

Coordination Speeds up the Development Planning Process

Ingegerd HEDMARK and Per FLADVAD, Sweden

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SUMMARY

Today, you often hear of protracted, complicated development planning procedures resulting in major delays and consequential risks. Development planning and permit issues are perceived as representing major obstacles and the establishment of accurate and realistic time schedules may seem impossible. Many planning, permit and land unit formation issues are interdependent and many material issues can be resolved at an early point by means of continuous information and feedback at the initial stage of the planning work. This also provides information about and enables an overall understanding of the future implementation.

From our experience, one should, at a very early phase, review and identify the scope of all procedures required according to the applicable legislation. It could be the planning process accorded to land unit information, building permits, other permits and ascertain which and how can in parallel during the course of the project. You should also consult the relevant authorities at an early stage in order to inform them and also gather information about consult the relevant authorities at an early stage in order to inform them and also gather information about what is required and how the work will proceed. Possibly also present control questions during the course of the project and, not least, establish from the outset broad support for the time schedules drawn up by involving the authorities themselves. It is necessary to clarify the roles of everyone involved and allocate responsibility to specially appointed key individuals. Finally, one of the factors of success, is how you work with the basis of a carefully considered information strategy with the aim of advising and ensuring that all stakeholders and other parties involved are aware of the plans in questions at an early stage and provide them with an opportunity to submit views in time and possibility to influence the project. One important aspect here was to approach the matter in such a way that everyone working with the planning and permit procedures operate as real individuals and not anonymous remote people. This has been achieved through holding numerous meetings.

SUMMARY

Det talas idag ofta om utdragna, krångliga planprocesser med stora förseningar och risker som följd. Plan- och tillståndsfrågor ses som stora hinder och det anses omöjligt att kunna göra riktiga och realistiska tidplaner. Många plan-, tillstånds- och fastighetsbildningsfrågor berör varandra och genom kontinuerlig information och avstämning i planarbetets inledande skede kan många sakfrågor lösas tidigt vilket även ger information om och överblick över det kommande genomförandet.

Vår erfarenhet är att man i ett mycket tidigt skede bör gå igenom och analysera omfattningen av alla de ingående processerna som erfordras enligt gällande lagstiftning. Det kan vara detaljplaneläggning kopplat till markförvärv, fastighetsbildning, bygglov och övriga tillstånd. Till detta bör man samråda med berörda myndigheter för att informera och hämta information om vad som krävs och hur arbetet ska gå till, eventuellt ställa kontrollfrågor och inte minst förankra upprättade tidplaner. Alla projektdeltagares ansvar bör tydliggöras och nyckelpersoner ska utses. Slutligen är en av framgångsfaktorerna hur man arbetar med information och informationsstrategi. Alla utomstående som blir berörda ska bli medvetna om aktuella planer i ett tidigt skede och ha möjlighet att lämna synpunkter och möjlighet att påverka projektet. Alla som har arbetat med projektet har vidare blivit verkliga personer och inte anonyma individer, detta har skett genom ett stort antal möten i större och mindre arbetsgrupper.

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INTRODUCTION

In May 2001, AB Storstockholms Lokaltrafik (Stockholm Transport - SL) started to plan a railway depot at Upplands-Bro for the new commuter trains. The new trains were expected to arrive at the newly built depot in May 2005, four years later.

In November 2001, we were engaged by SL to deal with the sub-project 'Planning and permit issues', which covered all permit issues including the preparation of the detailed development plan and the necessary agreements.

We explain below how we dealt with a complex project where the time for completion was the overriding priority. This meant that we had a year and a half to get all of the planning and permit rights ready, including the land unit formation, for the start of construction.



Time schedule – description of the process

We initially conducted a meticulous analysis of the permits, etc. that would be required and the issues that would have to be dealt with and overcome in order to be able to keep to the project's tight time schedule. With this point of departure, we planned the work and analysed future resource and skills requirements; this was necessary to ensure that we would not encounter any setbacks owing to surprises or 'new' issues that might delay implementation.

Our goal was that all these processes would advance 'hand-in-hand', so that on the day when the detailed development plan entered into final force the necessary land unit could be officially formed and registered and the building permit documents would be ready for a building permit.

The most important thing that we did was to firmly establish overall support for the time schedule and the issues that needed to be dealt with, both in relation to the permit-granting authorities and within the project itself. All parties committed themselves to work towards facilitating strict adherence to the time frames stipulated.

Another strategic measure was to, at an early stage, analyse and inform all 'stakeholders', that is to say, authorities, associations, groups or private individuals who were to submit views regarding various matters. They needed to feel that we respected them as participants in the process. An information strategy was drawn up to achieve this.

Detailed development plan process

As the first step (Stage 1) in the detailed development plan process, the Municipality of Upplands-Bro and SL prepared a Planning Programme. This Programme described the background, reasons for the choice of location, the main preconditions, important known factors, planned land use and consequences of such use, together with a preliminary description of the implementation. The aim of the Programme was to ensure that the general public, parties with proprietary interests, interest groups, authorities and political parties would be able to keep themselves informed, influence and adopt from the outset a position on important issues of principle surrounding the project.

In order to pave the way for future stages, we took great care to describe in the Programme all of the core and controversial issues. Using this Programme as a point of departure, we drew up an information folder that was widely distributed. In addition to describing the physical plans and their impact, the folder also explained the aim of the developer and the benefits of the project for public transport within the region, the inhabitants of the municipality of Upplands-Bro and residents of Bro, and for the areas surrounding the depot.

At Stage 2, we prepared a draft detailed development plan based on the Programme and the views that we had received. Among other things, the draft described how land rights, limitations, rights and obligations would be dealt with and regulated. The detailed development plan was submitted for consultation and was released for public exhibition following amendments. We were also careful at this stage to cover all of the issues and proposals properly. The detailed development plan was approved by the Municipality in March 2003 and entered into final force following a Government decision in June 2003. The processing of the appeal by the County Administrative Board was made easier by the Board having been informed about the project at an early stage and subsequently kept informed, and also through their participation in quite a number of meetings that were important from their perspective. The entire time taken for the detailed development plan process, including the Planning Programme and appeal, amounted to one year and seven months.

Permits under the Environmental Code

The project included several environmental matters that had to be dealt with under the Environmental Code (MB). The area forms part of an extensive area of national interest for tourism and outdoor recreation according to Chapter 4, Section 2 of MB. There is an estuary south of the area covered by the plan that is designated as a 'Nature 2000 area' and considered to be of national interest for nature conservancy (Chapter 7 of MB). A stream runs through the area covered by the plan, which is managed by a land drainage undertaking; this stream flows out into the estuary. The area comprises an ecologically sensitive wetland and soft-bottom habitat.

A special study has been carried out as regards the purification of surface water drainage to ensure that there would not be any impact on the sensitive areas or the groundwater. SL applied for a permit in the form of an environmental judgment to ensure that these aspects were considered, and similarly to get a permit for temporary groundwater reduction (in conjunction with the construction works).

- The permits required and notifications that must be submitted for this project under MB are:
- Permits under Chapters 9 and 11 of the Environmental Code for the diversion of groundwater, the temporary reduction of groundwater, handling surface water and works in water areas.
- Application for an exemption for the felling within the area of trees subject to habitat protection under Chapter 7, Section 11 of the Environmental Code.
- Notification under Chapter 9, Section 6 of the Environmental Code and Section 22 of the Hazardous Operations Ordinance.

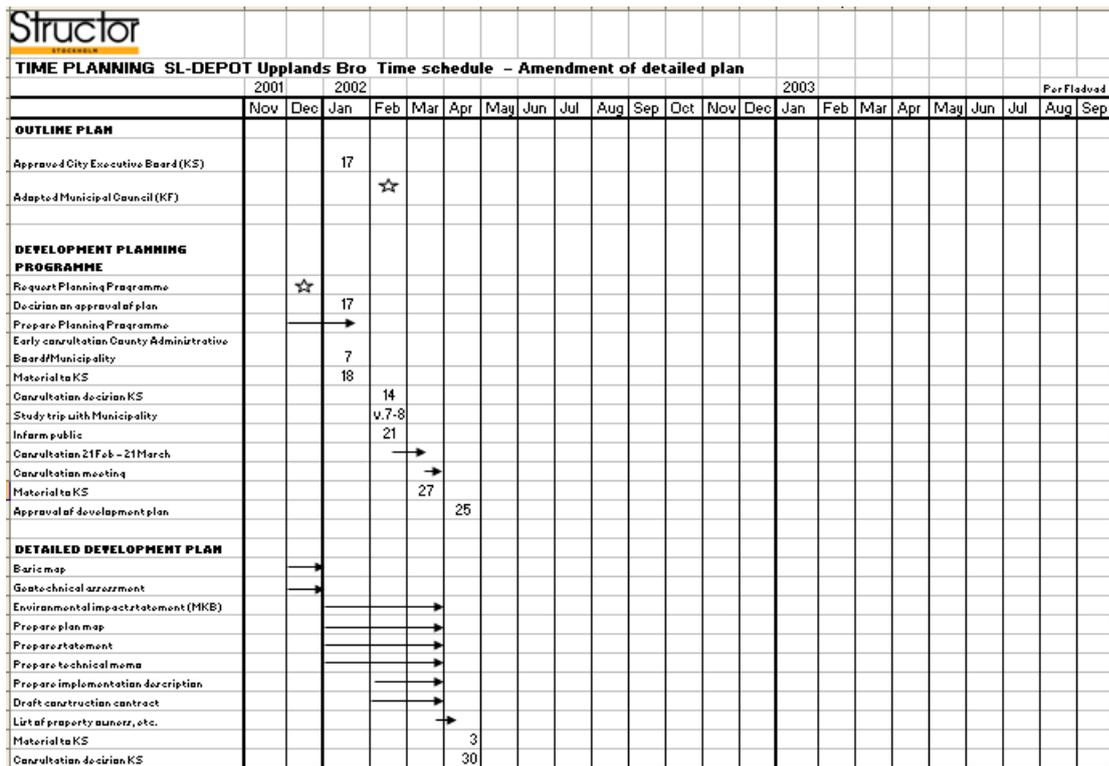
Generally, it can be said that a high level of competence is required to be able to manage permit matters under MB. SL engaged an environmental lawyer who specialises in such matters. This was necessary to ensure that the matter could be processed within the specified timeframe and to remain focussed on the issues that were crucial to the matter.

The application was submitted to the Environmental Court in November 2002 and the decision made in April 2003. The judgment entered into final force in May 2003 and was granted on condition that the detailed development plan entered into force.

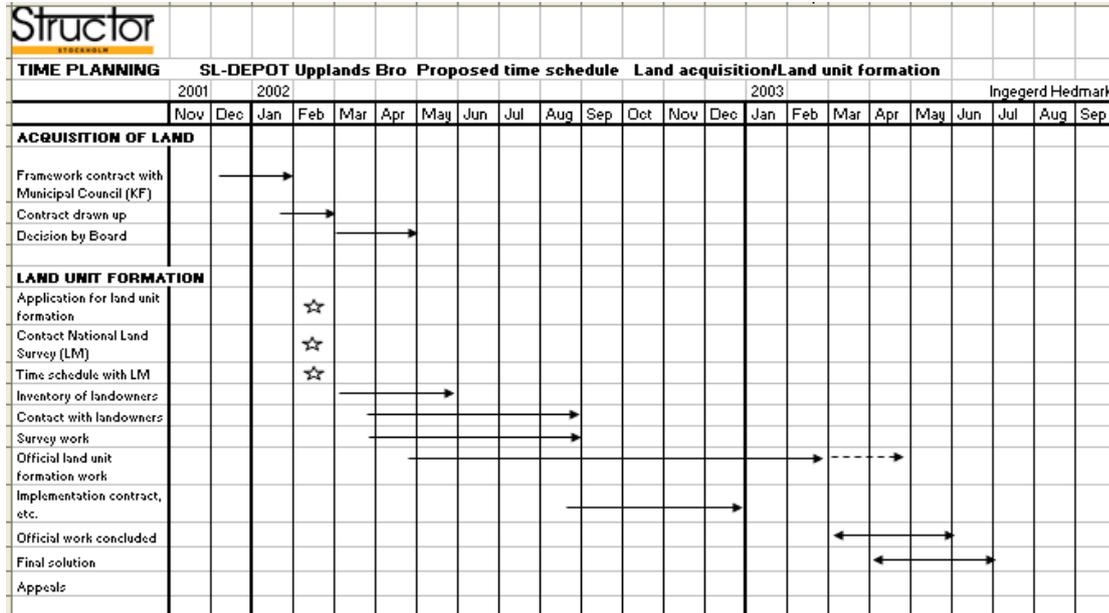
Acquisition of land

In parallel with the detailed development plan procedure and planning the necessary permits, SL commenced negotiations with a number of landowners at the different alternative locations.

When the choice of location was coming nearer to a decision, a deal regarding the land acquisition was struck with the landowners affected. The land acquisition process started during the autumn of 2001 and the contracts were signed in 2002



At Stage 1 of the detailed development plan process, the Municipality of Upplands-Bro and SL prepared a Planning Programme. At Stage 2, we drew up a draft detailed development plan based on the Programme and the views that we had received. This detailed development plan was adopted by the Municipality in March 2003. The entire detailed development plan process took a year and seven months.



SL commenced negotiations with a number of landowners at the various alternative sites in parallel with the detailed development plan procedure. The land acquisition process started in the autumn of 2001 and contracts were signed in August 2002.

Land unit formation

In order to be able to apply for land unit formation, the applicant needs to be a landowner or an owner of other kinds of proprietary rights. In order to commence the process, SL commissioned the National Land Survey to start the preparatory work for the land prior to the forthcoming formation of the land units. When a contract for the acquisition of the land had been completed, this assignment was converted into the official consideration of the land unit formation proposal. The official work then progressed, as far as possible, in parallel with the detailed development plan work up until the time at which the plan was to enter into force. All official consideration of the matter had basically already been done by the date on which the plans were approved. However, owing to appeals, the matter was held up until the detailed development plan entered into final force.

- The official consideration dealt with several land law measures:
- Partitioning and land unit adjustments to form a new plot;
- Easements for the benefit of the municipal property to renew and maintain pathways;
- The establishment of a joint facility for a common access road;
- Adjustments to land rights involving buying out association rights within the proposed depot plot.

All National Land Survey decisions were based on the agreements that had been drawn up. Consequently, these agreements provided great savings in time as it was possible to conclude the official consideration of the matter without having to hold further meetings, and decisions could consequently be made on the basis of the documents submitted.

Close cooperation with the National Land Survey and an unconventional creative approach towards the task represented one of the preconditions for being able to advance the matter as described above. The National Land Survey actively contributed in the consultation phase of the detailed development plan with valuable comments on the plan drawings; most of the implementation issues could be resolved jointly between ourselves and the National Land Survey. In this way, it has also been possible for the official documents to be drawn up in advance.

Project work

From the outset, our work primarily focussed on thoroughly analysing the planning and permit procedure that lay ahead and also the scope of the permits required. What were the risks? Were there any opportunities to save time? What would be required to achieve this? Which decisions were dependent on other decisions? What legislation was involved and consequently what public authorities? What contacts should be made at an early phase to inform the bodies involved and find out what was required for a decision to be made or permit granted? Who was to be responsible for the respective areas?

The advantage in contacting the authorities affected at an early stage is, among other things, that many issues involved in the various processes have a bearing on other issues. Early dialogue means that many issues can be resolved early in the process, thereby cutting future processing times.

Feedback and debriefing

During the course of the project, we have had ongoing feedback and debriefing with the relevant authorities and other parties affected. The large number of questions that had to be dealt with required these interests and activities to be coordinated. Such coordination is necessary and has been managed by an officer appointed to act as the 'spider in the web', who thereby obtained a good overall appreciation of the various procedures involved. Information about how these matters are progressing, any changes, etc. are then notified to all parties involved in the project on an ongoing basis so that everybody is able to plan their work according to the applicable time schedule. In our sub-project, 'Planning and permit issues', each individual's responsibility has been made clear by comprehensive project and assignment descriptions.

It has been said that it is much more difficult to finish a project than to start one. SL concluded this project with a follow-up and feedback of experience, where all those involved, with their respective areas of responsibility, contributed and participated in the preparation of the final report on the project. The participation and experience of all parties represents a vital component for subsequently being able to develop alternative methods and ways of working towards, whenever feasible, the shortening of processing times and improving the efficiency of planning and permit procedures.



CHECKLIST

From our experience, one should

- at a very early phase review, identify and analyse the scope of the permits required according to the applicable legislation – Highways Act, Environmental Code, Planning and Building Act, Land Unit Formation Act, etc.
- review all processes, including detailed development plan, land acquisition, land unit formation, building permits, other permits, and ascertain which and how these can run in parallel during the course of the project
- clarify the roles of everyone involved and allocate responsibility to specially appointed key individuals
- consult the relevant authorities at an early stage in order to inform them and also gather information about what is required and how the work will proceed. Possibly also present control questions during the course of the project and, not least, establish from the outset broad support for the time schedules drawn up by involving the authorities themselves
- consult with the relevant authorities and other interested parties on an ongoing basis
- work on the basis of a carefully considered information strategy with the aim of advising and ensuring that all stakeholders and other parties involved are aware of the plans in questions at an early stage and provide them with an opportunity to submit views in time and possibility to influence the project. One important aspect here was to approach the matter in such a way that everyone working with the planning and permit procedures together with the relevant officers at SL operate as real individuals and not anonymous remote people. This has been achieved through holding numerous meetings.

CONTACTS

Ingegerd Hedmark
Structor Projektutveckling AB
Industrigatan 2 A
112 46 Stockholm
SWEDEN
Tel + 6 70 693 7464
Fax + 6 8 545 55640
Email. ingegerd.hedmark@structor.se
Web.site www.structor.se

Per Fladvad
Structor Samhällsprojekt AB
Industrigatan 2 A
112 46 Stockholm
SWEDEN
Tel + 6 70 693 0380
Fax + 6 8 54 55640
Email. per.fladvad@structor.se
Web.site. www.structor.se