

# Foreword

## Claire Dutch

This year's "Oxford" (or the 41st Oxford Joint Planning Law Conference to give it its full title) attracted a full house. Perhaps the increase in the number of delegates was due to the line-up of high profile speakers covering interesting and relevant topics? Optimistically, perhaps it was an indication of the appearance of "green shoots" of economic recovery? Either way, or a combination of both, over 200 planning professionals met at Oxford University in mid-September in good spirits and ready for a weekend of education and networking.

The title of this year's conference, "Untangling the Golden Thread", tied in with the two main themes of the weekend: first, how development can be delivered in the current economic climate and, second, whether the NPPF has actually made a difference to planning decisions since its publication in March 2012. It was, therefore, pertinent that the conference opened on Friday night with an address by the Minister responsible for pushing through the NPPF, Greg Clark MP, Cabinet Office Minister and former Minister for Cities and Planning Minister. Not surprisingly, growth was a key theme. He spoke of his work on the NPPF, the Government's current focus on cities, and the delivery of infrastructure, all of which neatly provided a platform for the themes of the weekend.

Saturday started with a "bang". Lord Matthew Taylor gave a thought-provoking address. Giving his personal view and not that of the Government, he argued that something more radical than the NPPF is needed to crack the housing crisis. The "nimby's" have a point, he said. Extensions and infill development fail to provide an adequate land supply and are often thwarted by local opposition. The answer, he argued, lies in new settlements, Garden Cities and Eco Towns.

Claire Dickinson from Quod disagreed. Housing, and particularly affordable housing, is needed now and not at some point in the distant future. She argued convincingly that sites are available but that local authorities and developers must be prepared to look beyond on-site affordable housing quantum and work creatively together in partnership to deliver optimum affordable housing outcomes.

Continuing with the theme of delivering development in this economic climate, Andy Rothery from Deloitte followed by addressing the thorny question of "where does the money come from?". He explained, in jargon-free language, the array of possible sources of finance available. He concluded that the funding gap can be filled, but post financial downturn, a more rigorous and sophisticated approach is being adopted by the funders.

Following lunch, we heard from Waheed Nazir, who is at the coal face as Director of Planning and Regeneration at Birmingham City Council. He inspired delegates with his enthusiasm and patent "can do" attitude as he explained just how Britain's largest local authority is moving away from a traditional development control approach and is innovatively driving forward growth and making development happen.

Turning back to the NPPF, Simon Bird QC closed the day's sessions with a forensic analysis of inquiry and court decisions in a post-NPPF world. Has it made a difference? He concluded that, although the quantum of development has not increased, certain themes are emerging. The decisions demonstrate support for housing development, particularly in cases where a five-year land supply cannot be demonstrated. No doubt to the relief of many campaign groups, respect for the Green Belt is being maintained. It is, of course, still early days for the NPPF.

Tim Corner QC, our after dinner speaker on Saturday night, brought the house down with his comical anecdotes covering an array of highly amusing topics ranging from his working class upbringing in Bolton to tips for success for junior members of the planning bar. Dinner was followed by a live band—a first

for the conference. The Alibis, comprising mainly barristers from Landmark Chambers, were first rate and a dance floor packed with delegates of all ages was testament to that.

Notwithstanding such lively entertainment, most delegates were back in the Oxford Union early on Sunday morning to hear Matthew White from Herbert Smith Freehills display his encyclopaedic knowledge of the Planning Act 2008 consenting regime for major infrastructure projects. In his view, it is too early to fully assess the effectiveness of the new regime, given that to date only a few projects have reached the final hurdle. However, he considered that there are a number of weaknesses in the system, notably the limited ability to make changes to a project following the grant of development consent. Perhaps this will be picked up in the Government's forthcoming review of the regime.

Tradition dictates that the final paper of the conference is a Legal Update. This year, the task fell to Nathalie Lieven QC who, in her usual highly efficient and capable way, guided us through the year's most relevant judgements.

Several delegates remarked that it was a "vintage year" for the conference. That was largely due to the talent and commitment of the speakers. I thank each of them for their considered papers and accomplished presentations. I must also thank my fellow committee members for their energy, guidance and good humour. Sadly, two committee members, Paul Winter and Sarah Stevens, are stepping down this year. They will both be greatly missed.

Finally, there are two unsung heroes without whom the conference would not be what it is. I am personally indebted to Lucinda Howe of Quadrilect and Steven Durno of the Law Society for their creativity, efficiency and dedication.

It was a privilege to chair this year's conference and I look forward to being part of it for many more years to come.