

# ***Report to Local Councils' Liaison Committee***

***Date of meeting: 11 March 2019***



**Subject:** Planning Process Review

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## **Recommendation:**

**That the Committee note revisions made to the planning processes set out within the Planning Delegation arrangements of the Council's Constitution.**

1. At its meeting on 31 July 2018, the Council adopted a number of revisions to the planning processes set out within the Planning Delegation arrangements of its Constitution arising from a review of planning processes, which had been considered against the implications of the delivery of the Local Plan and the resource implications likely to result from an increased volume of work at the pre-application and application stages. Such revisions were communicated to all local councils in 2018.
2. Part of the review concerned existing arrangements for the consideration of planning applications by the Area Plans Sub-Committees, many of which did not meet the national target for determination within eight weeks of receipt, to which an objection to a development proposal was made by a local town or parish council. This report concerns issues that have arisen as a result of the application in practice of this arrangement.
3. To improve relevant processes in this regard, the Council agreed that, in all cases where a local council had submitted a material objection to a development proposal but such objection was not supported by local residents, applications be determined in accordance with the authority delegated to the Service Director (Planning Services) within the Scheme of Delegation set out in the Constitution.
4. Applications recommended for approval where an objection to the planning merits of a development proposal has been received from a local council continue to be considered by an Area Plans Sub-Committee, only where the local council has confirmed in writing its intention to attend the relevant meeting where the proposal will be considered, in order to present such objection to the Sub-Committee.
5. In at least two recent instances, applications contained within the agenda for a meeting of one of the Area Plans Sub-Committees have been referred to the Sub-Committee for determination solely as a result of the receipt of an objection to the development proposal by the relevant local council. In each instance, no other objection had been received to the development proposal and, without the receipt of an objection by the relevant local council, each would have been determined by the Service Director (Planning Services) in accordance with the current Scheme of Delegation. At the close of registration for speakers for each meeting, neither of the respective local councils had confirmed a wish to speak on the applications although, in one instance, the applicant's

agent had registered to speak on the application. Neither of the respective local councils attended the meeting of the Sub-Committee.

6. As each of the applications had been correctly published within the agenda for the respective meeting, the Monitoring Officer considered that it was inappropriate for them to be simply withdrawn without some form of 'consideration' by members and advice was issued to each chairman and vice-chairman in this respect.
7. Although it may be possible on occasion to pre-empt applications for which this situation might arise, it should be noted that agenda for meetings of the Sub-Committees are published over a week before each meeting and that the close of registration for speakers for meetings of the Sub-Committees is 4.00pm on the day before each meeting. As already indicated, it is inappropriate for applications to be withdrawn from a published agenda in these circumstances.
8. At its meeting on 20 December 2018, the Council therefore agreed the following revision to the planning processes set out within the Planning Delegation arrangements of the Constitution, to address such situations:

That in the instance where a local council has not registered to speak at an Area Plans Sub-Committee, or failed to attend, having previously advised the Council of their intention to attend and speak, relevant applications be automatically referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination in accordance with the Scheme of Delegation.