

The Assistant to the Chief Executive, Mr I Willett, presented a report to the Panel regarding Officer Delegation – Planning Applications: Comments by Town and Parish Councils.

This matter had been considered by the Panel on 6 April 2009, there had, since then, been a request by the Council for a further opportunity for discussion to clarify the issue.

Councillor J Knapman had requested that the Panel consider the following proposal:

“Delegated powers should not be used if the Director of Planning and Economic Development intends to refuse a planning application where a local council has indicated a measure of support in its response and that such cases should stand referred to the relevant Area Plans Sub-Committee.”

The reason for this proposal was that local councils stated “no objection” to applications which had appeared to be interpreted by Planning Officers as taking a neutral stance on these applications. This gave authority to make a delegated decision for granting or refusing consent. Officer delegation provided for such comments to be taken into account in deciding whether reference to a Sub-Committee should take place.

Members noted that the issue raised by Councillor J Knapman was already covered in clause P4 (l) of the Planning Protocol. Determination under delegated powers was not reliant upon whether the local council had used or not used the term “Support” or “No Objection” but whether there were overriding reasons for refusing the application in any event.

It was recommended that officers use discretion in holding expressions of support from local councils by providing guidance on planning issues to local councils through the Member Training Programme and council meetings. Reassurance on this issue would be passed to parish clerks via letter and at the Local Council Liaison Committee.

Mr N Richardson, Principal Planning Officer, felt that single storey rear extensions were causing concern with some local councils. This had resulted in some applications of this nature being referred to Area Plans Sub-Committees when granting of consent at officer level was the norm. He said that P4 (g) of the Planning Protocol covered this area. Members requested that N Richardson monitor single storey rear extension applications, that came before committee, until March 2010.

## **RECOMMENDATIONS:**

- (1) That no change be made to the terms of delegation to the Director of Planning and Economic Development regarding reference of planning applications to Area Plans Sub Committees;
- (2) That new guidance be given to Parish Councils regarding how to frame their consultation responses and, in particular, the use of the terms ‘support’, ‘oppose’ ‘no objection’ and ‘no comment’ and that if necessary the matter be raised at a meeting of the Local Councils’ Liaison Committee;
- (3) That the Director of Planning and Economic Development be asked to use his discretion on how Parish Council responses are handled and whether any case should be referred to an Area Plans Sub Committee in the light of those responses;
- (4) That the possibility of extending delegation to officers to approve routine applications in respect of single storey rear extensions to residential properties be deferred for consideration at the next review of delegation; and
- (5) That, pursuant to (4) above, the Director of Planning and Economic Development monitor the number of such applications being referred to Area Plans Sub Committees and the decisions made.