

Residents' & Environmental Services Policy Overview Committee - Major Review 2015/16 - Mechanisms for Reviewing Major Developments in the Borough and Identifying Lessons to be Learned for the Planning Process

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REASON FOR ITEM

The Committee is asked to give consideration to the evidence which has been received during the review into Mechanisms for Reviewing Major Developments in the Borough and Identifying Lessons to be learned for the Planning Process.

The Committee and the Head of Planning and Building Control are asked to discuss suggested recommendations for the review.

OPTIONS OPEN TO THE COMMITTEE

The Committee is asked to give consideration to suggested recommendations for the review based on the evidence given during the review and the professional opinion of officers.

INFORMATION

1. The Committee have held two witness session meetings on the review and firstly heard from James Rodger, the Head of Planning and Building Control who provided Members with a presentation on the aims of the review topic. The Committee was provided with details of the current review mechanisms used by the Council on Major Developments.
2. At the second meeting of the review the Committee heard evidence from Satish Vekaria, Design Manager, Major Constructions Projects and from Dale Venn and Jane Venn (Dale Venn Architects Ltd).
3. For Members information the scoping report for the review is attached as **Appendix 2**. In addition **Appendix 1**, provides the Committee with the details of the evidence which has been given at the two meetings. The Head of Planning and Building Control will attend the meeting to discuss with the Committee potential recommendations
4. The Head of Planning and Building Control has provided the following information to help Members with their deliberations and to help in formulating recommendations of the review.

Matters learnt from Head of Planning's evidence

5. There is no current post development review process in place which enables lessons to be learnt from planning decisions either by officers or Councillors.
6. All high profile/major development decisions are effectively made by Councillors who sit on the 3 planning Committees, hence any post development review process agreed by this Committee must heavily involve Planning Committee Councillors as well as officers.
7. The Council historically has taken Councillors on tours of the Borough, but there was limited rigour applied to the process which was basically Councillors visiting a list of sites and sharing their views with officers.
8. There are criteria related to national schemes (e.g. Building For Life) designed to encourage high quality development that officers could draw on to establish meaningful criteria to decide whether development that has been allowed is high quality or not.
9. Parking (pressure placed by new development on existing on-street parking) is a contentious issue with almost all planning developments in Hillingdon.
10. Councils can use design awards as a kind of post development review. But in the Head of Planning's view they only include the very best schemes, they are expensive and it is doubtful whether they encourage understanding of any flaws in current decision making.
11. The Council has undertaken post development surveys of new development, unfortunately these provide limited valuable data as local residents rarely will focus on a topical issue related to the Council (e.g How often refuse is collected) rather than answer questions in the way a survey intends.

Matters learnt from internal/external witnesses

12. It is rarely the case that what is approved is precisely what is built, as building projects evolve to reflect client requirements and the need to meet Building Control, budgetary and other important requirements.
13. The views of the end user are important, good planning is not just about whether the scheme complied with Council planning policies.
14. If there have been positive communication channels between the developer and the Council throughout the planning process, it should lead to better quality development.
15. Planning conditions are an important and much debated part of the planning process; hence it is important to consider whether the right planning conditions were imposed.

Some of the key questions:

16. Were the planning conditions flexible enough and fit for purpose?

17. Developments evolve and there will be some amendments - how have these been handled/affected the final development?

18. How can the Council find out in a simple way the views of the end user?

Note: It was clear from RESPOC's debate with external speakers that Ward Councillors have considerable knowledge in this regard.

APPENDICES

Appendix 1 - Summary of evidence

Appendix 2 - Scoping Report for the review

Summary of Evidence received during the review - Appendix 1

Witness Session on 12 November 2015

The Head of Planning and Enforcement attended the meeting and gave Members a presentation on the purpose of the review.

The Committee was informed that the aim of the review was to consider whether there were any simple post development processes which could be introduced to analyse the successes or failures of major developments in the Borough. Also to look at how decision makers could try to learn lessons from any post development review processes which had been introduced.

Members were informed that Hillingdon processed between around 4,000 planning application a year, of which there were around 100 major applications. The major applications approved had a huge impact on areas of the Borough. New housing developments affected lots of stakeholders.

Reference was made to the current mechanisms which were used by the Council to monitor developments. These included:

- The Local Plan - This provided an opportunity for officers and public to give feedback regarding future developments. However, much of the feedback on planning issues of importance stems from views on developments which had already taken place. In addition the Local Plan was also developed over many years and did not represent a targeted qualitative review of whether the Borough's planning decisions were resulting in high quality development.
- The Planning Department also undertook occasional customer feedback exercises which were targeted at applicants and agents. However, this feedback tended to result in customers focusing on whether they liked the service provided by a particular officer or the merits or otherwise of phone calls going through a customer contact centre. Therefore, the feedback given did not tend to provide meaningful responses on the quality of developments arising from the planning process.
- There was individual site specific feedback from residents or Resident Associations on developments which were being built, but this almost entirely focused on potential breaches of planning control, rather than constructive feedback on schemes once they had been built.

The Head of Planning and Enforcement acknowledged that Hillingdon did not have any processes put in place which monitored planning applications post Committee decision. For instance it would be useful to receive feedback on landscaping at developments.

The Committee was provided with examples of approaches taken by other local authorities in terms of post development review processes.

- Receiving development advice from a Design Review Panel. Reference was made to Guildford Borough Council who received development advice on proposals for large scale new developments from a Design Review Panel. This was a Panel which was made up of professionals with expertise in architecture, urban design, landscape planning, building conservation, transport planning and sustainability. The advice offered was impartial and the intention was that a design review would improve the quality and functionality of development proposals, resolve potentially contentious design issues, anticipate problems and provide alternative solutions, ensure development proposals move smoothly through the planning process and provide a way of testing design ideas.
- The staging of an awards scheme such as held at the London Borough of Bromley. This could aim to promote good design in the Borough and reward and promote excellent developments.
- Reference was made to the previous Council tours which took place, which took Members of the Planning Committee around the Borough to observe recent developments. The tours presented an opportunity for Members to see how new developments had contributed positively to the strategic vision as set out in the Local Plan. It also gave Members an opportunity to consider the detail of some of the sites and to see what had worked well and what had worked not so well.
- Building for Life Standard - This was a well known post development quality review process and was linked to the "Build for Life" website. This website allowed potential house purchasers to see how a new development rated against twelve quality standards. Reference was made to the nearest rated developments to Hillingdon which were in the London Borough of Barnet and which had a handful of large major developments which were subject to the "Building for Life" quality standards.
- Post development questionnaires - The feedback received to these tended to concentrate on micro-issues; however, feedback could be requested of planning agents, builders and architects.

Witness Session on 19 January 2016

Dale Venn and Jane Venn raised the following points:

- In their contribution they would try to be the voice of the applicant/customer in the planning process.
- Named contacts for Planning Officers and direct contact information would be a preferable system to negotiate planning applications.
- Planning conditions were often seen as excessive or onerous, and too rigid rather than guidance.
- Though the overall process was good, it was seen as slow.

- The applicant perception is that central government wanted to encourage development, and local government wished to slow or prevent it.

In response to a member question, Dale and Jane Venn reported that they did not perceive there was variation in how applications were treated within the borough depending on their location.

Satish Vekaria manages a small design team within the council which undertakes projects with a budget between £1,000 and £3 million. The team manage projects from design to conclusion, and also conduct follow-up with users. During the discussion, designs and images for a community resource centre (located in Queen's Walk) were circulated. Satish Vekaria raised the following points:

- After a building is complete they undertake a client survey regarding building and design quality, service, the delivery timescale and whether or not the building is meeting the needs of users.
- When designing and building Queen's Walk Community Centre, ongoing communication and close work with the Planning and Highways departments was critical.
- Upon completion, users of the building did not initially find all of the spaces suitable, in this case due to limited input from carers and families during development. To address this, the design team try to involve as many stakeholders and users of a building from an early stage, and at different points in the process.
- The design teams make an effort to stay in contact with users of completed projects. Especially in the first 12 months they try to catch any defects in the building; however some users periodically return to the design team for advice on how changing usage can be accommodated.



Residents and Environmental Services Policy Overview Committee Review Scoping Report 2015/16

Mechanisms for Reviewing Major Developments in the Borough and Identifying Lessons to be Learned for the Planning Process

BACKGROUND TO THE REVIEW

Aim of the Review

The planning decisions made by the Council can have a fundamental impact on our residents. This is primarily through the change in environment that occurs through new development; ranging from impacts on everything from security, drainage, visual appearance, outlook, light, noise, traffic congestion, parking, through to the wider multi faceted impacts on neighbourhoods and town centres from very large scale redevelopments.

It is certainly the case that considerable effort is given to determining planning applications by Planning officers and the Councillors on Hillingdon's Planning Committees. But it is also the case that considerably less effort is given once a decision is made into considering whether the approved development is successful, or once built actually creates a high quality environment for occupiers, users or neighbours.

Part I – Members, Public and Press
Residents' & Environmental Services POC
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The review is intended to consider whether there firstly are any simple post development processes that could be introduced to analysis the successes or failures of major developments in the Borough and secondly how decision makers could try to learn lessons from any post development review processes introduced.

TERMS OF REFERENCE

The following Terms of Reference are proposed:

1. To understand how lessons are currently learned post approval from processing planning applications;
2. To look at suggested models of best practice (such as the Building for Life Standard) that stem from Governmental or professional bodies and to seek advice from local experts in the fields of planning or architecture.
3. To consider, and recommend to Cabinet any improvements to, the Council's present approach.

INFORMATION & ANALYSIS

It is proposed that the review be broken into two key themes, in order that it is managed efficiently and covers all aspects of the review. The structure is offered as a broad outline in order to ensure that all key aspects of the review are covered. Members are welcome to revise this structure and to add additional themes as they see appropriate.

Hillingdon's Current Mechanisms

It is proposed that Members will firstly gather evidence regarding the review mechanisms currently used by Hillingdon Council. Members will need to understand clearly the aims of the planning process in Hillingdon and identify how well these are met by the existing mechanisms.

- The Local Plan to an extent provides a mechanism whereby officer and public feedback regarding development is given, however, much of the feedback on planning issues of importance stems from views on development already undertaken. The Local Plan is also developed over many years and does not represent a targeted qualitative review of whether the Borough's planning decisions are resulting in high quality development.
- The Planning Department also undertakes occasional customer feedback exercises targeted at applicants and agents. However, this tends to result in customers focusing on whether they liked the service given by a particular officer or the merits or otherwise of phone calls going through a customer contact centre. The feedback given, however, does not tend to provide meaningful responses on the quality of developments arising from the planning process.

- Lastly there is individual site specific feedback from residents or Resident Associations on development which is being built. This is almost entirely focused on potential breaches of planning control, rather than constructive feedback on schemes once built.
- Historically, the Council has undertaken annual mini-bus tours for Planning Committee members. These no longer occur. When they did occur they were structured only in so far that officers selected a range of sites and secured access to the sites. The developments were not reviewed by Councillors following a prescribed framework or process.

Alternative Approaches

An initial review of practices of nearby Councils has not identified any potential models of best practice or usage of post development review processes. There is literature available from professional bodies such as the RTPI (Royal Town Planning Institute), RIBA (Royal Institute British Architects) and RICS (Royal Institute Chartered Surveyors) and from the Design Council concerning post development review. There is a Housing Quality Indicator System used by affordable housing providers (but this has limitations).

The most well known post development quality review process is the Building for Life Standard. Linked to the Building for Life Standard is the 'Built for Life' website. This website allows potential house purchasers to see how a new development rates against 12 quality indicators. The nearest rated developments to Hillingdon are in the London Borough of Barnet, which has a handful of large major developments subject to the 'Building for life' quality standards.

Within the Borough of Hillingdon there are a small number of very experienced planning and architectural practitioners who it is considered would be willing to attend a witness session to share their expert views.

Members may also wish to consider how modern technology can be used in the review of developments, and engaging the public in this process.

Members will want to look at how the Council could constructively review its decisions, and what benefits such approaches could bring to Planning in Hillingdon. Members will wish to be mindful of the resource implications of different review mechanisms.

WITNESS, EVIDENCE & ASSESSMENT

The table below sets out the possible witnesses that could be invited to present evidence to the Committee. Members are reminded that this is not an exhaustive list and that additional witnesses can be requested at any point throughout this review.

Meeting	Action	Purpose / Outcome
RESPOC: 29 July 2015	The scoping report will be presented to the Committee. Members will have the opportunity to agree and/or propose alternative witnesses/topics.	Information and analysis
RESPOC: 12 November 2015	Witness Session 1 Hillingdon's Current Mechanisms Planning Policy Senior Planning Officers	Evidence and enquiry
RESPOC: 19 January 2016	Witness Session 2 Alternative Approaches Expert Planning Consultant Expert Architect Consultant	Evidence and enquiry
RESPOC: 24 February 2016	Consideration of evidence and suggested recommendations	Suggested recommendation
Cabinet: TBC	The draft final report will be presented to Cabinet by the Chairman of the Committee.	Cabinet may approve, amend or reject as many of the report's recommendations as it wishes.

It is also proposed that a tour of a few recent developments is undertaken at some point between the two witness sessions.

ASSESSMENT

As is standard practice for a Policy Overview and Scrutiny Committee review, once a report's recommendations have been agreed by the Cabinet, officers will be asked to begin delivering the necessary changes. The monitoring of officers' work is a fundamentally important aspect of the Committee's work and, as such, regular reports on progress can be requested by Members and a full update report will be added to the future work programme of the Committee.

RESOURCE REQUIREMENTS

This review will be undertaken within current resources. The plan set out above will be coordinated and delivered by Democratic Services. The additional resource of staff time required to present, collect and format evidence for witness sessions will also need to be considered.