

Planning and Transportation Commission – Backland Development Review Suggested Revised Scope

Revised scope/outline

The original aims of this review were:

1. To explore the implications of the existing Planning legislation and;
2. To develop revised criteria for the acceptability of backland developments

The Commission successfully collected the views and concerns of local residents regarding backland development at its evidence gathering session on 25 September 2007.

The Commission also gained some understanding of the limitations in planning legislation and local planning policies to be able to refuse applications on backland development.

However, there are a number of other perspectives and constraints, which need to be explored to provide a balanced and impartial evidence base from which the Commission can make recommendations.

The initial evidence gathering session did not fully explore

- the constraints under which development control officers must operate,
- the resource implications of delivering an effective development control service,
- the arguments in favour of backland development,
- the need for development in Derby
- the ways in which policies could be altered to give Planners greater opportunities to refuse backland applications.

It is therefore proposed that the original aims and objectives of the review be extended to incorporate these issues.

The original aims of the review were to:

1. To gain an in depth understanding of backland developments and the impact they have on local communities
2. To explore the implications of existing legislation and the implications for the Council of refusing planning applications on backland developments
3. To develop a set of draft criteria for acceptable development within sites in urban areas which were formally domestic gardens.

The suggested revised objectives for the review are:

1. To consider the scope and effectiveness of existing planning controls as they apply to residential development on former garden land

2. To consider the grounds on which an applicant can appeal against the refusal of planning permission for backland developments
3. To consider the resources available too the Planning Department and the current timescales and workloads of Officers
4. To consider the levels of government funding liked to the performance of the Planning Department
5. To consider the national trends in backland development
6. To consider the scale of development in Derby and the availability of land to meet the supply
7. To consider the costs of developing a garden compared with other brownfield sites.
8. To examine the advantages and disadvantages of residential development on former domestic gardens
9. To look at the scale and the impact on the local environment of the residential development on former gardens that has already taken place in Derby
10. To seek the views of Derby residents who have first hand experience on the effects of residential development of former gardens
11. In the light of evidence considered at the review, to develop a set of draft criteria for acceptable development within sites in urban areas that were formerly domestic gardens and consider how best to implement them within the Planning Department's policies and guidance.

Proposed Methodology

The initial phase of the review was conducted in a single evening session.

The Council's Head of Development Control and Land Charges provided the Commission with an introduction to planning policy and legislation and its application.

Members of the public provided the Commission with their views and experiences of the negative impact of backland developments.

This information will form part of the Commission's evidence when considering their recommendations.

It is suggested that the second stage of the review consider evidence from the following stakeholders:

1. Paul Clark - Head of Development Control and Land Charges
2. Rob Salmon – Head of Plans and Policies, Regeneration
3. A Representative of Royal Town Planning Institute
4. A Local Builder

Timing and Timescales for the Review

The Commission's initial evidence gathering meeting took place on the evening of 25 September and co-ordination officers spent two days recording the evidence.

It is proposed to hold two further evidence gathering meetings on 28 and 29 November. It is estimated that it will take officers 2-3 days to write up this evidence.

The Commission will then need to consider all the evidence that they have collected and make recommendations to Council Cabinet. It is suggested that the Commission convene a special meeting in December to agree the recommendations.

Demands on Overview and Scrutiny Members

Members will be required to attend two further evidence gathering meetings. Their total time involvement for these further meetings should not exceed 6 hours.