

Report of:	Meeting	Date	Item No.
Cllr David Henderson Chairman of the Planning Committee	Council	14 July, 2011	11

PLANNING COMMITTEE: PERIODIC REPORT

1. Purpose of Report

- 1.1** To enable myself as Chair of the Planning Committee to inform the Council of the current position on issues being dealt with by the Planning Committee.

2. Applications Determined by the Planning Committee

- 2.1** The current scheme of delegation set out in the council's Constitution allows for the Director of Regeneration to determine all planning applications. However, that delegation is conditioned by paragraph 1. It allows for any Member to call a planning application to Committee for determination. To do so, the member must make the request within ten working days of the date of distribution of the weekly list of planning applications, upon which the planning application in question appeared.
- 2.2** Whilst most planning applications are indicated for officer delegation, applications of most strategic or local significance or most likely to be controversial are indicated for committee consideration. Thus, members on receiving the weekly list only need to consider whether they wish to 'call in' a planning application that is listed as 'delegated'.
- 2.3** Between June 2010 and June 2011, a total of 61 planning applications were considered by the Planning Committee. Of these, 40 were referred by Councillors under the scheme of delegation. During this period a total of 789 applications were determined. The percentage of applications referred to the Planning Committee was therefore 5%.
- 2.4** The delegation arrangements are intended to provide a balance between the wish to deal with planning applications promptly and efficiently, the wider community interest in planning matters, and the wish to demonstrate that planning applications are subject to an appropriate level of scrutiny through the democratic process. Whilst the details of the delegation arrangements vary from council to council, the principles are generally the same.

- 2.5** Councils are subject to demanding performance indicators for the speed of decision-making for the determination of planning applications relating to Major applications, Minor applications and Other applications. Whilst the Government's old best value performance target of 90% officer delegation for deciding planning applications has been withdrawn it is still considered to be best practice.
- 2.5** From the 1 December 2010 to the 31 May 2011 we received 405 planning applications, and 370 were determined during this period. The Planning Committee considered 19 applications, which was 5% of the total number of applications decided. Hence, from the 1 December 2010 to the 31 May 2011, 94% of planning applications determined were delegated to the Director of Regeneration.
- 2.6** Performance is measured against both National Indicator NI157 and the Planning and Regeneration Service Plan. NI157 requires 60% of major applications to be determined within 13 weeks, 65% of minor applications to be determined within 8 weeks and 80% of other applications to be determined within 8 weeks. The service plan requires more stringent targets of 80% of major applications to be determined within 13 weeks, 90% of minor applications to be determined within 8 weeks and 95% of other applications to be determined within 8 weeks.
- 2.7** Performance for the period December 2010 – June 2011 for the determination of applications remains consistently above national targets. Over the period 76.6% of 'Major' applications, 80.0% of 'Minor' applications and 92.6% of 'Other' applications were determined within their target times (60%, 65%, and 80% respectively).

3. Appeals

- 3.1** Between 1 December 2010 and 31 May 2011 a total of 32 applications were refused out of a total of 370 decisions (8.6%). 3 of these refusals were made by the Planning Committee. Within this period there have been 8 appeals lodged and 7 decided. Of those decided one was a Committee decision and the remainder were delegated decisions. 4 out of the 7 appeals were allowed (57%), one being a Committee decision and the other 3 were officer decisions. Whilst this currently fails to meet the Service Plan (and previously national BVPI) target of no more than 30% allowed, it needs to be considered that with such a low number of appeals, any allowed appeal will cause a significant drop in performance against this target, and it also needs to be considered that this is only looking at a period of 6 months. Whilst still unsatisfactory, it is the annual figure that is of most relevance.

4. Other Matters for Information

4.1 Member Training:

On the 1 December 2010 members of the Planning Committee approved the continuation of an in-house structured training programme that includes a number of topics and extends to December 2011. The training programme covers various planning related topics and these

vary from year to year but cover a wide range of planning matters from Development Management, to Policy Making, Conservation and Probity. This year two training courses have been provided free by the Government funded Planning Advisory Service, and these have been well attended by members of the Planning Committee. Planning Committee members will also be looking forward to the annual bus tour around the Borough to review recently completed developments (15 August) and this year an additional bus tour looking specifically at Conservation matters is also being organised (12 September). Feedback from both members and officers is that this training session is a very useful tool that facilitates learning and understanding, and observing/assessing/evaluating the built development brings life to the planning process.

4.2 Planning Fees

At present, the fees paid by applicants for planning permission are set by central Government and it is recognised that for the majority of Local Planning Authorities the annual fee income does not cover the cost of providing the service. Whilst we are able to charge for certain non statutory services, such as pre application discussions, this does not make up the shortfall which, at present has to be made up by the general Council Tax payer via the Planning Services budget. The Government have recently finished consulting on proposals to require LPAs to set their own fees and are proposing to introduce the appropriate legislation imminently. Setting fees is a complex exercise and in this respect the Government funded Planning Advisory Service have got together with CIPFA to create a model and methodology which we, amongst another 238 LPAs around the country, have signed up to. It is hoped that the draft fee schedule will be in place by November 2011 and will probably then be implemented (subject to Council approval) in April 2012. It should be noted that under the new fee regime, the LPA will not be allowed to make a profit, and the fees are only intended to cover the cost of the statutory element of Development Management including the processing and determination of planning applications, and cannot be used to offset the cost of the whole of the Development Management service which includes enforcement, conservation, pre application discussions and provision of other general advice and information.

4.3 Planning Portal

From the 1 December 2010 to the 31 May 2011, a total of 312 applications were received on-line via the Planning Portal. That is 77% of the total number of applications received. The advantages of on-line submissions are:

- Easier transition from portal to website.
- Less printing of invalid applications.
- User friendly for customer, resulting in less customer enquiries to planning department.

5. In accordance with Procedure Rule 11.3, any Member of Council will be able to ask me a question or make a comment on the contents of my report or any issue which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rules 11.5.

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