

Zen and the art of obtaining planning consent

NorthStar director and site selection sage **DANNY SHARPE** says that, when seeking planning permission, you must ‘walk as if you are kissing the earth with your feet’

Those of a certain age will remember the 1970s TV series ‘Kung Fu’ in which a Shaolin monk travels through the American Old West armed only with his spiritual training and his skill in martial arts. Flashbacks to his training saw him being tutored by a blind Chinese mystic who trained him in the ways of Buddhist philosophy. Those of you who are younger, think of Kung Fu Panda but substitute the animated Panda with a bald hippy and you get the general idea.

As I have now entered my fiftieth year, I feel it is time for me to take on the role of the teacher, don my orange robe and impart some of the wisdom I have gained over the years in the ancient and arcane practice of securing a grant of planning consent. So, if you’ll just sit cross legged on the floor, we’ll begin...

The first lesson comes before you get anywhere near the Local Development Framework or the (out of date) Local Plan. When buying a site do not, ever, buy it ‘unconditionally’. When asked if your offer is ‘subject to planning’? The answer is always “yes”. There are no exceptions to this rule. Buying a site unconditionally might give you the edge in the bidding process but you may find yourself the proud owner of a hugely contaminated acre of land in a Site of Special Scientific Interest, on the fringe of an Area of Outstanding Natural Beauty, nestled in a Conservation Area with a thriving garden of Japanese Knotweed. There simply isn’t time beforehand to research all of the obstacles that might crop up; so don’t do it!

The second lesson is to manage expectations. If you are a practitioner, trying to secure a planning consent for your client, don’t be afraid to tell him that his desire to see a five storey building, with 50 parking spaces, on half an acre of land, on a suburban street of bungalows is unlikely to find favour with either the planning department or the neighbours. You’re good, but you’re not that good. There is no harm in taking on a challenge but give yourself a fighting chance.

It seems that every scheme we do is either in, or on the fringe of, a Conservation Area, all have ecology issues to manage, most have sensitivities in the overlooking, massing and height of the proposed buildings, but these are manageable problems that good design will resolve. Some sites are ‘affordable’ i.e. ‘cheap’, because of the challenges they throw up and sometimes these sites are worth fighting for.

It may take a long time, it will certainly involve a considerable amount of hard work, but just occasionally, a site will crop up that has only a 50% chance of being granted consent. These are the ones to invest your energies in. The 10% long shots are like placing a bet on the Grand National: not something any self-respecting professional gambler would ever do.

Next lesson is ‘engaging with stakeholders’. This is one of those arcane planning phrases on a par with the esoteric mutterings of Master Po from the 1970s TV show. The old man would gaze sightlessly into the distance and quietly say something like:

“When one eye is fixed on the destination, you have only one eye to search for the way” . . .

No-one had a clue what he was talking about but it sounded good.

In fact ‘engaging with stakeholders’ just means “go and talk to the local people”. Don’t email them, don’t DM them on Facebook. Actually sit down with them and talk about the proposed scheme. I know this is a terrifying prospect and you will have to sit stoically whilst occasionally one will shout at you and tell you that this site will only be developed “over my dead body!”



But for every professional NIMBY, there will be ten reasonable folk who are genuinely curious and who will have a local insight, which you could never hope to gain in the few weeks or months of your involvement. By the way, never hold a public meeting in the local church hall where the reasonable folk will sit at the back and listen whilst the local loudmouth(s) will harangue you for a full hour to the amusement of everyone else present. This isn’t ‘engaging with stakeholders’: this is just stupid.

The final lesson is that - and I am sorry to break it to you this way - there is no easy route. Getting a good planning consent is all about hard work, persistence, skill and patience. You will need design skills, you will need people skills and you will have to see each application as a marathon, not a sprint. Some planning officers will need to see you as the only applicant who understands and empathises with their unmanageable workload and their impossible deadlines.

Good manners, self-restraint and an appreciation of realpolitik will prevent you from telling them what you really think of their sloth-like approach to work and their manipulation of ‘flexi-time’ working. Other planners will need a kick up the behind and a strongly worded email to their departmental head. Once you have mastered the distinction between these, you too will be ready to don the orange robe and pass on your knowledge to the next generation of initiates. ct

