

Scrutiny Committee



Report of Head of Planning

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Executive member responsible: Cllr Roger Cox

To: SCRUTINY COMMITTEE

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Planning Procedures

Recommendation

That the committee notes the contents of the report and the successful implementation of the changes.

Purpose of Report

1. The purpose of this report is to review the changes to planning committee procedures and whether this has achieved the intended outcomes. This has included a review of the following:
 - The meeting length and frequency before and after the changes
 - The number of minor applications per agenda before and after changes
 - Feedback both formal or informal from the public and towns and parishes

Background

2. In 2015 changes were made to the national planning system which emphasised the need to speed up and simplify the planning approval process. The Department for Communities and Local Government (DCLG) published its plan which set out how it would drive up housing supply. As this was a government directive, the council had a duty to follow this, failure to do so could result in the council being placed in special measures which would mean that decision making could be undertaken by the Planning Inspectorate instead of the council.

The objectives

3. The Constitutional Review Group was formed which comprised of councillors and officers from both Vale of White Horse District Council and South Oxfordshire District Council. The objectives of this group were to review both councils constitutions and simplify and speed up the decision making process. At the time the Vale of White Horse District Council had a three tier decision making process which were:
 - decision making delegated to officers
 - decision making delegated to officers in consultation with the Chairman of Planning Committee
 - planning Committee

An additional aim was to strengthen links between parish councils, ward councillors and officers for more effective and responsive management of new development and where people at the heart of the community could better inform in a meaningful way how and where planning permission is granted.

The view was taken that if parish councils are more involved from the outset and have more direct communication with officers and their ward councillors, a large number of planning application concerns could be resolved during consultation and would not need to go to committee.

The changes made

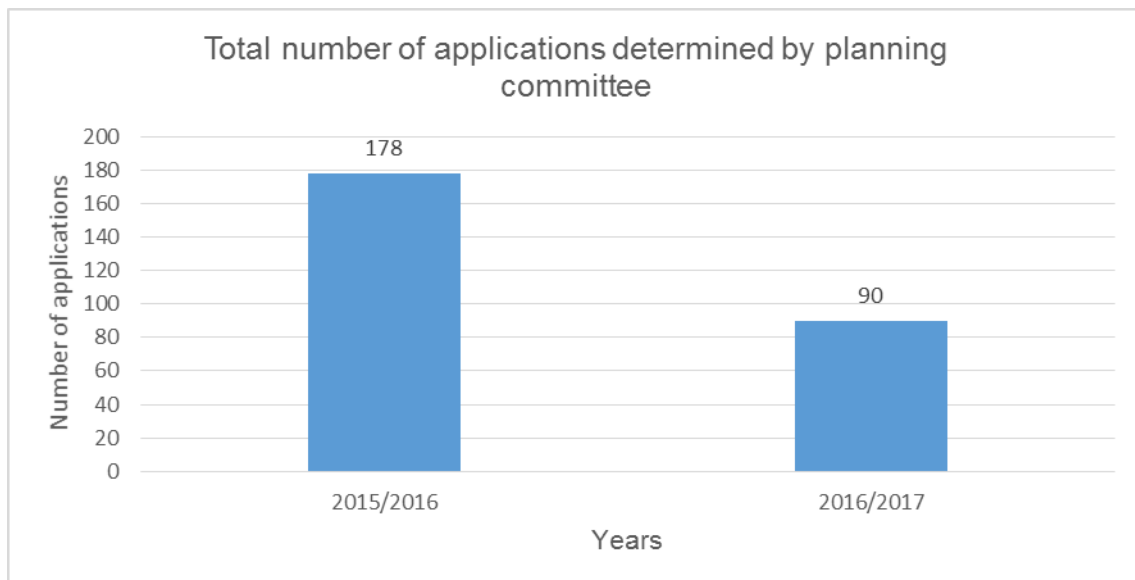
4. Changes were made to the constitution in August 2016 and more recently in June 2017. The decision making criteria outlined below sets out which planning applications are determined by planning committee. All other applications are delegated to officers to determine.
 - a) All major applications i.e. 10 or more houses, commercial space of over 1000 square metres, or any sites a hectare or more in size, would be referred to the planning committee where the view of the parish council is contrary to the officer's recommendation and cannot be resolved by condition or negotiation.
 - b) Minor applications fewer than 10 or more houses, commercial space of less than 1000 square metres or sites less than a hectare in size and other applications e.g. household extensions, advertising, change of use, where they are called in by the ward councillor or chairman of the planning committee or head of planning.
 - c) Large major applications of over 200 homes.
 - d) Applications recommended for approval representing a significant departure from the policies of the development plan, the views of a statutory consultee or the development plan policies are set aside
 - e) The head of planning in consultation with the chairman of the planning committee considers that the committee should determine it.
 - f) A ward councillor calls it in within 28 days of registration in writing and with material planning reasons unless an extension to the consultation period has been granted.
 - g) Where the proposal involves either council as applicant or landowner except in the case of minor proposals fewer than 10 houses, commercial space of less than 1,000 square metres or sites of less than a hectare in
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size or other proposals and where no objections on planning grounds have been received by the Head of Planning, and subject to the decision being signed off by the Monitoring Officer of the district council.

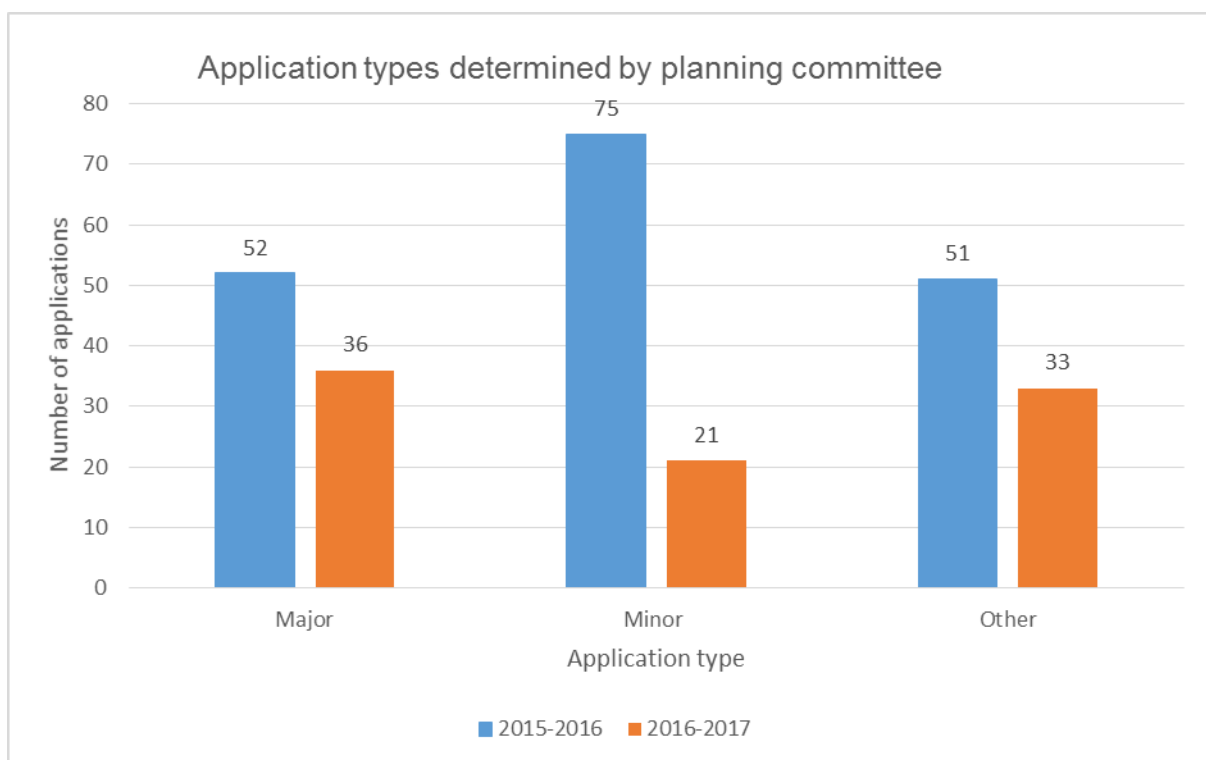
- h) The applicant, landowner or planning agent or consultant is a councillor of either council.
 - i) Any application where an employee of either council is involved in any capacity as either agent or consultant and objections have been received on planning grounds.
 - j) The applicant is a member of staff in the planning service.
 - k) The applicant is a member of staff who in the course of their duties has an input in to the planning process and objections have been received on planning grounds (Any other application from employees of either council may be delegated to the head of planning).
5. In addition to the decision making changes, planning committee procedures have also been changed which means:
- Members of the planning committee can ask public speakers questions of clarification following an address
 - If a planning application is submitted in a committee member's ward then the councillor steps down from the committee and does not vote. However they can speak unfettered as a public speaker
 - The planning committee meeting cannot be any longer than 3 hours. Any business not completed has to be considered at another meeting
6. To support the changes that were made to the Constitution, town and parish councils were offered training in planning matters. These were initially undertaken in July 2016 and have been expanded upon through the Parish Partner training programme.
7. One of the changes to the decision making process was to delegate the decision making of minor planning applications to officers. Previously if a town or parish council objected to this it would automatically be referred to planning committee. To assist town and parish councils, officers write to the relevant parish and explain the planning reasons for their decision and where it differs from the parish's view.

Review

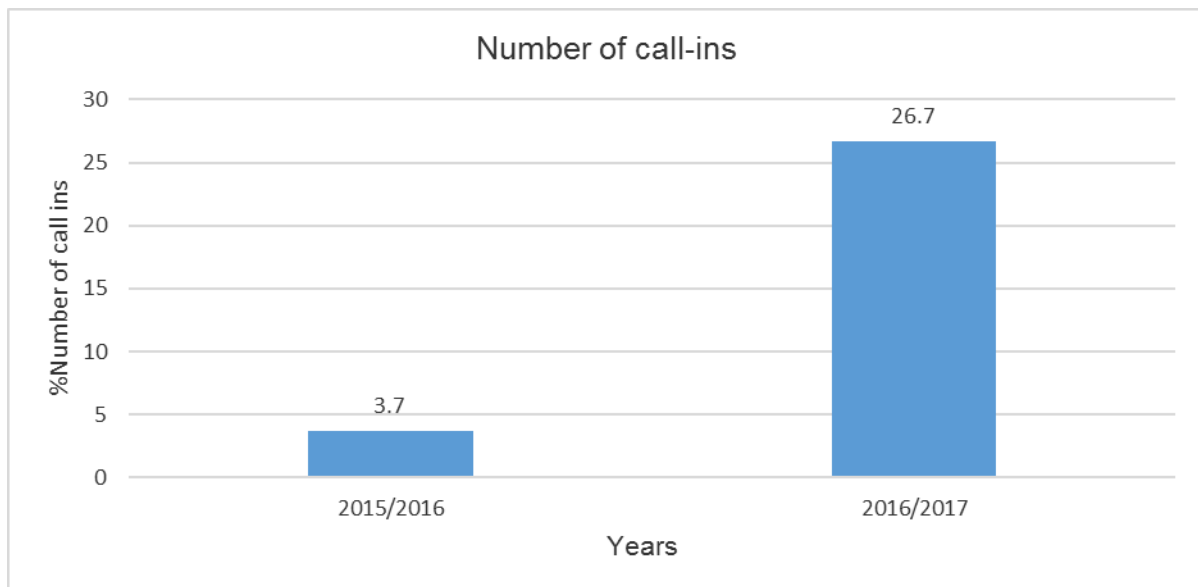
8. The data below reviews the changes looking specifically at:
- The types and number of applications that planning committee are now deciding comparing 2015/2016 and 2016/2017 data
 - The length and frequency of the meetings before and after the changes
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9. Since the changes were introduced there has been just under a 50% reduction in the number of planning applications determined by planning committee. The frequency of meetings reduced from 21 in 2015/2016 and 18 meetings in 2016/2017.



10. The majority of planning applications that the committee are determining following the changes are Major applications. These are usually the most high profile applications which attract the most public interest.



11. Since the changes were made the number of call-ins by councillors has increased and now 26.7% of applications that are determined by planning committee are at the request of the local member. Note this data is based on the information available and it is not specified on every application the reason committee are determining it.

12. Summary of informal and formal feedback received on the changes:

- The introduction of committee members being able to ask registered speakers questions of clarification after their address has been a positive step, informal feedback given on this has made members of the public and town and parish councils feel they are listened to more and that they can make more of a contribution at the meeting
- However, there has been some feedback that the way councillors have asked questions has felt more like a cross examination which has made people feel disengaged from the meeting
- There has been a suggestion that the meeting could take on a similar format to the Licensing Committee, which is a more round table discussion with all parties.
- From an officer perspective meetings ending by 9:30pm is an improvement and makes for a more manageable work load
- Some town and parish councils remain unclear about the constitutional changes

Financial Implications

13. The only financial implications that relate to this is the additional cost that determining a planning application creates. On average an estimate of this ranges from £500 - £900 per application.

Legal Implications

14. If any further changes were to be made to the constitution these would need to be considered by Democratic Services.

Conclusion

15. As more decision making has been delegated to officers it has meant that a greater number of applications can be considered through a simpler and quicker officer decision process. This has contributed towards us being able to meet our housing delivery targets.
 16. Overall the questioning of public speakers has been positively received, as this takes additional time during a meeting it has helped that the number of applications that have to be determined by planning committee has been reduced.
 17. Although automatic referrals to planning committee have reduced, councillors can 'call-in' applications and since the changes there has been an increase in this.
 18. Planning Committee are still determining the most important applications, either due to the size and scale or development or the most locally contentious proposals as these are now the ones which councillors will ask to be call in. Therefore in terms of open debate and public participation this has improved in relation to the most important planning applications.
 19. The changes have been successfully implemented and have met the original aims and objectives.
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