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Dear Clerk

Changes to the Vale of White Horse district council constitution – planning scheme of delegation

We are currently reviewing our constitution, including how planning decisions are made by district councillors and senior officers. We expect these changes to improve decision-making across the council.

This letter outlines the proposed changes, which Council will consider on Wednesday 20 July 2016. If approved, the changes will come into force from 1 August.

Included in the changes are strengthening links between the district council and parish councils to make sure people at the heart of the community can help us make meaningful and informed decisions from the very beginning of the planning process.

A constitution review group, made up of both councillors and officers, have already reviewed the changes.

National context

Following changes to the national planning system last year, which emphasised the need to speed up and simplify the planning approval process, the Department of Communities and Local Government published their plan for how they will commit to significantly drive up housing supply.¹

This is a government directive the council have a duty to follow and failure to do so could result in the planning department being put into special measures, whereby all decisions would be made by a planning inspector, with limited local involvement. This process is already happening in Bromsgrove District Council in Worcestershire, with 14 other councils in line for special measures based on their current performance.²

¹ <https://www.gov.uk/government/publications/dclg-single-departmental-plan-2015-to-2020/single-departmental-plan-2015-to-2020>

² As of September 2015.

How we want to change the planning system and scheme of delegation

The current system for considering and determining planning applications does not work as well as it should. We want to strengthen links between parish councils, ward councillors and officers for more effective and responsive management of new development, where people at the heart of the community can better inform in a meaningful way how and where we grant planning permission.

At present, over 75% of planning applications referred to committee are as a result of a parish council objection; nearly two thirds of these items have no representative attending to speak and in the majority of cases, the decision goes with the officer's recommendation.

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 therefore not need to go to committee. This will free up planning officers' time³ to better engage with the parishes and reduce the frequency and length of planning committee meetings and overall costs.

Proposal

The following proposals are therefore being put forward to deliver this objective:

1. Members of each parish council to be offered training in planning matters, to ensure that concerns are material planning considerations due to the parish being better informed in the relevant planning issues.
2. Enhanced dialogue between planning officers and parish councils to support the above; any consultee parish council who raised objections to applications would be asked which matters would need to be resolved to secure their support and would be consulted again before the committee report was written to determine whether their objection still stands. If not satisfied, there would be a firm expectation that the parish council would attend planning committee and explain its concerns.
3. All major applications, i.e. 10 or more houses; commercial space of over 1,000 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.
4. Minor, i.e. fewer than 10 houses; commercial space of less than 1000 square metres; or sites of less than a hectare in size and other applications, e.g. household extensions, advertising, change of use, could be called in by the ward councillor or chairman of the planning committee or head of planning; parish councils with outstanding concerns could liaise with their ward

³ On average, a planning application considered at committee takes three times the officer's time and three times the cost than a planning application delegated for decision.

councillor on these. The ward councillor would not need to agree with the view of the parish council or attend planning committee on their behalf, just ensure that there were adequate material considerations to justify a call in and refer the application to committee.

5. Support from the planning department in developing neighbourhood plans to put parishes at the heart of strategic local planning and making planning policy.
6. Enhanced public participation whereby committee members can ask registered speakers questions of clarification following an address. This is completely dependent on fewer items going to committee, which is not currently possible due to severe time restraints.

Automatic referrals to committee

The following types of application would automatically be referred to planning committee. In these situations, the parish council would still act as a consultee and have speaking rights at committee:

- Large major applications of over 200 homes;
- Applications recommended for approval representing a significant departure from:
 - Policies of the development⁴ plan;
 - The views of a statutory consultee; or
 - The development plan policies are set aside.
- The head of planning in consultation with the chairman of the planning committee considers that the committee should determine it.
- 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).
- Where the applicant/landowner for minor or major applications is the council, a ward councillor or member of staff and objections have been received.

What happens next?

A briefing of the proposed changes to the scheme of delegation will be tabled at the next Town and Parish forum on 7 July at the Oxford Abingdon Hotel.

The proposals outlined above will be considered at a full Council meeting on Wednesday 20 July 2016. Parish council representatives can register to speak. If the Council approves the changes, these will come into force from 1 August 2016.

Prior to the changes taking place, training will be offered to representatives of each parish council on the following dates:

- Monday 25 July in Faringdon – *venue to be confirmed.*
- Tuesday 26 July in Abingdon – *venue to be confirmed.*

⁴ This includes the local plan, neighbourhood plans and waste and minerals plan

- Thursday 28 July at the Beacon, Wantage.

If you have any questions or would like to make any comments or discuss this further, please do not hesitate to contact democratic services on democratic.services@southandvale.gov.uk or 01235 422521.

Yours sincerely



Margaret Reed
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