

Outlook

CURRENT NEWS AND VIEWS ON ISSUES AFFECTING LAND & PROPERTY

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Property Consultants LLP

What does Brexit mean for the w

It's been impossible to get away from the issue of the European Union referendum and the vote to leave. However, it's important to consider what it might mean for the whole planning environment and how it might impact on our landowner and developer clients. Jon Rimmer takes a candid look at the issue.

In the months running up to the referendum, a message coming very loudly out of government was the need for planning to support growth. Now with uncertainty over our long-term economic relationship with the EU and access to the Free Market, it is inevitable the government will want to steady nerves and shore up business and investment confidence.

The strong call from business since the result has been that the Government needs to be as business-friendly as possible, and that includes its attitude towards the planning system.

We need to loosen the handbrake when it comes to development so business can invest, jobs can be created and communities supported.

We've already heard reassuring words

from the plethora of new ministers as they address their respective audiences. What the business community is calling for is major investment projects such as HS2 and a decision on a new South East runway to be brought forward, sending a positive message to investors.

Against this backdrop, the Government also needs to continue in its efforts to reform the planning system, with a huge amount of changes in the pipeline needing to be finalised.

The legislative list is lengthy, including measures on neighbourhood planning, reforming compulsory purchase powers and reducing pre-commencement conditions, as well as infrastructure.

There are also proposed modifications to the National Planning Policy Framework (NPPF) to support building on brownfield



and small sites, bring forward new settlements and support the construction of starter homes, as well as to quicken the speed local plans are brought to fruition.

Back in February, the Hobbs Parker team gave its views on rural planning, including evidence on how to improve planning for homes and agricultural buildings in the

The view from both sides of the fence

Having joined Hobbs Parker Property Consultants six months ago, with nearly 30 years' planning experience gained at Canterbury City Council and local authorities, Steve Davies gives an insight into the world on both sides of the planning fence.



Sitting between developers and landowners, and the members of the planning committee and general public, is not a job for the faint-hearted. It requires technical know-how of the ever-changing planning environment, the need to be politically savvy, and also take an impartial and balanced view on sensitive proposals.

Moving across from what some may think is the cossetted world of the public sector presents very different challenges to the criticisms often levelled at local planning authorities, says Steve.

"However my job, managing 15 planning officers, meant I was increasingly a manager of people and policy and

distanced from the planning role. Today I'm directly involved in helping our clients navigate the planning system while at the same time I believe helping to improve many local communities."

Many developers still view the planning officer as a necessary evil, and for many planning officers, the feeling is mutual. However Steve is confident that attitudes across Kent are changing.

"All districts are different, many are becoming more open to discuss proposals, a recognition that a growing population demands more houses but also requires new employment opportunities.

whole planning system?



countryside to support landowners.

With major changes to the structure of many government departments already announced, including the emergence of the Department of Business, Energy & Industrial Strategy, we must hope the planning system – sitting within Communities & Local Government – gets

the resources it needs to drive these policy changes through.



Jon Rimmer
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There still remain other authorities where local opposition groups punch above their weight, tending to delay development and increase costs, only for the applicant to rightly win on appeal setting relations with the local community back by years.”

Having spent his years in local government, Steve now has an almost sixth sense when it comes to identifying the issues on which a planning application can stand or fall.

He said: “The role of today’s planning adviser is about managing expectations of the developer, the politicians and general public.

It’s also acting as an early warning system to stop issues arising that can undermine public and political support for the case for development.”

With planning resources stretched in many local authorities, securing the necessary permission often means

there’s still a long way to go before a developer can put a spade in the ground. Unfortunately signing off the legal agreements and Section 106 contributions is too often delayed and can even undermine the prospect of time-sensitive development.

What about the future and the possible impact of Brexit?

Steve ended optimistically, saying: “With the demand for housing still outstripping supply, and the need to deliver still more commercial property, the future looks busy whether you’re a planning officer or planning consultant.

“What we might need to do is speed up the process so we can make the most of the opportunities that come along for the benefit of Kent.”



Steve Davies
Senior Planning Consultant
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In brief...

New home in AONB given consent

Replacing vacant farm buildings with a three bedroom house on farmland in the Area of Outstanding Natural Beauty (AONB) overlooking the Pilgrims’ Way in Brabourne, can now start after permission was granted.

Ashford Borough Councillors voted eight to one to approve the application for Hillside Lime Works after Hobbs Parker Property Consultants demonstrated the new home would not harm the community, nor set a precedent, but improve the visual impact on the area by demolishing the existing redundant buildings, adjacent to a former lime quarry.

Jane Scott of Ashford-based Hobbs Parker Property Consultants, which represented the applicant, said: “The borough councillors acknowledged the support of the Parish Council. Visiting the site gave them the opportunity to weigh up the impact of a new home against the potential of new commercial development on the site, or leaving buildings to decay.

“By working closely with a local firm of architects it was possible to keep to the same footprint as the existing buildings, retain the grazing in front and views of green fields, while at the same time keeping the domestic activity largely hidden from view.”

A planning appeal in early 2012 by another applicant had previously rejected a proposal for a new home on the site. However, Hobbs Parker successfully showed that the later design had taken into consideration the Planning Inspector’s concerns.

Work can now get under way on the construction of a new single storey house, which will provide three double bedrooms, one with an en-suite plus a family bathroom, a living room, kitchen-diner and utility room, with a glazed entrance hall.

With a large private garden, this home will have views over the surrounding countryside from its elevated position.



Jane Scott
Senior Planning Consultant
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Is it time to loosen the Green Belt?

With demand for housing continuing at an unprecedented rate, despite the possible implications of Brexit, some people are asking: Is it time to review the Green Belt and its role and current size?

However, Sajid Javid, the newly appointed Secretary of State at the Department of Communities & Local Government, described the Green Belt as 'sacrosanct' when he spoke recently in the House of Commons.

He added: "Unless there are very exceptional circumstances, we should not be carrying out any development on it."

According to KCC's Growth & Infrastructure Framework, the scale of the pressure for new homes and commercial development is considerable. Between 2011 and 2031, it's estimated that Kent will require 158,500 new homes to accommodate a rise in population of 293,300 people and 135,800 new jobs.

Sam Snart, Managing Director at Hobbs Parker Property Consultants, said: "Large swathes of Kent, notably in and around Tonbridge, Tunbridge Wells and Sevenoaks, as well as parts of north Kent, are classified as Green Belt.



"With this land continuing to be beyond consideration for housing, the announcement may put pressure on councils to consider proposals on land outside the Green Belt in order to meet their housing land supply targets."



Sam Snart
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Plan ahead for agricultural rent reviews in 2017

As many agri-businesses find themselves facing the continued pressure related to farm incomes, now is the time to consider the potential impact of tenancy reviews and whether the existing rent is appropriate or a rent review is required.

It is important to remember that rent formulas are different for Farm Business Tenancies (FBTs) and Agricultural Holdings Tenancies, so consideration will need to be given to the correct basis

and whether there is scope to review the rent.

With a minimum of one year's notice required, notices would need to be served this autumn to enable the review to take place in autumn 2017. This gives time to consider the economic climate and prepare for discussions with the other party.

Rent formulas under FBTs don't have to

follow the normal market value approach.

It is worth considering whether more flexible or creative rent formulas could be of benefit for both parties. For example, arable rents could be linked to the price of wheat.

It is also worth considering adding a Brexit clause to your tenancy agreement, preparing for the possibility of changes to EU support payments.

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The articles in this edition should not be relied upon or regarded as a substitute for advice. Hobbs Parker Property Consultants LLP would be pleased to provide further information or advice on any particular issue.

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