

Podcasts

THE PLANNING LIFE INSIGHTS OF BRYAN - PART 6

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SUMMARY

In episode 6 of the podcast Planning Life Insights of Bryan, BCLP explore with Quod guest Matthew Sharpe top tips on amending planning permissions for major regeneration proposals enabling them to move with the market (including the implications of the recent Hillside Parks case).

[Transcript](#)

Reworking planning consents for major schemes: end of the line for drop-ins?

Sheridan Treger, Clare Eccles and Joseph Tyler of BCLP are joined by Quod Director Matthew Sharpe and BCLP Partner Christian Drage for top tips on amending planning permissions for major regeneration schemes, maximising opportunity on development sites and enabling schemes to move with the market. And not falling foul, in the process, of the ever-evolving case law on superseding consents benefitting the same land (most recently the Court of Appeal decision in Hillside Parks v the Snowdonia National Park Authority and its implications for drop-ins).

We explore:

- commercial drivers for changes to large scale schemes
- strategic considerations in opting for one route to consent for scheme changes over another (S96A; S73; drop-ins; fresh site-wide permissions)
- a quick refresh on Finney v Welsh Ministers, the various other limitations on S73 variations and workarounds
- a quick refresh on the legal nuances around implementing multiple, overlapping planning permissions on the same development site (the “Pilkington” principle)
- whether the Hillside Parks case changes any of this

- prevention as better than the cure - insights for developers in lining up flexible consents at the planning stage to accommodate future drop-ins
- blue skies thinking on tweaks to the Planning system that could simplify amending schemes for a post-Covid age

Doubtless Hillside Parks will be seized upon by scheme objectors but it is by no means the end of the line for drop-ins. As ever, careful forethought upfront in structuring permissions will save a lot of time and cost down the line and maximise flexibility when building out the optimal scheme for your site.

Can and should normal business resume? Sure. Will the podcast ever succeed in finding a movie reference from before the 80s? Listen and find out.

We hope you enjoy listening!

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