

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Provision of Value for Money within Planning Services Task and Finish Panel **Date:** Tuesday, 8 April 2008

Place: Committee Room 2, Civic Offices, High Street, Epping **Time:** 7.35 - 10.01 pm

Members Present: Mrs L Wagland (Chairman), R Bassett, M Colling, R Frankel, D Jacobs, R Morgan and H Ulkun

Other Councillors: Mrs A Grigg

Apologies: Mrs P Richardson

Officers Present: J Preston (Director of Planning and Economic Development), R Sharp (Principal Accountant), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

Also in attendance: C Biss, K Everett, P Merrit, J Pepper and D Sadler

26. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

None reported.

27. DECLARATIONS OF INTEREST

None reported.

28. MINUTES FROM LAST MEETING

Noted subject to the inclusion of R Sharp in the list of officers present.

29. TERMS OF REFERENCE/ WORK PROGRAMME

J Preston, the Director of Planning and Economic Development spoke to the Panel about Beacon Status Councils. There had been four councils with Beacon Status present at a recent presentation in London. The District Council would benefit from meeting with Beacon Councils to disseminate good practice and the opportunities of Beacon Status. It would be profitable to get one of these Beacon Council to address this Panel, perhaps to ask Harlow or East Herts Council to attend and to share the costs. It may also be advisable to get the Local Councils involved. However, this would depend on the remit of the proposed new Standing Panel.

30. PLANNING AGENTS

The Director of Planning and Economic Development had invited Planning Agents to the Panel, they introduced themselves to the panel as follows:

- (1) Pamela Merritt – Architect of Merritt Design

- (2) David Sadler – Architect
- (3) Jackie Pepper – Chartered Town Planner and Senior Partner of JSP
- (4) Charlie Biss – London based architect
- (5) Keith Everitt – architect, works for Tooley Foster in the Buckhurst Hill area.

The Chairman asked the invited Planning Agents for their views on the District Council's planning system. The main difficulty identified by the Planning Agents with the planning process was that sometimes planning applications would appear to have passed through existing legislative criteria to the satisfaction of officers, only to be refused by the planning committee. Councillor Colling commented that sometimes officers and members do not agree, but that the Sub-Committee were the people on the ground who often had specific local knowledge. Councillor Mrs Wagland added that the Sub-Committee was not there just to rubber stamp officers recommendations, but was obliged to consider the evidence put before it on the day including the 3 minute presentations and to keep an open mind when considering the officer's recommendations.

Councillor Jacobs pointed out that decisions for refusal contrary to officer recommendation constituted only a small percentage of decisions made at planning committees. He observed that the term "on balance" was sometimes used by Planning Officers when summing up a planning application which did not fit easily within planning criteria. The planning case officer was never present at the planning committee, the application was presented by a Principal Planning Officer.

From time to time the planning officer successfully defends at appeal a sub-committee's decision which was contrary to his or her recommendation because the recommendation was a balanced one or because the evidence presented at the committee meeting or the discussion on the part of the councillors justified the alternate view.

The Chairman pointed out that the public believed Council's officers were the competent authority in planning matters, where in reality the competent authority on the Council were the members of the Planning Sub Committees as the officers had no right of decision at a Planning Sub Committee.

Councillor Bassett commented that new members of the Council received training on planning matters when elected and were then thrust onto a Planning Sub Committee. They try to be independent at the meetings, and are not specialist but have a wider perspective on things. The Councillors interrogate the planning officers as much as possible and like to see agents or the applicants at the meetings.

The Chairman asked the agents if this authority was different from the others and do we do things better or worse? The agents individually said that this was the best authority that they had worked with and that our officers were very approachable, they could contact them easily and they returned phone calls. Other authorities did not do this. The agents felt they could come in and talk to the officers before they drew up any plans. They noted that some authorities were talking about getting in local members when the plans and the meeting had concerns that risks conflicting out those members when they are on the Sub-Committee. The Planning Agents made a plea that this authority does not go down the pre-application route which was causing them a lot of problems in other authorities and tended to slow down the application process. There was also a financial cost to the applicant in addition to that

for submitting an application. The Director of Planning and Economic Development advised the panel that the pre-application charging scheme was not compulsory and was only relevant to large scale developments. He assured the meeting that this was currently just a pilot. He advised the Panel that the government had recently increased the cap on planning fees from £50,000 to an estimated £150,000. The Planning Agents believed that paying for consultations with a planning authority was unnecessary and expensive for their clients. Pre-application discussions should decide the direction of a planning application. Consultations were only necessary for large scale developments.

The Planning Agents informed the Panel that although their relationship with planning officers was very good, problems sometimes arose when officers left the District Council for work elsewhere. Permanent staff maintained continuity.

It was suggested that a liaison committee, with local people, should be formed before a major planning application was submitted. This would ensure local support and provide a forum for debate.

The Chairman commented that she was surprised by how much impact a three minute presentation has on the day for an objector or the applicant. The other councillors agreed adding that they were always interested in any special circumstances that might sway a decision.

Members said that District Councillors were dedicated to their task, they often visited application sites before planning meetings to gain a better picture of the site in question.

The Planning Agents said they were pleased with EFDC planning process especially at the start of the process. They approved of the quality of the officers and their flexibility. An agent could bring in half a dozen future applications proposals and get an initial view on them from the officers so that problems could sometimes be ironed out before it became an official application. Officers in other authorities just would not meet them.

The agents also commented that they were frustrated that they sometimes keep to the District's parking policy, but members tended not to agree and turned applications down even though they complied with the policy. The Chairman added that problems may occur when applications went to Town and Parish Councils and they had asked for changes but it may have been too late to incorporate them before the application went to a District Planning sub-committee. It was noted that Councillors were subject to lobbying which agents were not. Councillor Frankel floated the idea of having an extension period when applications needed tweaking, so that the agents could have more time to sort out problems. The Chairman pointed out that the 8 week target deadline for deciding applications could be extended by agreement between applicant and Council and asked whether agents thought that possibility should be explored more often. The Planning agents were in agreement with this and thought a 13 week period instead of 8 weeks.

Members noted that Essex County Council Highways Department rarely objected to planning applications, however when they did, their officers were did not attend the planning committee to elaborate on their concerns. This had left Planning Officers and Councillors in a difficult position when objectors and agents put forward points on highways issues.

Members felt that in cases of poor plans being submitted, it was not the duty of the planning committee to re-work the application. The application should be re-

submitted with a revision of its weak points. It was estimated that about three quarters of planning applications were completed by non-professional applicants. In some cases the plans had been hand drawn. The Director of Planning and Economic Development said it was difficult to refuse an application on the grounds that the applicant's drawings were of poor quality, as this would discriminate against some applicants who could not afford a professional plan. The Chairman asked if the agents were happy with the Section 106 arrangements as proposed by this District, and the agents replied that they were. The Chairman then asked the agents if the District had to find savings, which things should we not change? The consensus of the agents was that the Council's personal service should be kept ("keep your staff"). They were quite happy with the conditions imposed, they thought they were realistic. They thought that we needed a standard set of conditions on sustainability to keep them consistent.

The Director of Planning and Economic Development informed the Panel that the ICT Department of the District Council had assisted Planning Services with changes to their IT system. Currently there were problems with scanning older records. Planning applications should be submitted electronically which speeded up the process, the planning agents felt the new application forms were too cumbersome for effective use. People submitting planning applications needed architects to assist them in completing forms. The planning agents urged Planning Services to complain to the Government about its emphasis on performance targets, it was believed that the new forms were intimidating for applicants.

It was felt by the Panel that a continuous dialogue was needed with the planning agents. Overall the Planning Agents felt that the District Council's Planning Services were providing an excellent service, the Council's planning officers were felt to be well ahead of other councils in regard to service provision, they maintained good liaison with the planning agents and their clients.

The Chairman thanked the planning agents for coming and for their contributions which proved very rewarding to the Panel.

31. PLANNING SERVICES BUDGET

The Principal Accountant provided the Panel with the Income and Expenditure for all Planning and Economic Development Services, showing actual outturn figures for 2004-2005 to 2006-2007, and current estimates for 2007-2008 and 2008-2009. The costs of the new planning computer system and draft Chartered Institute of Public Finance and Accountancy (CIPFA) planning statistics for 2007-2008 were also included. The CIPFA statistics included were incomplete due to many Local Authorities failing to submit their returns. This affects any attempt at comparison with Epping Forest District Council. The District Council had the second cheapest planning fees on average, the cheapest being Tunbridge Wells Council, although it was acknowledged that the District Council covered a considerable area. It was mentioned that a copy of the regulations relating to changes to planning fees had been received which would come into force from 6 April 2008, and the overall increase in basic fees would be in the order of 23%. It was advised by the Director of Planning and Economic development that the increase could be over inflation, although this needed to be approached with caution.

The government used to set a standard fee for enforcement of building regulations, however the fees were nowadays part of a ring fenced account. The monies had funded IT improvements and land charges contributing as well. Members felt that there were too many consultants being appointed who were ex-Council officers. The Director of Planning and Economic Development informed the Panel that it was

proving difficult to find professional surveyors in the market for enforcement of building regulations. The Panel were informed by a member that the public were using Local Authorities for building control work and not outside agencies, as it was felt that they had the knowledge.

Councillor Jacobs commented that a 23% increase in fees had just come in. We should accept we could not balance our books and may as well do what we can by levelling these charges.

The Director of Planning and Economic Development suggested that the Building Control Manager, should be invited to a future meeting of the Panel.

ACTION:

The Director of Planning and Economic Development to bring spreadsheets to the next meeting and amenity groups and local councils to attend as well.

32. ANY OTHER BUSINESS

None raised.

CHAIRMAN