breadth of skills necessary for wealth creation and to supply a full range of services and amenities. That will require attracting the prosperous as well as those requiring affordable housing. Only if a skilled workforce can be recruited locally will businesses flourish so the managers, IT specialists, accountants and lawyers have to be attracted as well as the teachers, nurses and fire fighters.

15. We are happy for our response to be published and attributed as long as it is within the context it has been written.